

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

**WP(C) 1780/2025
CM(4649/2025)**

M/S Unique Marketing Agency.

...Petitioner(s)

Through: Mr. Vaseem Aslam, Advocate.

Vs.

Union Territory of J&K and Others.

...Respondent(s)

Through: Mr. Waseem Gul, GA.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER

29.07.2025

01. While the matter was being argued, the learned counsel for the petitioner has drawn the attention of this Court to the communication dated 21st June, 2023 which has been placed on record as Annexure-III with the instant writ petition, issued by the Medical Superintendent, Trauma Hospital/SDH Kangan, thereby requesting the Chief Medical Officer, Ganderbal, to release an amount of Rs. 3, 17,978/-, pertaining to Lab Reagents supplied in 2016-17, which remained unsettled, on account of pendency of some court case, which was pending at that relevant point of time.

02. The learned counsel for the petitioner submits that the aforesaid impediment has already been cleared, which is evident from the communication dated 7th December, 2024 issued by the Medical Superintendent, SDH, Kangan, to the Chief Medical Officer, Ganderbal, a perusal whereof

reveals that the case of Preliminary Verification (PV) No. 47 of 2017 P/S Crime Branch Kashmir, has been closed vide Letter No. EOW-S/PV-47/17/2510-11 dated 13th February, 2023, which reads as *“Probe of Preliminary Verification (PV) No. 47 of 2017 P/S Crime Branch stands closed as not proved”*.

03. Thus, according to the learned counsel for the petitioner, the only impediment which was coming in the way of the respondents to release the admitted liability in favour of the petitioner has already been cleared and a request has also been made by the Medical Superintendent SDH, Kangan, to the Chief Medical Officer, Ganderbal, to release the funds, so that said liability is cleared, however, in spite of the aforesaid communications and the clearance by the Crime Branch, the admitted liability till date has not been released in favour of petitioner and feeling aggrieved of the inaction on part of the respondents with regard to non-release of the admitted liability, the petitioner has filed the instant writ petition.

04. The learned counsel for the petitioner submits that he would feel satisfied in case the present writ petition is disposed of at this stage with a direction to the respondents to treat the same petition as representation on behalf of the petitioner and take a decision with regard to the release of the admitted liability in favour of the petitioner, as projected in the writ petition, within some reasonable time frame, to which Mr. Waseem Gul, learned Government Advocate who

has appeared on the asking of the Court, has no objection, provided the same is directed to be decided in accordance with the rules and as per law occupying the field.

05. Heard learned counsel for the parties and perused the material on record.

06. With the consent of the learned counsel for the parties, the instant writ petition is taken up for final disposal at the very threshold and is accordingly disposed of with a direction to the respondent No. 4 to treat the writ petition as representation on behalf of the petitioner and take a decision with regard to the release of the admitted amount/ liability, as projected in the writ petition, within a period of six weeks from the date of receipt of copy of this order, along with a copy of writ petition and the annexures appended thereto, strictly in conformity with the applicable rules and the law. The respondent No. 4 while according consideration to the representation of the petitioner, shall give due weightage to the communication mentioned *supra*. The order of consideration which is likely to be passed by the respondents be provided to the petitioner through registered post.

07. Writ petition ***disposed of*** along with connected CM(s) in the manner indicated above.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

29.07.2025

"HAMID"