



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.6330/2024

Umarmath Infrabuild (India) Pvt. Ltd. Vs. Western Coalfield Limited, Nagpur and others)

Office Memoranda of Coram,

Court's or Judge's orders

appearances, Court's orders of directions
and Registrar's orders

Mr. Hitesh A. Biherani, Advocate for the petitioner. (Online)

CORAM: NITIN W. SAMBRE & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 21.10.2024.

Heard.

2. It is the case of the petitioner that respondent No.3 has an agreement with petitioner and to fulfill such obligation the petitioner has supplied heavy transport machineries such as trucks etc. to respondent No.3 who is not releasing the vehicles in favour of the petitioner.

3. *Prima facie* it appears that there is no privity of contract between the petitioner and respondent No.1. It is claimed by the petitioner that there exists contract between respondent No.3 and respondent No.1.

4. In such an eventuality, not only in our opinion the petition involves disputed question of facts but also the petitioner is claiming implementation of the contractual obligations against the respondent No.3 which cannot be gone into in the extraordinary writ jurisdiction.

5. That being so, the petition fails and is dismissed with liberty to take recourse to appropriate remedy.

(MRS.VRUSHALI V.JOSHI, J.)

(NITIN W. SAMBRE, J.)