



2026:AHC-LKO:8311-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 1117 of 2026

Rites Limited Thru. Authorized Signatory Shri
Vijayanand Dnyandeo Ghotekar

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Infrastructure And
Industrial Development Lko And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) : Subhash Bisaria

Counsel for Respondent(s) : C.S.C., Abhineet Jaiswal, Sharad
Tewari

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Shri Abhinit Jaiswaal, Advocate has filed his memo of appearance on behalf of the opposite party nos. 2 and 3. The same is taken on record.

2. Heard Shri Subhash Bisaria, learned counsel for the petitioner, Shri Akhilesh Kumar Srivastava, learned Additional Chief Standing Counsel for the State and Shri Abhinit Jaiswaal, learned counsel for the opposite parties no. 2 and 3.

3. This writ petition has been filed by the petitioner seeking the following relief:-

"a. Issue a writ, order or direction in the nature of mandamus commanding the respondents to release the payment of Rs.9,80,23,236.61/- with up-to-date interest @ 6% per annum including GST applicable to the petitioner from the date of submission of bills to the actual payment made within time specified by this Hon'ble Court."

4. Shri Abhinit Jaiswaal, learned counsel for the opposite party nos. 2 and 3 says that dues are not admitted except relating to 2 invoices which shall be paid to the petitioner.

5. We asked learned counsel for the petitioner as to when the dues fell for payment he submitted that this happened in 2019. He invited our attention

to a letter of the Chief Executive Officer, Uttar Pradesh Expressways Industrial Development Authority dated 06.07.2020 to contend that the liability to pay the dues in respect of two invoices has been admitted in this document. However, on being further asked as to even if this admission is taken into consideration if a suit was to be filed for recovery in the event in spite of the admission the same had not been paid, what would be the limitation, learned counsel fairly submitted that it would be three years under the Limitation Act, 1963. Moreover, for the purpose of initiation of arbitral proceedings also limitation has been prescribed under Section 43 of the Arbitration and Conciliation Act, 1996, which is three years.

6. We are now in 2026, therefore, we see no reason to entertain this writ petition for the relief claimed subject to the statement made by Shri Abhinit Jaiswaal, learned counsel for the opposite party nos. 2 and 3 that the admitted dues shall be paid pertaining to two invoices mentioned in the letter dated 06.07.2020 as per rules at the earliest.

7. With the aforesaid observations, the writ petition is **disposed of.**

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 4, 2026
R.K.P.