

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

OWP No. 1784/2016

Date of pronouncement: 28.11.2025

Uploaded on: 01.12.2025

Dr. Sanjay Mehta, Age 47 years
S/o Sh. Ram Mehta
R/o 4, Opposite Jain Nagar
Colony, Talab Tillo, Jammu
Managing Director SRM
Contractors Private Limited 1A,
Hill View Near Govr. Higher
Secondary School Bahu Fort,
Jammu

.... Petitioner(s)/Appellant(s)

Through:- Mr. Manik Dutt, Advocate

V/s

1. State of Jammu and Kashmir through Commissioner/Secretary to Government Housing and Urban Development Department Jammu and Kashmir Government Civil Secretariat, Jammu
2. Jammu Development Authority Vikas Bhavan Rail Head Complex, Jammu through its Secretary

.....Respondent(s)

Through:- Mr. Atul Verma, Advocate vice
Mr. Adarsh Sharma, Advocate

CORAM: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE
ORDER (ORAL)

1. By this petition, petitioner herein is seeking a direction upon respondent No. 2 to refund an amount to the tune of Rs. 42.00 lacs, deposited by the petitioner with the respondent No. 2, by the way of premium for allotment of Hall No. 409 (A-2) Block South 4th Floor situated at Bahu Plaza Complex, Jammu, measuring 781.00 Sqft. or to hand over the possession of the Hall with similar dimensions.

2. It is stated by the learned counsel for the petitioner that respondent No. 2, vide advertisement dated 21.02.2015, invited sealed bids for allotment of one Hall at South Block, Bahu Palaza Complex Jammu on 4th Floor being Hall No. 409 (A-2). The advertisement reflected the measurement of the hall as 781.00 Sqft. The petitioner submitted his sealed bid of Rs. 42.00 lacs for the said Hall by paying earnest money of Rs. 01.00 Lac and further paid the left over amount in four installments.
3. The petitioner being declared as successful bidder, was issued Letter of Intent on 01.04.2015, for the Hall No. 409(A-2), South Block, 4th Floor measuring of 781.00 Sqft., which was duly signed by Secretary JDA. However, when the measurement of the said hall was taken, it was found even less than 711 Sqft. The petitioner sent multiple communications as well as legal notice upon the respondent-JDA for handing over the Hall, having the dimension as stated in the advertisement dated 21.02.2015, however, no action was taken by the JDA.
4. On 20.11.2025, Mr. Atul Verma, learned counsel for the respondents was directed by this Court to seek instructions as to whether respondents are ready to refund the amount of Rs. 42.00 lacs in favour of the petitioner or to handover the possession of Hall No. 409 (A-2) South Block, 4th floor at Bahu Plaza Complex, Jammu.
5. Today, Mr. Atul Verma, learned counsel for the respondents, has produced communication No. JDA/B.Plaza/1568-73, dated 28.11.2025, wherein the allotment of alternate Hall No. 409 A-1 measuring 711.56 sqft at North Block Bahu Plaza, Jammu has been agreed by the respondent-JDA, to be allotted in favour of the petitioner instead of Hall

No. 409(A-2) measuring 711.56 Sqft. South Block, Bahu Plaza, Jammu,
the same is taken on record.

6. In view of the above, with the consent of the learned counsel of the parties, this petition is disposed of with a direction to respondent No. 2 to allot Hall No. 409 (A-1) measuring 711.56 Sqft., at North Block Bahu Plaza, Jammu, for the same amount which stood deposited by the petitioner in the year 2015, i.e Rs. 42.00 lacs (Rupees Forty Two Lacs Only).

7. Respondents are directed to execute the lease deed in favour of the petitioner within a period of two months from the date of passing of this order.

8. *Disposed of.*



JAMMU
28.11.2025
Asif Tantray

Whether the order is speaking: Yes