

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**Arb. Case No. 27 of 2015.**

**Decided on: July 31, 2015.**

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**Sh. Anil Sharma and anr.**

**..... Petitioners.**

**Versus**

**Himachal Road Transport Corporation & anr. .... Respondents.**

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***Coram***

**The Hon'ble Mr. Justice Dharam Chand Chaudhary, *Judge*.**

***Whether approved for reporting?<sup>1</sup>No.***

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**For the Petitioners : Mr. Narender Thakur, Advocate, vice  
Mr. Neel Kamal Sood, Advocate.**

**For the respondents : Mr. Varun Chandel, Advocate.**

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**Dharam Chand Chaudhary, J. (*Oral*)**

Heard. Learned counsel representing the petitioner has fairly submitted that neither any discussion, as contemplated under Clause 46 of the Agreement Annexure P-5, is taken place between the petitioner and the Managing Director of respondent-Corporation nor any request ever made by the petitioner to the Managing Director for appointment of Arbitrator. This petition, therefore, being premature is not maintainable at this stage.

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<sup>1</sup> ***Whether the reporters of the local papers may be allowed to see the Judgment? yes.***

Learned counsel seeks permission to withdraw this petition with liberty reserved to make a representation to the Managing Director of the respondent-Corporation highlighting therein his grievances and redressal thereof. Permission granted. Let him to make the representation within four weeks. The representation, if so made, shall be considered and decided by the Managing Director by a speaking order within four weeks thereafter in accordance with law and after affording due opportunity of being heard to the petitioner.

2. The petition is accordingly dismissed as withdrawn.

*Copy Dasti.*

**(Dharam Chand Chaudhary),  
Judge.**

**July 31, 2015,  
(vs)**