

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2836 of 2020**

M/s Srishti Construction Through Partner-Namish Bhojasiya S/o Shri Rajendra Bhojasiya Aged 38 Years R/o B-002, Maruti Life Style, Mohba Bazar, Kota, Gudhiyari Road Raipur Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Power Distribution Company Limited Through The Managing Director, Vidyut Bhawan, Dangania, Raipur, Chhattisgarh
2. Executive Director (Project) Chhattisgarh State Power Distribution Company Limited, Gudhiyari, Raipur Chhattisgarh
3. Chief Engineer (Project) Chhattisgarh State Power Distribution Company Limited, Executive Director (Project), Gudhiyari, Raipur Chhattisgarh
4. M/s Fedders Electric and Engineering Ltd. (FEEL) Registered Office- 6 And 6/1. UPSIDC Industrial Area, Sikandrabad, District Buland Shahar (Uttar Pradesh) Corporate Office-159, Okhla Industrial Estate Phase-II, New Delhi

---Respondents

For Petitioner : Shri Shantam Awasthi, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/11/2020

Heard.

1. Learned counsel for the petitioner submits that inter-se dispute arose in between the petitioner and respondent No.4 in execution of a project in which the petitioner was sub contractor. He referred to tripartite agreement dated 08/03/2019 (Annexure P-3) and would submit that respondent No.1

Chhattisgarh State Power Distribution Company Limited would decide the dispute and claim of the petitioner.

2. Heard learned counsel for the petitioner.
3. Tripartite agreement (Annexure P-3) contains a arbitration clause. Therefore, if the dispute as the petitioner projects subsists, it is to be referred to the Arbitrator. The petitioner is at liberty to invoke the arbitration clause according to the tripartite agreement dated 08/03/2019 (Annexure P-3).
4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge