

04.09.2024
Sl. No.19(ML)
srm

W.P.A. No. 6886 of 2022

**M/s. Krishna Construction, Partners,
Amit Kumar Parui & Anr.**

Versus

The Chief General Manager, Metro Railway & Ors.

Mr. Bhagabat Chowdhury,
Mr. Bhaskar Chakraborty,
Mr. Subrata Mukherjee

...for the Petitioners.

Despite notice, none appears on behalf of the respondents.

The contract of the petitioners was terminated. The petitioners requested for payment of the admitted dues. The Metro Railway authorities asked the petitioners to furnish the no-claim certificate. The petitioners furnished a certificate which, according to the authority, was not in proper form. The authority rejected such certificate and asked the petitioners to supply a fresh no-claim certificate as per the terms of the contract.

The petitioners submit that there is no other form for preparation of the no-claim certificate except the one submitted by the petitioners.

This is a dispute between the authorities and the petitioners who were engaged as labour contractors in a

tendering process by the Metro Railways. As per the general conditions of contract, disputes arising out of the contract are to be resolved by arbitration and this dispute is governed by the arbitration clause.

The petitioners are at liberty to take steps in accordance with law, in terms of the said clause.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)