

Iscon Construction	...	Petitioner
V/s.		
Lonavala Municipal Council and Anr.	...	Respondents

Ms. Rachana Harpale I.by Mr. Nitin P. Deshpande for the Petitioner.
Mr. N.K. Rajpurohit – AGP for the State.

**CORAM : PRASANNA B. VARALE AND
KISHORE C. SANT, JJ.**

DATED : JULY 21, 2022.

PC. :

. Not on Board. Mentioned by way of praecipe and order is passed on praecipe itself.

2. On putting certain queries to the learned counsel for the Petitioner, the learned counsel for the petitioner submitted before this Court that the petitioner was one of the bidder in the process of awarding contract and the petitioner being highest bidder, the contract was awarded to the petitioner. The petitioner firm carried out the work under the contract. The petitioner firm has completed the work and is entitled for an additional amount. It is also submitted before this Court that there was an escalation clause in the tender document. It is the submission before this Court that in spite of this factual aspect, the

respondent failed to pay the additional amount to which the petitioner was entitled. On this factual scenario, we are of the clear opinion that the issue involved is purely civil in nature. The petitioner, in backdrop of civil nature of the dispute can avail other remedies as available under the law.

3. In such factual scenario we are not inclined to entertain the petition. The petitioner is at liberty to avail appropriate remedies as available under law. The petition is disposed of accordingly.

(KISHORE C. SANT, J)

(PRASANNA B. VARALE , J)