

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

WP(C) No. 2241/2025

**M/S.Crescent Electricals Srinagar
through its Proprietor**

...Petitioner(s)

Through: *Mr. Waqar ul Haq Khan, Adv.*

Vs.

UT of JK and Ors.

...Respondent(s)

Through: *Mr. Faheem Nisar Shah, GA.*

CORAM:

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

ORDER

29.12.2025

1. The matter is taken up out of turn at the request of learned counsel appearing for the petitioner.
2. Learned counsel for the petitioner has drawn the attention of this Court to Order dated 29th October, 2025, by virtue of which, the respondents were granted last and final opportunity of two weeks to file response, which response has not been filed as on date.
3. Learned counsel for the petitioner submits that there is an admitted liability of Rs. 16,17,572/- on account of contract work of "*Construction of 25 KVA substation at Shumriyal*"

B, and 25 KVA substation at Gujjarpati, Lolab Kupwara and 63 KVA substation along with HT/LT network at Mir Mohalla Dardpora, diver, and 63 KVA substation along with HT/LT network at Kaw Mohalla Lalpora Lolab Kupwara under Saubhagya scheme by virtue of allotment of contracts.”

4. With a view to substantiate his claim learned counsel for the petitioner has also drawn the attention of this Court to the communication dated 8th July, 2025, which has been issued by the Executive Engineer Electric Division Kupwara to the Chief Engineer,. KPDCL Distribution, Srinagar, wherein the respondents have submitted a requisite information contractor wise liability, a perusal whereof reveals that there is an admitted liability amounting to Rs. 16,17,572/- of various works done by the petitioner.
5. Learned counsel further submits that the controversy involved in the present petition stands squarely covered by the judgment rendered by this Court in *M/s Sain Soldier Engineer and Contractor Pvt. Ltd. through its Director vs. Union Territory of J&K through Commissioner/Secretary to Govt. PWD (R&B) Department, Jammu & Ors.*, WP(C) No. 2472/2022, decided on 26.09.2025. It is accordingly

prayed that the present petition be disposed of in similar terms.

6. Heard learned counsel for the petitioner and perused the material on record.

7. At this stage, Mr. Fahim Nisar Shah, learned GA, who has caused appearance on behalf of the respondents, submits that he is not averse in disposing of the instant petition provided the same is squarely covered by the aforementioned Judgment and there is no legal impediment.

8. 7. In view of the consensus arrived at between learned counsel for the parties, the present petition is taken up for final disposal at this stage. Accordingly, the petition is disposed of with a direction to the respondents to take a decision regarding the release of the admitted liability in favour of the petitioner strictly in accordance with law, rules, and in the light of the judgment rendered by this Court in *M/s*

Sain Soldier Engineer and Contractor

Pvt.Ltd.(supra), within a period of six weeks from the date a copy of this order, along with a copy of the writ petition and its annexures, are made available to them, provided there is no legal impediment in doing so. It is made clear that in the event the admitted liability amount is not released in favour

of the petitioner within the time granted by this Court, the petitioner shall be entitled to interest at the rate of 6% per annum from the date the said amount became payable and was withheld by the respondents. The interest component shall be recoverable from the officer(s) responsible for the delay in its release.

9. The decision which is likely to be taken shall be communicated to the petitioner through registered post.

10.Disposed of.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:

29.12.2025

"Shamim Dar"

