

Serial No. 3
Regular Cause List

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

...
WP(C) 1835/2025
CM(4823/2025)

M/S WANI CONSTRUCTIONS

.....Petitioner(s)

Through:
Ms. Arifa Jan, Adv.

Versus

UNION TERRITORY OF J&K AND ORS.

.....Respondent(s)

CORAM:
HON’BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER
04.08.2025

- Through the medium of the instant petition filed under Article 226 of the Constitution of India, the petitioner has sought the issuance of writ/direction in the nature of mandamus for commanding the respondents to release his withheld payment to the tune of Rs. 41,03,387/- (Rupees Forty One lacs Three Thousand Three Hundred Eighty Seven) against the work of “Renovation/upgradation of two number Double Bedroom Huts at T.E. Kokernag” completed in the year 2016 along with the interest @ 18% from the due date till its actual payment.
- The case of the petitioner in nutshell is that he is a contractor by profession and has so far executed a number of contract works to his satisfaction and to the satisfaction of the tendering departments. That he was allotted a contract vide No. JKTDC/EE/M&W/174 dated 07.09.2015 read with supplementary agreement No.

69/EE/M&W/JKTDC dated 29.10.2016 for “Renovation/upgradation of two No. Double Bedroom Huts at T.E. Kokernag” for an amount of Rs. 54,44,300/- (Rupees Fifty Five lacs Forty Four Thousand Three Hundred). That he successfully executed the allotted works and a part payment was also released by the respondents while withholding the major part of the payment. That the respondents who are not denying his liability are however, not releasing the same despite repeated requests and representations. That the Manager Tourist Estate Kokernag has also issued a job done certificate in his favour dated 17.11.2016 in respect of the executed works. That the allotted works were executed by him within the prescribed time period, but still the respondents have withheld the major portion of his payment. That he earlier also approached this court with a writ petition bearing WP(C) No. 3284/2023 which came to be disposed of by this court vide its order dated 18.12.2023 directing the respondents to consider the said writ petition as a representation of the petitioner and to decide the same in accordance with the law within four weeks from the date of the said order. That the court also gave liberty to him to approach this court afresh in case he still feels aggrieved.

3. Under these facts and circumstances of the case, this court is of the opinion that the matter can be disposed of even at this threshold stage without notice to the other side by passing of such appropriate orders, the directions under which are otherwise to be complied with by the respondents.
4. Accordingly, the instant writ petition is disposed of with the direction to the respondents to immediately look into the case of the petitioner, verify the same and ensure the payment of the amount whatever due to

him on account of execution of the work i.e., “Renovation/upgradation of two number Double Bedroom Hut at T.E. Kokernag” in the year 2016.

5. The needful shall be done by the respondents within a period of four weeks, with a report of compliance to be submitted before the Registry of this court.

6. *Disposed of.*

**(MOHD YOUSUF WANI)
JUDGE**

Srinagar

04.08.2025

“SAKEENA-PS”

