

Serial No. 34

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

WP(C) No. 358/2025
CM No. 1599/2025

Siddharth Mehta, age 47 years,
S/O Sat Mehta
R/O 155-A/D, Gandhi Nagar, Jammu

.....Petitioner(s)

Through: Mr. Firdous Ashiq, Advocate.

Vs

1. Union Territory of J&K
Through Principal Secretary to Government Public Works Department,
Civil Secretariat, Jammu/Srinagar.
2. Development Commissioner (Works) PW(R&B),
Civil Secretariat, Jammu/Srinagar.
3. Chief Engineer PWD(R&B)
Lok Nirman Bhawan, Rail Head Complex, Jammu.
4. Chief Engineer PWD(R&B), Batote.
5. Superintendent Engineer, PWD(R&B), Circle Doda.
6. The Director, Urban Local Bodies, Jammu.
7. Executive Engineer, PWD(R&B), Division Kashmir.
8. Assistant Executive Engineer, PWD(R&B) Division Kishtwar.

.....Respondent(s)

Through: Mr. Ravinder Gupta, AAG.

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE
ORDER
(21.04.2025)

CM No. 1599/2025

- 01.** Learned counsel appearing on behalf of the petitioner submits that, pursuant to the order dated 24.02.2025 passed by this Court followed by different orders, the petitioner has filed an application bearing CM No. 1599/2025 for placing on record the requisite documents

in order to facilitate this Court to decide the controversy in question.

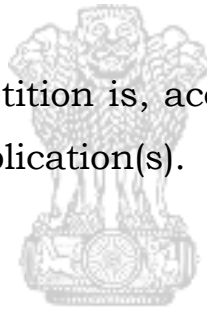
- 02.** For the reasons stated in the aforesaid application, the same is *allowed*. The documents accompanying the application are taken on record with all just exceptions. CM No. 1599/2025 is, accordingly, ***disposed of***.

WP(C) No. 358/2025:

- 03.** Learned counsel appearing for the petitioner submits that the Co-ordinate Bench of this court has passed an order dated 24.11.2023 in an identical matter i.e **WP(C) No. 288/2022** titled – **“Girdhari Lal Parihar vs UT of J&K & Ors.”** and the case of the petitioner is squarely covered by the said order and he submits that same order be passed in the instant petition as well, to which Mr. Ravinder Gupta, learned AAG submits his no objection.
- 04.** It is also submitted by learned counsel for the petitioner that prior to February 2020, execution of works in all the Municipal Councils/Committees were being undertaken by the respective Engineering Divisions of Urban Local Bodies, Jammu but vide Government order No.43-JK(HUD) of 2020 dated 04.02.2020, engineering wings of Urban Local Bodies were abolished and the execution of works was assigned to Public Works (R&B) Department and all the payments/work done claims of the erstwhile Urban Local Bodies Divisions are now being processed by PW(R&B) Divisions of the concerned ULBs and the payments are to be made thereafter. It is also stated that the Finance Department has issued guidelines/modalities vide circular No.A/40(2017)-492 dated 26.04.2021 for strict adherence by all the departments for releasing of past liabilities arising

out of the past works and in case of any reported violation, action is required to be initiated against the said officer.

- 05.** With the consent of the learned counsel for the parties, and with a view to maintain parity, this court deems it proper to dispose of the instant petition at this stage keeping in view the order passed by the co-ordinate Bench of this Court (*mentioned supra*) by directing the respondent No.6 - Director, Urban Local Bodies, Jammu to release an amount of Rs.43,67,000/- in favour of the petitioner within a period of three months from the date copy of this order is served upon them, failing which, interest at the rate of 6% per annum shall be payable to the petitioner from the date of filing of the writ petition till the final payment is made to the petitioner.
- 06.** The present writ petition is, accordingly, ***disposed of*** along with connected application(s).



(Wasim Sadiq Nargal)
Judge

JAMMU
21.04.2025

Bunty

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No