

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

WP(C) No.836/2026

Pronounced on:06.04.2026

Uploaded on: 07.04.2026

M/S Satish Singh Jamwal & Co Pvt. Ltd.
Through its Director Sh. Satish Singh Jamwal
Age 62 years
S/o Sh. Gupat Singh Jamwal
R/o 52-E Sanik Colony, Jammu.

.....Petitioner(s)

Through: Mr. Manik Bhardwaj, Advocate

Vs

1. Union Territory of Jammu and Kashmir
through Commissioner/Secretary to
Government PW(R&B) Department,
Civil Secretariat, Jammu/Srinagar
2. Chief Engineer, PW(R&B), Jammu
3. Superintending Engineer
PWD(R&B), Jammu-Kathua Circle
Jammu
4. Executive Engineer PWD(R&B)
Construction Division- I, District Jammu

Through: Mr. Ravinder Gupta, AAG

Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

06.04.2026

1. By this petition, the petitioner herein is seeking a direction upon the respondents to release the outstanding liability duly admitted by the respondents with respect to the contract works executed by the petitioner.

It is prayed that the respondents be directed to release the outstanding payment of Rs.44,56,393/- along with interest @ 18% per annum from the date of completion of the work.

2. Pursuant to the declaration of the petitioner as L-1 with regard to E-NIT No.CD/1/29 of 2016-17 dated 10.06.2016, the respondents are stated to have issued allotment orders bearing, Nos.SEJ/-3439-41 dated 23rd July, 2016, whereby the petitioner has been allotted execution of the work *“providing and laying of wet mix macadam, 50 BM and 25mm SDBC on link road from Kulla to Laswara road in km 4/0km to km 8/600 (under City and Town programme)”*. Subsequent to the allotment of the aforesaid works, post facto administration approval was accorded at an estimated cost of Rs.254.03 lacs. The petitioner is stated to have completed the allotted works.
3. Respondents are stated to have released part payment in favour of the petitioner and the outstanding amount of Rs.44,56,393/- has not been released by the respondents till date. It is also stated that the liability has been admitted by the respondents, which is so reflected in various inter-se communications of the respondents, copies whereof are placed on record. According to the petitioner, several requests have been made to the respondents for release of the outstanding amount. Even, a legal notice has been issued to the respondents thereby calling upon the respondents to release the outstanding amount but all in vain.
4. Petitioner herein is aggrieved of the inaction of the respondents for causing delay in releasing the balance payment due to him for execution of the works duly allotted by the respondents and, as such, is seeking direction upon respondents to release the outstanding amount of Rs. 44,56,393.00.

5. Learned counsel for the petitioner submits that he would feel satisfied if the respondents are directed to consider the case of the petitioner for release of the outstanding amount in his favour.
6. Mr. Ravinder Gupta, learned AAG, on the other hands, would submit that the claim projected by the petitioner is time barred, however, he is not averse to the proposition made by the learned counsel for the petitioner.
7. Be that as it may, having regard to the submission made by learned counsel for the petitioner, the instant writ petition is disposed of at its threshold, with a direction to the respondents to consider the claim, after due verification of the bills of the petitioner, as projected in the writ petition, provided there is no legal impediment therefor, and take a decision thereon by passing a speaking order, within a period of two months from the date a certified copy of this order is made available to the respondents, under rules. The decision so taken by the respondents shall be conveyed to the petitioner.

(Moksha Khajuria Kazmi)
Judge

Jammu
06.04.2025
Vinod, PS

Whether the order is reportable: No