

10.01.2024
Item No.24
RP
Ct. No.2

WPA 20770 of 2023

**Newgen Industrial Security (Gujarat) Private
Limited**

Vs.

Union of India & Ors.

Mr. Ranojoy Chatterjee

Mr. Tamal Singha Roy

.....for the petitioner

Mr. Rahul Karmakar

Mr. Surya Prasad Chatterjee

.....for respondent nos.3 to 6

Mr. Debashis Basu

Mr. Arun Bandyopadhyay

.....Union of India

Mr. Rajarshi Basu

Mr. Sanjib Dutta

..... For State

Heard the learned advocates for the parties.

It appears from the record that monetary claim arising out of a contract is involved in this writ petition and simply that one of the parties to the contract is a government body it does not mean that writ petition will lie unless the monetary claim is an admitted claim.

Since the petitioner's claim is a monetary claim arising out of a contract between respondent concerned and the petitioner, I am of the considered view that Writ Court under Article 226 of the Constitution of India is not the appropriate forum and the appropriate forum for such type of remedy is a Civil Court.

In view of the discussions made above, this writ petition, being WPA 20770 of 2023, is dismissed on the ground of availability of alternative remedy.

Urgent Photostat copy of this order, if applied for by the learned advocates for the parties, be delivered to them on compliance of all formalities.

(MD. NIZAMUDDIN, J.)