

S/L 16
17.7.2023
Court No.26
SD

WPA 8119 of 2016

M/s. Khagaul Loco Labour's Co-operative Society Limited & Anr.
Vs.
Union of India & Ors.

Mr. Phatick Chandra Das

...for the Petitioners.

Mrs. Aparna Banerjee

...for the Respondents.

Heard counsel appearing on behalf of the parties.

This is an application under Article 226 of the Constitution of India wherein the writ petitioners pray for payment of additional work having been carried out by the petitioners in respect of a contract dated December 19, 2011 that was extended till August 3, 2015.

It is to be noted that the petitioners have made a representation dated July 16, 2015 which is not being looked into by the respondent authorities.

In light of the same, the respondent authorities are directed to consider the representation dated July 16, 2015 upon granting an opportunity of hearing to the petitioners and thereafter, pass a reasoned order within a period of six weeks from date.

The reasoned order should be communicated to the petitioners within 10 days of passing the same.

In the event, the reasoned order is against the petitioners, the petitioners shall be at liberty to file a Section 11 application as per the contract for arbitration in this

matter allowing the exclusion of time under Article 14 of the Limitation Act for the period in which the writ petition was filed and was kept pending by this Court.

With these observations, WPA 8119 of 2016 is disposed of.

There will be no order as to costs.

All parties are to act on the website copy of this order.

(Shekhar B. Saraf, J.)