

10-03-2025
Item No.16
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.31090 of 2024

Tamal Sarkar & Ors.

-vs-

Union of India & Ors.

Mr. Atanu Das ...for the petitioners

Mr. Somnath Gangopadhyay...for respondents 2&3

Mr. Dhruv Surana ...for respondent no.4

1. Grievance of the petitioners arises out of a contract which was entered in between the petitioners and the second respondent – M/s. National Buildings Construction Corporation Limited. The petitioners allege violation of the terms and conditions of the contract.
2. In my opinion, the instant writ petition will not be maintainable either for implementation of any terms and conditions of the contract or challenging violation of the same.
3. Certain money claim is also involved in the writ petition which is disputed by the respondents. Such disputed question of facts arising out of a contract cannot be entertained in writ jurisdiction.
4. For these reasons, the writ petition fails and is hereby dismissed.
5. It will be open for the petitioners to approach the competent forum for relief, if so advised.

6. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]