

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

CJ Court

Case No. :LPA No. 313/2025 in
[WP(C) No. 3389/2025]
CM No. 8502/2025

Date of Pronouncement : 16.02.2026
Uploaded on : 18.02.2026

Shri Mata Vaishno Devi Shrine Board Appellant/Petitioner(s)
University and others

Through: Ms. Shivani Jalali, Sr. Advocate with
Mr. Neeraj Verma, Advocate

Vs

M/s Anju Bala Sharma and others Respondent(s)

Through: Mr. Vikas Mangotra, Advocate for R-1 & 2
Mr. Anil Khajuria, Advocate for R-3

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

ORDER

(ORAL)

1. Shri Mata Vaishno Devi University invited e-tenders on September 03, 2025, for allotment of an eatery-cum-sweet shop on a leave and license basis for three years. Upon technical evaluation, five bidders were found responsive. And their price bids were opened on October 17, 2025. Accordingly, M/s Anju Bala Sharma (respondent No.1) was adjudged as the lowest tenderer (L-1) with a quote of ₹1420/-, while M/s Bumble Bees Café (respondent No.3) was declared L-2 with a quote of ₹2234/-. However, upon scrutiny, the finance wing of the Authorities found respondent No.1's rates for certain articles (*Gulab Jamun, Rasgulla and Khoya Barfi*) to be abysmally low at ₹50/Kg. As a result, the University sought a rate analysis and per respondent No.1 itself, production costs (₹93 to ₹243 per Kg) were significantly higher

than the quoted rate i.e. ₹50/-. That being so and fearing a compromise on food quality and safety, a five member Committee, on November 11, 2025, rejected the bid of respondent No.1. Resultantly, the Contract was awarded to L-2 (M/s Bumble Bees Café) on November 24, 2025 and physical possession of the subject premises was also handed over on November 28, 2025.

2. Learned Senior counsel for the appellants submits that, it was in this background, respondent No.1 approached this Court vide WP (C) No. 3889/2025. It is urged that the bidder quoting rates below the cost of raw material, poses a high risk of cutting corners on hygiene and quality, justifying the rejection of an abnormally low bid. Further, the contract between the appellant and respondent No.3 had already been executed and, as indicated earlier, even the possession of the subject premises was handed over to the L-2. Much before the Writ Court intervened. She asserts that the tenders were invited and the very purpose to assign the contract was to provide hygienic, high quality and affordable food to the students and staff.
3. She submits that the limited grievance that the appellant-University has is that vide impugned order dated December 01, 2025, the learned Writ Court has restrained the appellant-University from acting upon the formal allotment of the contract to respondent No.2. And, owing to the order under challenge, the right/interest of the respondent-Authorities is severely impaired. It is submitted that the matter was listed on 2nd, 3rd, 4th, 12th, 24th & 28th December, 2025, but no effective order was passed. Thus, this appeal.
4. At this stage, Mr.Vikas Mangotra, learned counsel for respondent Nos.1 & 2 submits that the application moved by the writ petitioner for amendment in the petition has since been allowed and the appellants have already adopted the objections/response that was submitted to the original petition. So much so, even reply to the application seeking interim relief has also been submitted. Thus, he submits that the matter

before the Writ Court being ripe for arguments, it would rather be expedient if the appeal at hands is disposed of with a direction to the Writ Court to consider and decide the matter at the earliest to secure the interest of all the stake holders.

5. Learned Sr. Counsel, as always, fairly agrees to the course suggested by the learned counsel for the respondent No.1.
6. That being so, we are not required to delve any further into the matter. Accordingly, in the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, we consider it expedient and *dispose of* the appeal with a request to the learned Writ Court, in seisin of the matter, to consider and decide the petition at the earliest. And, at any rate, the application for interim stay, if feasible, be taken up and decided on the date already fixed.
7. Needless to assert that this order shall not constitute any expression of opinion on merits of the case of either party, as the learned Writ Court shall proceed to decide the matter strictly in accordance with law.

Jammu :
16.02.2026
Pawan Chopra/Secy

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE