

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4320 of 2021**

- M/s B. R. Singh Bhadouria Through Its Proprietor Shrikumar Singh Aged About 68 Years S/o Late B. R. Singh Bhadouria R/o Thakur Para, Nakulnagar, Dakshin Bastar Dantewada Chhattisgarh 494552

---- Petitioner**Versus**

1. State Of Chhattisgarh Thorough Secretary General Administration, Mantralaya Naya Raipur Chhattisgarh
2. Executive Engineer National Highway Zone PWD Division Jagdalpur Chhattisgarh
3. Superintendent Engineer National Highway Circle (PWD) Pension Bada, Raipur Chhattisgarh 492006
4. Chief Engineer National Highway Zone (PWD) Raipur Chhattisgarh 492006

---- Respondent

For Petitioner	Mr. Anand Mohan Tiwari, Advocate
For Respondent /State	Mr. Ravi Bhagat, Dy. GA
For Respondent No.4	Mr. Suishankar Diwan, Advocate

SB.: Hon'ble Mr. Justice Rajendra Chandra Singh Samant**Order On Board****29/10/2021**

1. Heard.
2. It is submitted by learned counsel for the petitioner that the petitioner is a Contractor and has been awarded the construction work of Railway Over Bridge (ROB) by respondent

No.3. The petitioner has completed the work within the stipulated time. However, the petitioner has some entitlement for compensation as per clause 24 and clause 44 of the conditions of the Contract Agreement, therefore, the petitioner has filed representation before respondent No.4 but the same is pending for decision since long. Therefore, learned counsel for the petitioner makes a specific prayer that a direction may be issued to the respondents to consider and decide the representation made by the petitioner.

3. Learned counsel for the respondents oppose the prayer and submit that there is an arbitration clause present in the Agreement between the parties, therefore, the petitioner has the remedy available. Hence, this petition may be disposed of.
4. After considering the submissions of learned counsel for the parties, this petition is disposed off at motion stage itself. Respondent No.4 is directed to decide the representation filed by the petitioner within a time frame of 90 days by passing an appropriate and reasoned order in accordance with law.
5. The petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

