

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

**CCP(S) 279/2025
In WP(C) 1958/2024**

M/S International Stores.

...Petitioner(s)

Through: Mr. Mir Suhail, Advocate.

Vs.

M. Rajesh Prasad & Ors.

...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER

10.09.2025

01. The petitioner came forward with a writ petition being WP(C) No. 1958/2024 thereby seeking a writ of mandamus unto the writ respondents for earning release of purported admitted liability amount of Rs. 2,98,000/- which is said to have been due in its favour on account of a work done by reference to NIT No. **86** of **2018-19** dated **19.03.2019**.

02. The adjudication of the writ petition on merits was not accorded as the petitioner solicited disposal of the writ petition with the direction to the writ respondents who were five in number in the following manner:

“... To consider the claim of the petitioner as projected in the writ petition and take a decision thereon within a period of two

months from the date a certified copy of this order is made available to the respondents subject to verification of the requisite bills under rules. The decision so taken by the respondents shall be conveyed to the petitioner.”

03. The mandate of the direction in terms of writ court order dated **31.08.2024** was for service of certified copy of writ court order to all the respondents and the petitioner claims to have served the same to the respondents on **07.10.2024**, meaning thereby that from the date of service of copies of the writ court order, two months period given to the writ respondents to comply with the writ court direction was to last upto **04.12.2024** and that was the start of accrual of cause of action for the petitioner to come forward with the contempt petition, without loss of time but not to act at his own leisure and letting the time to get extended by his self-recommendation in favour of the respondents till coming forward with the institution of the present contempt petition on **08.09.2025**.

04. Surely the petitioner on its own usurped jurisdiction of this court in extending time to the respondents at its own risk and cost.

05. The learned counsel for the petitioner submits that the petitioner came to make a representation as set out in paragraph No. 4 of the contempt petition which is nothing but a bald assertion without being accompanied by any supporting annexure thereto.

06. This court cannot become privy to an act of indiscretion on the part of the petitioner in not acting timely after having availed a court direction in which time was of essence not only for the writ respondents to act but also for the petitioner to stay alive and alert.

07. In view of the above, this court holds the present contempt petition being afflicted with serious delay and laches, on the basis whereof, this court cannot invoke the contempt jurisdiction against the respondents named as contemnors in the contempt petition. The contempt petition is accordingly ***dismissed.***

**(RAHUL BHARTI)
JUDGE**

SRINAGAR:
10.09.2025
"HAMID"