

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

137

CWP No.8796 of 2019

Date of decision:-01.04.2019

M/s DMR Builders Pvt.Limited

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Chirag Girdhar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL):

The petitioner is stated to be Class-I Government Contractor. In the year 2016, the work order of providing and laying C.C. Flooring, interlocking tiles and construction of drains etc. in various villages under Sri Muktsar Sahib, were allotted to the petitioner.

Instant writ petition has been filed seeking mandamus for directing the respondents to release an amount of Rs.63,63,000/- approximately, on account of having used excess quantity of cement while executing the work that had been allotted.

Apparently, the claim of the petitioner stands rejected vide letter dated 19.12.2018 (Annexure P7), which is also a subject matter of challenge in the instant writ petition.

During the course of hearing, the counsel does not dispute that under the relevant work order/contract dated 18.04.2016 (Annexure P1), there is a provision for resorting to arbitration in the case of dispute.

Instant writ petition as such is disposed of in terms of granting liberty to the petitioner to avail of arbitral proceedings while raising the

claim as prayed for in the instant writ petition.

The writ petition is disposed of. It is clarified that this Court has not examined the validity of the impugned order dated 19.12.2018 (Annexure P7), on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

01.04.2019
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Whether speaking/reasoned	Yes/No.
Whether reportable-	Yes/No