

13.9.2023

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WPA 16296 of 2023

Latif Construction

Vs

The Principal Secretary, Bihar State Power Generation
Company Limited & Ors.

Mr. Lal Ratan Mondal,

Ms. Sk. Kiran

... For the Petitioner.

Mr. Sakya Sen,

Mr. Anirban Pramanick,

Mr. Sanka Subhra Dutta

... For the Respondent No. 5.

Heard learned Advocates appearing for the parties.
By this writ petition, petitioner has made a prayer for
monetary claim arising out of a contract for the work
done for the respondent authorities at Bihar. I am not
inclined to entertain this writ petition for the following
reasons:

- i) This writ petition has been filed for making
monetary claim arising out of a contract;
- ii) Cause of action and grievance relates to the
authorities at Bihar and Jharkhand and the
relief asked for is against them.
- iii) If at all petitioner has any monetary claim,
appropriate forum will be a civil court ;
- iv) The authority against whom claim has been
made does not lie with the territorial
jurisdiction of this writ court;

In view of the discussion made above, this writ
petition being WPA 16296 of 2023, is dismissed.

However, dismissal of this writ petition will not be a bar on the part of the petitioner to agitate for its claim before the appropriate forum. It is clarified that this court has not gone into the merits of the claim made in this writ petition and this writ petition has been dismissed on the grounds referred hereinabove.

(Md. Nizamuddin, J.)