

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No.572/2023

Surinder Singh, Age 49 years
S/o Sh. Rajinder Singh
R/o Village Rampur Tehsil Billawar
District Kathua.

.....Petitioner(s)

Through: Mr. Jagpaul Singh, Advocate

Vs

1. Union Territory of Jammu and Kashmir
through Commissioner-cum-Secretary to the
Government Home Department Civil
Secretariat, Jammu
2. Superintending Engineer, Police Construction
Division Police Headquarters, J&K, Srinagar
3. Executive Engineer, Police Construction Div.
Police Headquarters, J&K, Srinagar.

..... Respondent(s)

Through: Ms. Vidushi Singh, Advocate vice
Ms. Monika Kohli, Sr. AAG

Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

20.12.2023

1. By this petition, the petitioner herein is seeking a direction upon the respondents to release the admitted liability of the contract work executed by the petitioner. It is prayed that the respondents be directed to release the outstanding payment of Rs.2,75,581.77 along with interest @ 7.5% per annum from the date of completion of the work.

2. The respondents are stated to have issued an allotment order bearing No.PCD/Allotment/2207-10 dated 30.07.2018, whereby the petitioner has been allotted execution of the work "*construction of boundary wall at TCP Roulka*" for an amount of Rs.11,15,303.34. The petitioner is stated to have completed the allotted work. The total cost of the work was

3. Respondents are stated to have released an amount of Rs. 8,34,000/- in favour of the petitioner and the outstanding amount of Rs.2,75,581.77/- has been retained by the respondents and the same has not been released by the respondents till date.

3. Petitioner herein is aggrieved of the inaction of the respondents for causing delay in releasing the balance payment due to him for execution of the work duly allotted by the respondents and, as such, is seeking direction upon respondents to release the outstanding amount of Rs. 2,75,581.77.

4. It is stated that after completion of the work, petitioner submitted bills to the concerned authorities. Petitioner has placed on record copies of the bills/vouchers submitted to the respondents, perusal whereof reveals that vouchers have been endorsed by the respondents.

5. This Court on consideration of the matter, issued notice to the other side. despite notice, respondents have chosen not to file reply.

6. Learned counsel for the petitioner submits that he would feel satisfied if the respondents be directed to consider the case of the petitioner for release of the outstanding amount of Rs. 2,75,581.77 in his favour.

7. Having regard to the prayer made by learned counsel for the petitioner, the instant writ petition is disposed of at its threshold, with a direction to the respondents to consider the claim of the petitioner as projected in the writ petition and take a decision thereon within a period of two months from the date a certified copy of this Order is made available to the respondents subject to verification of the requisite bills under rules. The decision so taken by the respondents shall be conveyed to the petitioner.

(Moksha Khajuria Kazmi)
Judge

Jammu
20.12.2023
Vinod, PS

Whether the order is reportable: No