

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

WP (C) No. 2468/2025

**R B Chopra Freighters Pvt. Ltd.
Shree Complex, NH 44 Kunjwani,
Jammu-180010 through
Director, Rohit Chopra,
S/o R B Chopra,
R/o 38/3, Trikuta Nagar, Jammu.**

.....Applicant(s)/Petitioner(s)

Through :- Mr. Sachin Gupta, Advocate

v/s

**1. UT of Ladakh through
Commissioner/Secretary to Govt.
Public Works Department (R&B),
Civil Secretariat Leh, Ladakh.**

.....Respondent(s)

**2. Chief Engineer,
Public Works Department, Leh.**

**3. District Superintending Engineer,
Public Works Department Circle, Leh.**

**4. District Superintending Engineer,
Public Works Department Circle, Kargil.**

**5. Leh Development Authority through
Chief Executive Engineer,
Near Pologround Lake, Ladakh.**

**6. Executive Engineer,
Public Works Department Road & Building,
Division Leh.**

Through :- Mr. Vishal Sharma, DSGI with
Mr. Eishaan Dadhichi, CGSC

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

**ORDER (ORAL)
08.09.2025**

1. In this petition, the short grievance projected by the petitioner is that he has executed several works with the Government of UT of Ladakh having been awarded the contracts prior to 13th of July, 2022 when Notification No. 03/2022-Central Tax (Rate) was issued

by the Government of India, Ministry of Finance (Department of Revenue) enhancing the GST rate from 12% to 18%.

2. It is submitted by the petitioner that consequent upon the representations made by various contractors including the petitioner, the matter was considered by a committee of officers headed by Chief Engineer, PW (R&B)/PMGSY in its meeting held on 27th of February, 2024 and it was decided to reimburse 6% of GST deducted from the contractors on account of change in GST rates from 12% to 18% w.e.f. 18th of July, 2022, as per the guidelines indicated in the said decision.
3. The grievance of the petitioner is that when the aforesaid decision taken in the meeting headed by Chief Engineer was not given effect to, the petitioner filed a detailed representation on 24th of December, 2024 claiming reimbursement of the 6% enhanced GST paid on various work contracts executed by him. The representation, however, has remained unattended for the last about more than eight months and, therefore, this petition.
4. Mr. Sachin Gupta, learned counsel appearing on behalf of the petitioner submits that the petitioner would feel satisfied if the direction is issued to the respondent to consider his representation in light of the decision taken in the meeting of officers headed by Chief Engineer, PW (R&B)/PMGSY within some time frame.
5. Having regard to the submissions made by Mr. Gupta and the nature of relief as prayed for, **this petition is disposed of** without addressing the merits of the case, with a direction to the respondents to consider the request of the petitioner for reimbursement in terms

of the decision of the committee of officers headed by Chief Engineer, PW (R&B)/PMGSY and the communication of Deputy Secretary to the Ladakh Administration, UT of Ladakh, Public Works (R&B) Department dated 11th of July, 2024 calling upon the Chief Engineer, PW (R&B)/PMGSY/Mechanical and Chief Engineer, PHE/I&FC to reimburse additional 6% of GST, if any, deducted by the DDOs on account of change in GST rates from 12% to 18% w.e.f. 18th of July, 2022 within a period of six weeks from the date copy of this order is served upon the concerned Chief Engineer/Department.

JAMMU
08.09.2025
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