

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

273

CR No.691 of 2019

Date of Decision : 13.03.2019

MAHESH KUMAR

....PETITIONER

V/S

**SUPERINTENDING ENGINEER, PUBLIC WORKS DEPARTMENT
(BUILDING AND ROADS), HARYANA AND OTEHRS**

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. Tushar Gautam, Advocate
for the petitioner.

Mr. R.K. Singla, AAG, Haryana
for respondent Nos.1 to 3/*State*.

None for respondent No.4.

B.S. WALIA, J. (ORAL)

[1] Learned counsel for the petitioner states that in fact, there is no provision for arbitration and that the respondents-defendants concealed the complete document from the learned trial Court by filing only one page out of the bidding documents, which does not reflect the correct factual position.

[2] Learned counsel for respondent Nos.1 to 3/*State* does not dispute that complete bidding documents were not placed on record before the learned trial Court, while moving the application for reference of the dispute to arbitration. He however contends that in the circumstances, instead of invoking the jurisdiction of this Court, the petitioner if so advised, may seek review of the impugned order.

[3] Faced with the aforementioned position, learned counsel for the petitioner prays for permission to withdraw the revision petition, with liberty to file a review before the learned trial Court, in accordance with law to seek review of the impugned order.

[4] In view of the position as noted above, the revision petition is **disposed of**, by granting liberty to the petitioner to take out appropriate proceedings before the learned trial Court, in accordance with law.

(B.S. WALIA)
JUDGE

March 13, 2019

'Rajneesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No