

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 99 of 2013

M/s. Ratna Constructions

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Petitioner

Mr. L.M. Nanda, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

07.02.2022

Order No.

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This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call.

3. Heard Mr. A.K. Mishra, learned Additional Government Advocate.

4. Perused the record. The petitioner has filed this writ petition seeking direction to the opposite parties to take a final decision on the grievance and claim of the petitioner under Annexure-5 within a stipulated period.

5. Mr. A.K. Mishra, learned Additional Government Advocate stated that the petitioner has made grievance addressing the Chief Minister, Odisha and on perusal of the said representation, it would reveal that the petitioner claims for payment of price escalation in respect of the work "Construction of Weir-cum-Submersible Bridge over River Indravati at Ushuripadar-Dahana Road

crossing (Balance work)” executed, pursuant to agreement No.20 F2/2000-01 of Upper Indravati Rehabilitation Division, Khatiguda.

6. Considering the contentions raised by learned Additional Government Advocate and on perusal of the agreement, it appears that there is arbitration clause in the agreement itself. Therefore, the petitioner is permitted to pursue his remedy before the appropriate forum, in view of arbitration clause of the agreement.

7. In view of the above, the writ petition is disposed of granting liberty as aforesaid.

8. Issue urgent certified copy as per rules.

Alok

