

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

**Case No. :- WP(C) No. 954/2025
CM No. 2305/2025**

**1. M/s Shalimar Construction Co.
Regd. Off. 401 Shastri Nagar Jammu 180004
Through its partner
Abhinav Nagpal Age-38 years
S/o Sh. Virender Kumar Nagpal
R/o 209 Shastri Nagar Jammu 180004.**

.....Petitioner (s)

Through: Mr. Dheeraj Sharma, Adv.

Vs

**1. Union of India
Through Commissioner/Secretary to
Govt. of India Ministry of Defence
Central Secretariat New Delhi-110011**

..... Respondent(s)

**2. Engineer in Chief
Military Engineering Services
Intergrated HQ of MOD (Army)
Kashmir House Rajiji Marg
New Delhi-110011**

**3. Chief Engineer Western Command
Military Engineering Services
Chandimadir 134107**

4. Chief Engineer Pathankot Zone

Through: Mr. Sumant Sudan, Adv. vice
Mr. Vishal Sharma, DSGI

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

**ORDER(ORAL)
22.04.2025**

01. Through the medium of instant petition, the petitioner has sought the following relief:-

“Writ of Mandamus directing the respondents to grant approval of change in constitution of the firm due to the sad demise of one of the partners.

Writ of Mandamus directing the respondents to renew/reclassify the enlistment of the petitioner firm from the cyclic period from 01.01.2021 to 31.12.2025 considering his up-gradation from category D to category C.

Writ of Mandamus directing the respondents to allow the petitioner firm to participate in the future tender proceedings and none of the

tender application of the petitioner be rejected due to the non renewal of the enlistment.”

02. Learned counsel for the petitioner submits that the petitioner has filed a representation dated 14.10.2022 before the Chief Engineer Western Command C/o 56 APO seeking permission for change in constitution of the firm i.e. M/s Shalimar Construction Co.(Index No. D-603/WC), however, till date, the same has not been accorded due consideration and feeling aggrieved of the same, the instant petition has been preferred by the petitioner.

03. After arguing for a while, learned counsel for the petitioner, at this stage, submits that the petitioner would feel satisfied in case respondents are directed to accord consideration to the aforesaid representation filed by the petitioner within some stipulated time.

04. Learned counsel for the respondents submits that he is not averse to the aforesaid proposition, provided the case of the petitioner is directed to be accorded consideration under rules and as per law.

05. With the consent of the learned counsel for the parties, the instant writ petition is taken up for disposal at the very threshold without issuing formal notice to the respondents and, is accordingly, disposed of by directing the Chief Engineer Western Command C/o 560 APO to accord consideration to the representation dated 14.10.2022 alleged to have been filed by the petitioner within a period of six weeks from the date, a certified copy of this order along with writ petition and Annexures are made available to the said respondent, strictly under rules and as per law. The order of consideration, which is likely to be passed be forwarded to the petitioner by the respondents through registered post.

06. The instant writ petition, is accordingly, '*disposed of*' along with connected application(s).

(Wasim Sadiq Nargal)
Judge

JAMMU
22.04.2025
Mihul

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

