

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2614 of 2020**

- Mukesh Kumar Jain, S/o Late T.C. Jain, Aged About 52 Years R/o Bazaar Chowk, Bhilai 3, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Urban Development Department, Mahanadi Bhawan, Naya Mantralaya, Naya Raipur, Chhattisgarh
2. Chief Municipal Officer, Bemetra, District Bemetra, Chhattisgarh
3. Sub - Engineer, Municipal Corporation, Devkar, District Bemetra, Chhattisgarh

---- Respondents

For Petitioner : Shri B.P. Singh, Advocate

For Respondents/State : Shri Amrito Das, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order****17/11/2020**

1. Heard.

2. The present petition has been filed with the following reliefs:-

- 10.1 That the Hon'ble Court may kindly be pleased direct the respondents to release the amount in question of Rs.1,78,545/- with immediate effect. With interest of 12% per annum.

- 10.2 That any other relief which this Hon'ble Court deems fit and proper may also be granted in favor of the petitioner safeguarding her interest.

3. Learned counsel for the petitioner would submit that the goods were supplied to the respondents by the petitioner, however, the payment has not been released, therefore, the respondents may be directed to release the fund forthwith.

4. The nature of dispute and the documents filed along with the petition shows that it is an out and out civil dispute inter se in between the parties. If the amount is not paid according to the petitioner despite the supply made, the petitioner has remedy to approach the civil Court since the disputed question of facts are involved. Therefore, I am not inclined to invoke the jurisdiction under Article 226 of the Constitution of India.
5. Accordingly, the petition is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu