

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

WP(C) No. 3241/2023

Vikramjeet Singh age 42 years
S/o Sh. Shamsher Singh
R/o Village Galwaday Chak, Tehsil Marh,
District Jammu.

.... Petitioner(s)

Through :- Mr. Jagpaul Singh, Advocate.

V/s

1.UT of J&K through
Commissioner/Secretary to the Govt.
Public Works Department (PWD) (R&B),
Civil Secretariat, Jammu/Srinagar.

....Respondent(s)

2. Chief Engineer, Public Works
Department (PWD) (R&B), Lok Nirman
Bhawan, Panama Chowk, Jammu.

3. Superintending Engineer, Public Works
Department (PWD) (R&B), Lok Nirman
Bhawan, Panama Chowk, Jammu.

4. Executive Engineer, Public Works
Department (R&B) const. Division-III,
Lok Nirman Bhawan, Panama Chowk,
Jammu.

Through :- Mr. Ravinder Gupta, AAG.

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

**ORDER
29.12.2023.**

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. 12,14,760/- 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. 10172-78 dated 01.11.2016, whereby the petitioner has been allotted execution of the work *"providing and laying 20 mm thick Open Graded Premix Carpet in*

Patches/Stretches on Domana to Nagbani Flora up to Punnu Di Hatti Road,” for an amount of Rs. 3,68,75/-. The petitioner is stated to have completed the allotted work. The total work executed by the petitioner was of Rs. 17,32,896/-.

3. Respondents are stated to have released an amount of Rs. 5,18,136/- in favour of the petitioner and the outstanding amount of Rs. 12,14,760/- has been retained by the respondents and the same has not been released by the respondents till date.

4. 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 the respondents to release the outstanding amount of Rs. 12,14,760/-.

5. It is stated that after completion of the work, the petitioner submitted bills to the concerned authorities. The 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.

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

7. 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. 12,14,760/- in his favour.

8. 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 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.

9. **Disposed of.**

(Moksha Khajuria Kazmi)
Judge

Jammu:
29.12.2023
Neha-1

