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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 644 of 2020**

M/s Sarwamangala Services Through Gyan Prakash Lath (HUF), Proprietor S/o Late Shri A.K. Lath, Aged About 35 Years. R/o Nirala Nagar, Old Bus Stand, Post Main Post Office And P.S. Tarbahar, Civil And Revenue District-Bilaspur, Chhattisgarh.,

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through The Chief Managing Director (C.M.D.), S.E.C.L. Seepat Road, Bilaspur, Chhattisgarh.
2. General Manager (Personnal And Administration) G.M. (P & A) S.E.C.L. Seepat Road, Bilaspur, Chhattisgarh.
3. General Manager (Contract Management Cell) G.M. (C.M.C.) S.E.C.L. Seepat Road, Bilaspur, Chhattisgarh
4. The Transport Manager S.E.C.L. Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Harshal Chouhan, Advocate
For Respondents/SECL	:	Mr. V.R. Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/06/2020**

1. The dispute in the present writ petition is in respect of who will bore the liability of payment of wages to the drivers of the vehicles, which the petitioner has provided to the respondents on contract basis.
2. According to the petitioner, the said amount has to be reimbursed by the Management to the petitioner/contractor, which is disputed by the counsel for the respondents.
3. Perusal of the agreement entered into between the parties, reveals that there is a specific provision in the agreement for resolving the dispute, if any, between the parties. Clause 12 of the agreement deals with settlement of dispute.
4. Given the fact that the agreement itself has a specific clause for settlement of dispute, let the petitioner make a detailed representation

to the respondent No.3 within a period of 30 days from today and the respondent No.3 in turn shall take a decision on the said application in accordance with the agreement and the general conditions of contract prevailing at the earliest preferably within a further period of 45 days from the date the petitioner makes the representation.

5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved