

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

Case:- WP(C) No. 2962/2023
CM No. 7086/2023

Karnail Singh Age 76 years,
S/O Major Singh,
R/O H.No. 1, South Extension
Sector-1/A, Trikuta Nagar, Jammu
M/s Mahadev Traders

.....Petitioner(s)

Through: Mr. Ahtsham Hussain, Advocate.

Vs

1. The UT of Jammu and Kashmir
Through its Managing Director,
J&K Projects Construction Corporation Ltd.
Panama Chowk Rail Head Complex, Jammu.
2. The Financial Controller,
J&K Projects Construction Corporation Ltd.
Panama Chowk Rail Head Complex, Jammu.
3. The Deputy General Manager (UNIT-III),
J&K Projects Construction Corporation Ltd.
Panama Chowk Rail Head Complex, Jammu.

.....Respondent(s)

Through: Mr. Ravinder Gupta, AAG.

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

ORDER
(15.10.2025)

01. The petitioner, through the medium of the instant petition filed under Article 226 of the Constitution of India, seeks following relief:-

- a) Commanding the respondents to release the GST amount of Rs. 1,30,402/- in favour of the petitioner as admitted by the respondents in terms of communication No. JKPC/J/1987-88 dated 22.11.2021 in respect of work contracts allotted to the petitioner from September, 2017 to March, 2018.

02. The claim of the petitioner stands admitted by the respondents in paras 6, 7 and 8 of the reply affidavit so filed by them. For facility of reference, the same are reproduced hereunder:-

“6. That in reply to the contents of Para No. 6 it is respectfully submitted that the contents of Para are admitted to the extent that the Dy. General Manager, JKPCC Ltd., Unit Jammu vide No: JKPCC/J/1987-88 dated 22.11.2021 has requested to the respondent No. 3 for releasing of Rs. 1,30,402/- in favour of petitioner on account of GST due.

7. That in reply to the contents of Para No. 7 it is respectfully submitted that the contents of Para are admitted to the extent that the Dy. General Manager, JKPCC Ltd., Unit Jammu that the GST due was not paid to the contractor and in the meantime he has made request to the Financial Controller vide No: JKPCC/J/1987-88 dated 22.11.2021 for releasing of his due GST amounting to Rs. 1,30,402/-.

8. That in reply to the contents of Para No. 8 it is respectfully submitted that the contents of the Para to the extent that there are malafide intentions of the respondents of the Corporation and they are unnecessarily victimizing the petitioner are wrong thus vehemently denied. It is admitted that the full & final payment of the work has been paid to the contractor-petitioner against the work done but the due GST amount has not been paid.”

03. In view of the stand taken by the respondents, whereby they have admitted the claim of the petitioner, the writ petition filed by the petitioner is allowed. The respondents are directed to release the GST amount to the tune of Rs. 1,30,402/- in favour of the petitioner, as already admitted by them in terms of communication dated 22.11.2021, in respect of the work contracts allotted to the

petitioner from September, 2017 to March, 2018, and in the light of their stand in the reply affidavit.

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

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
15.10.2025

Bunty

Whether the order is speaking: Yes/No

Whether the order is reportable: Yes/No

