



W.P(MD)No.2531 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**W.P(MD)No.2531 of 2014
and
M.P.(MD)Nos.1 & 2 of 2014**

Veeshan Builders

... Petitioner

Vs.

**1.Garrison Engineer (Air Force)
Military Engineering Service,
Air Force Station,
Pudukkottai Road,
Thanjavur.**

**2.The Chief Engineer (Air Force)
Military Engineering Service,
No.2, D.E.Area,
Yeshwantpur, Bangalore.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of termination passed by the second respondent in ref. 800814/AF/97/E8, dated 31.12.2013 and Ref.No.220556/AF/43.020, dated 05.02.2014 and quash the same and consequently, permit the petitioner to complete the contract within the extended period.



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For Petitioner : Mr.P.Muthukumar

For Respondents : Mr.G.Rajaraman

ORDER

Heard both sides.

2. The petitioner challenges the order passed by the second respondent terminating the petition mentioned contract.

3. When the matter was taken up for disposal, the central government standing counsel submitted that the agreement contains an arbitration clause and that the department has filed O.P.No.694 of 2018 on the file of the High Court, Madras. On 26.06.2019, an arbitrator had been appointed to resolve the outstanding issues. Since an order had already been passed by the High Court to the effect that the issue has to be resolved through arbitral remedy, the question of maintaining the writ petition does not arise. The parties will have to necessary raise all the questions only before the learned arbitrator. The contentions of both the parties are left open.



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Consequently, connected miscellaneous petitions are closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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