

WPO/227/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DKC PROJECTS PRIVATE LIMITED AND
ANR.

-Versus-

UNION OF INDIA AND ANR.

Appearance:

Mr. Phiroze Edulji, Adv.
Mr. Siddhartha Lahiri, Adv.
Mr. Arun Kumar Upadhyay, Adv.
Mr. Debraj Dutta, Adv.
Ms. A. Chatterjee, Adv.
Ms. S. Grewal, Adv.
...for the petitioner.

Mrs. Aparna Banerjee, Adv.
...for the respondent.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 23rd June, 2021.

The Court : Counsel for the petitioner is aggrieved by the order dated 26th March, 2021 issued by the Eastern Railway terminating the contract agreement dated 6th November, 2020.

Counsel for the petitioner submits that his client only requested the respondent railway to reconsider their termination notice as per the representations dated 8th April, 2021 and 14th April, 2021.

Counsel for the Railways, Ms. Banerjee, submits that the writ petition is otherwise not maintainable in view of an arbitration clause in the contract between the parties.

Without prejudice to the said submission of the Railways and any other rights that they may have in accordance with law, the respondent no.2 may consider the petitioner's representation in accordance with law within one month from the date of communication of a copy of this order or sooner.

With the aforesaid direction WPO/227/2021 is disposed of without any order as to costs.

(RAJASEKHAR MANTHA, J.)

A/s.