

S.No.104

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

**CWP No.20761 of 2020 (O&M)
Date of Decision:04.12.2020**

**Ram Murti
Vs.**

.....Petitioner

**Haryana State Federation of Consumer Cooperative Whole
Sales Stores Ltd. (CONFED), Panchkula and another.....Respondents**

=====

IN VIRTUAL COURT

=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. K.K. Gupta, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing the order dated 22.09.2020 (Annexure P.7) as well as the order dated 04.11.2020 (Annexure P.8) whereby the petitioner has been denied the payment of transport charges in violation of the terms and conditions of the Tender/ Award letter dated 18.05.2020 (Annexure P.2) and a writ of mandamus directing the respondents to release the payment of transportation charges including the arrears/ differential amount with interest @ 12% per annum from the date the same were payable till its actual payment.

A bare perusal of the petition shows that the petition involves the disputed questions of facts regarding calculations, liabilities and entitlements under the terms of the contract. The appropriate remedy for such a claim is by way of a civil suit before the Civil Court. Hence, this Court does not find it appropriate to interfere in the matter in the present petition. Accordingly, the present petition is dismissed. However, the petitioner is at liberty to approach the Civil Court for the same cause of action; in accordance with law.

December 04, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No