

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

**CWP No. 6270 of 2019  
Date of decision: 08.03.2019**

**M/s Shagun Enterprises**

**... Petitioner**

**Versus**

**Bharat Sanchar Nigam Limited and others**

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,  
CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. D.K. Singhal, Advocate,  
for the petitioner.

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**KRISHNA MURARI, CHIEF JUSTICE (Oral)**

Challenge in this petition has been made to order dated 22.2.2019, passed by the respondents, terminating contract of the petitioner and debarring it from participating in future tenders for a period of one year and forfeiture of security deposited against the tender.

Learned counsel for the petitioner vehemently contended that timely payments were not released by the respondents, which resulted into financial crunch, on account of which payment to the labour could not be made.

Be that as it may, since admittedly there exists an arbitration clause in the agreement between the parties, it is always open to the petitioner to invoke the same.

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In view of the existence of an arbitration clause, we do not find any good ground to interfere. Accordingly, the writ petition is dismissed, however, with liberty to the petitioner to invoke the arbitration clause, if it is so advised.

**(KRISHNA MURARI)**  
**CHIEF JUSTICE**

**(ARUN PALLI)**  
**JUDGE**

**March 08, 2019**  
AK Sharma

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|------------------------------|-----|
| Whether speaking / reasoned: | YES |
| Whether Reportable:          | NO  |