

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 968/2025
CM No. 2534/2025

M/S SHAH ELECTRICALS.

...Appellant/Petitioner(s)

**OFFICE AT KHAWAJAPORA NOWSHERA,
SRINAGAR, THROUGH ITS PROPRIETOR
MOHAMMAD IQBAL SHAH
S/O GHULAM MOHI UD DIN SHAH
KHAWAJAPORA NOWSHERA, SRINAGAR.**

Through: Mr. Asif Nabi, Adv.

Vs.

- 1. UT OF J&K TH. PR. SECRETARY TO GOVT. PUBLIC WORKS DEPARTMENT (R&B) CIVIL SECRETARIAT SRINAGAR.**
- 2. CHIEF ENGINEER (R&B) KASHMIR SILK FACTORY ROAD, RAJBAGH, SRINAGAR.**
- 3. SUPERINTENDING ENGINEER (R&B) PULWAMA SHOPIAN OFFICE AT KHANBAL CHOWK ANANTNAG.**
- 4. EXECUTIVE ENGINEER (R&B) ELECTRIC DIVISION SRINAGAR, SILK FACTORY ROAD, RAJBAGH, SRINAGAR.**
- 5. EXECUTIVE ENGINEER (R&B) DIVISION PULWAMA OFFICE AT MAIN CHOWK PULWAMA.**
- 6. EXECUTIVE ENGINEER, R&B ELECTRIC SUB DIVISION SOUGH ANANTNAG OFFICE AT KHANBAL CHOWK ANANTNAG.**
- 7. ASSISTANT EX. ENGINEER, R&B ELECTRIC SUB DIVISION SOUTH KASHMIR OFFICE AT KHANBAL CHOWK ANANTNAG.**
- 8. DISTRICT DEVELOPMENT COMMISSIONER PULWAMA OFFICE AT MINI SECTERIAT PULWAMA.**

...Respondent(s)

Through: Ms. Rahila, Adv. vice
Mr. A. R. Malik, Sr. AAG

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
02.05.2025

1. Through the medium of the instant writ petition filed under Article 226 of the Constitution of India, the petitioner is seeking direction to the respondents for release of an amount of Rs. 9,32,950/- (Rupees

Nine lacs, Thirty Two thousand, Nine Hundred and Fifty only) which has remained unpaid to the petitioner on account of having executed the contract work viz. *“Providing/Installation of 100 KVA D. G. Set for District Hospital Pulwama”* and that the respondents be directed to pay interest @ 18% per annum over the amount of Rs. 9,32,950/- from the date of submission of final bills till the date of payment.

2. The respondents appear to have issued the letter of allotment for the works in question in terms of letter No. ERB/272-77 dated 20.06.2020 and later on the works as notified were allotted to the petitioner in terms of Order No1270/Pul-Shp/EEE/REB/2021 dated February, 2021.
3. The petitioner after having received the authorisation undertook and executed the works in question and submitted the requisite bills for payment.
4. Respondents have admitted liability to the tune of Rs. 9.50 lacs which is mentioned in communication dated 12.10.2020 followed by communication dated 12.09.2023, whereby a request has been made by the concerned Executive Engineer to the District Development Commissioner, Pulwama to release the funds to the tune of Rs. 9.50 lacs with regard to the electrical work which has been done by the executing agency i.e., the petitioner herein.
5. The learned counsel for the petitioner submits that he would feel satisfied if the present writ petition is disposed of at this stage with a

direction to the respondents to treat this writ petition as representation on behalf of the petitioner and decide the same in accordance with law within some reasonable time frame.

6. Learned appearing counsel for the respondents is not averse to the disposal of the present petition at this stage or else to the prayer made by the counsel for the petitioner. However, learned counsel submits that the representation of the petitioner would be considered in accordance with the rules and as per law occupying the field.
7. With the consent of the learned appearing counsel for the parties, the present writ petition is taken up for final disposal at this stage and is disposed of with a direction to the respondents to treat this writ petition as representation on behalf of the petitioner and accord consideration to the same strictly in conformity with the rules and as per law within a period of six weeks, from the date copy of the writ petition along with its Annexures as also a copy of this order is made available to the respondents.
8. Writ petition ***disposed of*** along with connected CM in the manner as indicated above.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR
02.05.2025
Sakeena