

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case No:- WP(C) No. 29/2026

CM No. 105/2026

CM No. 104/2026

Date of Pronouncement: 15.01.2026

Uploaded on: 19.01.2026

Inhabitants of Green Mohalla Village
Kote

.... **Petitioner(s)**

Through:- Mr. Ajaz Chowdhary, Advocate.

V/s

01. UT of J&K through Commissioner/Secretary to
Govt. Public Works Department, Civil Secretariat,
Jammu/Srinagar.

.....**Respondent(s)**

02. The Chief Engineer, PWD (R&B), Rajouri.

03. The Executive Engineer, PWD (R&B),
Thannamandi.

04. The Deputy Commissioner, Rajouri.

Through:- Mr. Nirmal K. Kotwal, Advocate vice
Mr. Ravinder Gupta, AAG.

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

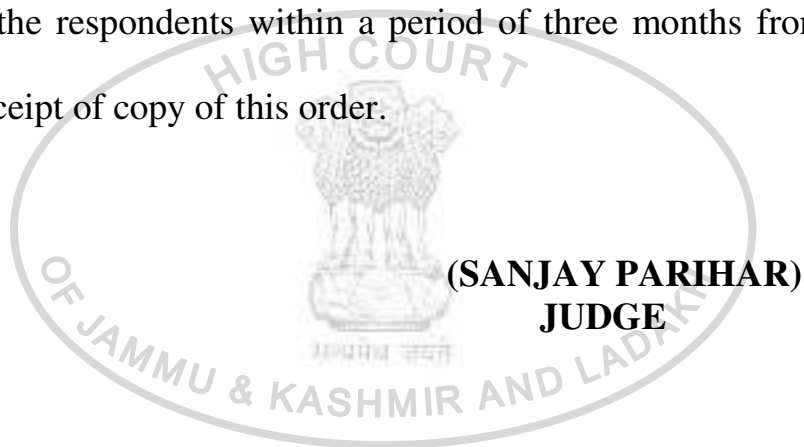
ORDER

1. The petitioner claims to have filed the aforesaid petition by taking recourse to Order I Rule 8 CPC, seeking leave to institute the petition in a representative capacity on the ground that a public cause is involved, inasmuch as the proposed road to be laid by the respondents is allegedly being diverted from the sanctioned alignment. Learned counsel for the petitioner submits that even without admitting the petition for hearing, issuance of a direction to the respondents to consider the case of the petitioner would sufficiently meet the ends of justice.

2. Mr. Nirmal Kotwal, Advocate, appearing vice Mr. Ravinder Gupta, learned AAG, submits that the instant petition can be disposed of by passing an order directing consideration of the petitioner's case.
3. According to learned counsel for the petitioner, the respondents, in terms of NIT No. 04/2023-24 dated 20.10.2023, issued a tender for construction of a road from Bahrot Pulli to Mohalla Green Village Kote, falling within the jurisdiction of PWD Division Thannamandi. However, it is alleged that despite issuance of the tender, the work has not been undertaken as respondent No. 3 is attempting to divert the laying of the road from the sanctioned alignment and has openly stated that instead of being constructed from Bahrot Pulli to Mohalla Green Village Kote, the road is proposed to be constructed from Village Lah, Bahrot, Tehsil Thannamandi, District Rajouri, allegedly to benefit the residents of Village Lah. It is further contended that the sanctioned alignment is from Mohalla Green Village Kote, Tehsil Thanamandi, District Rajouri, which fact is being ignored. The NIT No. 04/2023-24 dated 20.10.2023 specifically provides for construction of the link road from Post Office Bahrot Pulli to Mohalla Green Village Kote.
4. Once that is the position, the respondents cannot, on their own, change the sanctioned alignment. It is stated that the petitioner had earlier approached the respondents, but they have neither considered the petitioner's grievance nor taken any decision and are instead delaying the execution of the work, thereby causing inconvenience to the residents of the proposed site.

5. In view of the aforesaid circumstances, the petition is taken up for disposal at the admission stage, particularly as the construction of the link road from Post Office Bahrot Pulli to Mohalla Green Village Kote stands sanctioned and the NIT was issued in October 2023. The respondents are directed to consider the case of the petitioner for construction of the link road strictly as per the sanctioned plan. However, in the event the respondents intend to change the alignment, they shall pass a speaking order so as to enable the petitioners to avail appropriate legal remedies in accordance with law.
6. The petition is accordingly *disposed* of, any such decision shall be taken by the respondents within a period of three months from the date of receipt of copy of this order.

JAMMU
15.01.2026
Rahul Sharma



Whether the order is speaking? : Yes

Whether the order is reportable? : No