

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

ARBR No. 17 of 2018

1. Pratap Dalai, S/o Dhobi Dalai, Aged About 57 Years, Contractor, C/o R. Dalai, E-3/6 Behind DPI Colony, Naya Palli, Bhubaneswar (Odisha), District : Bhubaneswar, Orissa

---- Applicant

Versus

1. The State Of Chhattisgarh Through Secretary, Public Works Department, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
2. Superintending Engineer Public Works Department, Durg, District : Durg, Chhattisgarh
3. Executive Engineer Public Works Department, Rajnandgaon, District : Rajnandgaon, Chhattisgarh
4. Sub Divisional Officer Public Works Department, Sub Division No.1 Rajnandgaon, District : Rajnandgaon, Chhattisgarh
5. Senior Divisional Accounts Officer Public Works Department, Division Rajnandgaon, District : Rajnandgaon, Chhattisgarh

-----Respondents

For Applicant	:	Mr. A.K. Prasad, Advocate
For State	:	Mr. V.R. Tiwari, Addl. Adv. General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.11.2019

1. The respondents have raised their objection that the arbitration application filed before this Court would not be maintainable as the same has to be considered and decided by the Madhyastham Adhikarn constituted by the State Government under the provisions of the Chhattisgarh Madhyastham Adhikaran Adhiniyam, 1983.

2. In view of the same, reserving the right of the applicant/petitioner to approach the concerned tribunal, the arbitration application stands disposed-off. In the course of applicant/petitioner filing the application before the Tribunal along with an application for condonation of delay, the tribunal shall consider the same on its own merits taking into consideration the period spent before this Court in this Arbitration application in view of Section 14 of the Limitation Act.
3. Accordingly, the present application stands disposed-off with the aforementioned liberty.

Sd/-
(P. Sam Koshy)
Judge