

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8081 of 2013

Biswajit Samantaray

....

Petitioner

Mr. T.K. Mishra, Adv.

-versus-

***Executive Engineer (E) BSNL
Electrical Division, Cuttack land
Ors.***

....

Opp. Parties

Mr. R.C. Kanungo, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

06.01.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard Mr. T.K. Mishra, learned counsel for the petitioner and Mr. R.C. Kanungo, learned counsel for the opposite parties.
3. The petitioner has filed this writ petition to quash the show cause notice dated 22.03.2013 and notice on final action dated 01.04.2013 at Annexures-3 and 5 respectively issued by the Opposite Party No.1- Executive Engineer (E), BSNL Electrical Division, Cuttack against the Petitioner.
4. Mr. T.K. Mishra, learned counsel for the petitioner contended that dispute raised before this Court is arbitrable under Clause-25 of the Master Agreement itself. Therefore, the petitioner may be granted liberty to pursue the remedy before the appropriate forum by filing an application.

5. Mr. R.C. Kanungo, learned counsel for the opposite parties also contended that since there is an arbitration clause contained in the agreement itself, the petitioner may ventilate his grievances by approaching the appropriate forum.

6. Considering the submissions made by the learned counsel or the parties and on going through the records, this writ petition is disposed of giving liberty to the petitioner to pursue his remedy before the appropriate forum in accordance with the terms and conditions of the agreement itself.

7. The writ petition is disposed of, accordingly.

8. Urgent certified copy of this order be granted on proper application.

(Dr. B.R. Sarangi)
Judge

(S.K. Panigrahi)
Judge

BJ