

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 17.10.2019****CWP No.20061 of 2017 (O&M)**

M/s Bansal Builders

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. P.S.Rana, Advocate, for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

Having heard Mr. P.S.Rana, learned counsel for the petitioner and Mr. Saurabh Mohunta, DAG, Haryana, this petition is disposed of with the following directions:

- (1) The State Government will constitute a Standing Empowered Committee (SEC) strictly in terms of Clause 24 of the Contract Agreement including inclusion of contractor's nominee within a period of one month.
- (2) The petitioner will be informed about the constitution of the Committee, its venue, time and date of convening, when it will meet to hear the appeal of the petitioner in respect of the claims raised by him. The petitioner will file a comprehensive appeal containing all the available pleas and the documents on which he makes his claims.

- (3) The Committee, from the date of first hearing in the appeal, will conclude the proceedings within 90 days as provided in the agreement itself, failing which the contractor will be at liberty to approach the appropriate Court for resolution/adjudication of the dispute/s.
- (4) It may be noticed that in terms of Clause 25 of the signed contract entered between the parties, there is no remedy of arbitration provided for settlement of any dispute arising between the parties.

17.10.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>