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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11121/2019

TRACK CARGO PVT LTD

..... Petitioner

Through: Mr. Jitender Chaudhary and Ms.
Shilpa Chohan, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms. Bharathi Raju, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **11.08.2020**

The hearing was conducted through video conferencing.

CM APPL. 45795/2019 (stay)

1. The learned Standing Counsel for respondents no. 2 and 3 submits that the petition is not maintainable because the petitioner's case involves disputed questions which cannot be delved into in this Court's discretionary writ jurisdiction. Moreover, the petitioner has an alternate and equally efficacious statutory remedy in the form of arbitration, which it can pursue in terms of the contract between the parties. She further submits that the impugned order would be deemed to be an order passed by the laboratory(ies) of respondent no.2, since the various individual laboratories are only branches of respondent no.2 and they do not have a separate legal status. She seeks to refer to relevant documents in this regard.

2. Learned counsel for the petitioner refutes the aforesaid contentions. He submits that there is no contract with the central authority, consequently, the arbitration clause cannot be invoked against the various laboratories.
3. At joint request of the parties, renotify on 10.09.2020.
4. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 11, 2020

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