

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

WP(C) No. 1334/2026
CM No. 2919/2026

BLB's Construction Co. Through it's Proprietor
Sandeep Kumar Bhagat, age 39 years R/o Chingam
Tehsil Chatroo, District Kishtwar.

.....Petitioner(s)

Through: Mr. R D S Bandral, Advocate

Vs

1. UT of J&K through PWD (R&B), Civil Secretariat,
Jammu/Srinagar.
2. The Secretary, Finance Department, Civil
Secretariat, Jammu
3. The Managing Director, J&K Project Construction
Corporation Ltd (JKPCC), Panama Chowk Railway
Head Complex, Jammu.
4. Deputy General Manager, J&K Project Construction
Corporation Ltd (JKPCC), Unit 8th Rajouri.

..... Respondent(s)

Through: Ms. Palvi Sharma, Advocate vice
Mr. Ravinder Gupta, AAG for R-1,3 & 4
Ms. Monika Kohli, Sr. AAG for R-2

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
12.05.2026

1. Ms. Palvi Sharma, Advocate appearing vice Mr. Ravinder Gupta, learned AAG accepts notice in the matter for respondents 1, 3 and 4 and Mrs. Monika Kohli, learned Sr. AAG accepts notice for respondent No.2.
2. Heard learned counsel for the petitioner in respect of the case.
3. The case of the petitioner-Company in nutshell is that it is a registered BEE class contractor, which is duly registered with PWD(R&B) Department bearing registration no. SE/PS/2030 dated 02.05.2017, as such, being eligible to apply for civil construction work had applied for e-NIT No. 29 of 2019-20 dated 09.06.2020 pertaining to "Construction of Balance Work

of Guest House at BGSBU Ralouri (Plastering, Flooring and sanitary Complete”).

That it was declared as successful bidder, as such, the respondent No.4 has issued the allotment letter in its favour vide letter No JKPCC/R/127-131, dated 09.06.2020. That though the allotted cost of the project was ₹77,81,923/-, but as per agreed terms, the payment has to be released in parts in favour of the petitioner pursuant to the extent of work executed on spot, so that the construction company will be able to bear the expenditure of work and would not get into financial distress.

That it executed 10% of work on spot, for which the respondent Nos. 3 and 4 had to release ₹7,74,571/- whereas they had released only ₹4,74,571/- leaving rest unpaid amount of ₹3,00,000/-. That the proprietor of the petitioner-Company visited the office of respondent Nos. 3 and 4 seeking release of due amount and has also communicated letters, but they did not respond to the communications of the petitioner, inasmuch as, they did not clear the due amount, on account of which fact the petitioner-Company was unable to complete rest of the work.

The petitioner has, accordingly, prayed for issuance of a direction in the nature of mandamus for commanding upon the respondents to release the amount of ₹3.00 lakhs in his favour on account of the execution of work, namely, Construction of Balance Work of Guest House at BGSBU Ralouri (Plastering, Flooring and sanitary Complete) along with interest over the same. He has also sought for the issuance of the direction for release of CDR in the matter.

4. In the facts and circumstances of the case, the Court is of the opinion that the matter can be disposed of even at this stage by passing of such appropriate orders which are not likely to prejudice the interests of the respondents. Accordingly, the instant petition is ***disposed of*** at this threshold stage with the direction to the respondents to treat the instant petition as representation of the petitioner and address the same on its *facto legal* basis by releasing the outstanding admitted liability, if any, in favour of the petitioner-Company within a period of six weeks.

5. ***Disposed of.***

(Mohd. Yousuf Wani)
Judge

Jammu
12.05.2026
Vijay

