

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CWP-31129-2019

Date of decision: 13.04.2023

M/S CHOUDHARY TRANSPORT COMPANY AND ANOTHER

.....Petitioner

VERSUS

FOOD CORPORATION OF INDIA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Jastej Singh, Advocate
for the petitioners.

Mr. K.K. Gupta, Advocate
for respondents No.1 and 2.

Mr. Karan Puggal, DAG, Punjab
for respondent No.4.

Mr. Anurag Chopra, Advocate
for respondent No.5.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution for seeking issuance of directions to respondents No.1 to 4 for conducting of fair, proper and impartial inquiry into the allegations/complaints moved by the petitioner.

Learned counsel appearing on behalf of the petitioner seeks permission to withdraw petition so as to pursue his alternative remedies, if any, available as per law.

Counsel appearing on behalf of respondents No.1 and 2 have no objection to the aforesaid prayer.

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Learned State counsel appearing on behalf of respondent No.4 also has no objection to the same.

Counsel appearing on behalf of respondent No.5, however, contends that the petitioner does not have any other alternative remedy under the realm of the contract and as such the liberty to pursue alternative remedies is not available.

I have heard learned counsel appearing on behalf of the parties.

Merely because the realm of the contract does not provide for any alternative forum it would not mean that the remedies available in common law are not available to the petitioner. The petitioner cannot be denied his right to seek redressal of his grievance at the appropriate forum and is thus at liberty to pursue the same.

Disposed of as withdrawn with liberty to pursue his remedies before appropriate forum in accordance with law.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 13, 2023

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No