

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 513 of 2018

(Arising out of order dated 06.04.2018 in WPC-796 of 2018)

- M/s Amar Infrastructure Limited (Formerly Amar Builders), Near Jain Palace, G. E. Road, Pulgaon, Durg, Tahsil And District Durg, Chhattisgarh Represented By Mr. Narendra Rathi S/o Shri Lalchand Rathi, Aged About 45 Years, R/o Mahesh Colony, Durg, Tahsil And District- Durg, Chhattisgarh.(Petitioner In The Wpc No. 796 Of 2018)

---- Appellant

Versus

1. State of Chhattisgarh Through Its Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, New Secretariat, Mahanadi Bhawan, Naya Raipur, Raipur, Tahsil And District Raipur, Chhattisgarh.(Respondent No. 1 In The Wpc No. 796 Of 2016)
2. Chief Executive Officer, Chhattisgarh Rural Road Development Agency, Vikas Bhawan, Civil Lines, Raipur, Tahsil And District Raipur, Chhattisgarh.(Respondent No. 2 In The Wpc No. 796 Of 2018)
3. Superintending Engineer, Chhattisgarh Rural Road Development Agency, Project Implementation Unit, Rajnandgaon, Tahsil And District Rajnandgaon, Chhattisgarh.Respondent No. 3 In The Wpc No. 796 Of 2018)
4. Executive Engineer- Cum Member Secretary, Project Implementation Unit No. 2, Pradhanmantri Gram Sadak Yojanay, Rajnandgaon, Tahsil And District Rajnandgaon, Chhattisgarh.(Respondent No. 4 In The Wpc No. 796 Of 2018)

-----Respondents

For Appellant : None appears
For the State : Shri Gagan Tiwari, Dy GA

**Hon'ble Shri PR Ramachandra Menon, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu
Judgment on Board**

Per PR Ramachandra Menon,CJ

09.07.2019

1. Heard.
2. On coming out successful in the bid notified by the State-respondent, the appellant/petitioner was awarded a contract. However, it remains a fact that the work contract came to be terminated on

20.03.2009 which made the appellant/petitioner to feel aggrieved, who filed a case before the Chhattisgarh Madhyastham Adhikaran, Raipur. Interference was declined and the said reference was rejected as per order dated 07.02.2017. This was sought to be challenged by filing a Writ Petition before this Court (WPC-796 of 2018). Observing that the remedy of the appellant/petitioner was to challenge the said order dated 07.02.2017, the Writ Petition was dismissed accordingly, which made the writ petitioner to approach this Court by filing the instant Writ Appeal.

3. Shri Gagan Tiwari, learned counsel representing the State submits that the appellant/petitioner has already availed the statutory remedy by filing a Revision Petition against the order dated 07.02.2017 passed in the Reference Case bearing No.6/2012 and the same has been numbered as Civil Revision No.73 of 2018 which is pending consideration.

4. In the above circumstances, no interference is called for. There is nothing wrong in the course pursued by the learned Single Judge in WPC-796 of 2018.

5. The appeal fails and is dismissed accordingly, without prejudice to the contentions of parties to the pending proceedings as mentioned above.

Sd/-
(PR Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge