

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 4636 of 2019**

Satish Book Depot Through Properitor Nilesh Agrawal S/o Shri Gulabchand Agrawal, Aged About 45 Years, R/o Netaji Chowk, Janjgir Champa, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary, Department Of Secondary Education, Raipur Division, District Raipur, Chhattisgarh
2. State Of Chhattisgarh, Through Director, State Project Office, Rajiv Gandhi Shiksha Mission, Office At Pension Bada, Tagore Nagar, Raipur, District Raipur Chhattisgarh
3. The Collector, Janjgir Champa, District Janjgir Champa, Chhattisgarh
4. District Mission Coordinator, Rajiv Gandhi Shiksha Mission, Janjgir Champa, District Janjgir Champa, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vivek Kumar Singhal, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.12.2019**

1. The present writ petition has been filed seeking appropriate direction to the respondents to clear the dues payable to the petitioner to the tune of more than rupees 8.31 lakhs with immediate effect.
2. The claim of the petitioner seems to be in respect of certain supply of library books as well as stationery items to the respondents. The

supplies were made in the year 2010 and the present writ petition has been filed in the year 2019 i.e. after a period of more than 9 years.

3. Perusal of the relief clause reveals that the petitioner has converted the present writ petition into a money suit and is claiming for a money decree to be issued in his favour directing the respondents to release the said amount with interest.
4. In exercise of its power of writ jurisdiction this Court does not find the writ petition to be maintainable for the reason that the claim of the petitioner arises out of some contract/agreement entered between the petitioner and the department of the respondents. Whether supply has been completed or not and whether the petitioner is entitled or not, are all disputed question of fact which cannot be adjudicated upon under the writ jurisdiction of this Court.
5. Given the said facts, this Court does not find any strong case made out for issuance of any direction to the respondents.
6. However, the petitioner would be at liberty to approach the respondents on the administrative side and also would be at liberty to avail other remedies open to him under law for ventilating his grievances.
7. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**