

CWP no. 23458 of 2015 (O&M) 1

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

CWP no. 23458 of 2015 (O&M)

Date of Decision : 14.02.2019

M/s Stylam Industries Ltd.

....Petitioner

Versus

Haryana State Industrial and Infrastructure Development Corporation Ltd.
And another

...Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA**

Present : Mr. A.K.Chopra, Sr. Advocate with
Mr. Akshit Chaudhary and
Ms. Eesha Khanna, Advocates for the petitioner

Mr. Lokesh Sinhal, Advocate for respondents

MAHESH GROVER, J.(ORAL)

The issue raised in the present petition is regarding the payment of extension fee etc. Although the petitioner claims to have satisfied the entire demand, the respondents have put forward calculations which means that amount is still outstanding. Petitioner seeks an explanation regarding the calculations.

After hearing learned counsel for the parties, we are of the opinion that we are not equipped under Article 226 to determine the controversy which centres around calculations, which the petitioner projects and are refuted by the respondents, particularly, when they are dependent on certain facts. Noticing the disputed questions of fact and the nature of controversy, we are of the opinion that this Court cannot determine these

issues in exercise of its jurisdiction under Article 226 of the Constitution of India and the appropriate remedy would be to file a civil suit where both the parties would be at liberty to adduce quality evidence in support of their claims. We, therefore, dispose of the instant writ petition with liberty to the petitioner to take recourse to its alternate remedies in law.

Disposed of.

(Mahesh Grover)
Judge

14.02.2019
rekha

(Lalit Batra)
Judge

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