

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

Date of Pronouncement: 06.03.2026

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WP(C) No. 438/2024 CM No.1129/2024

M/S MERIDIEN CONSTRCTIONS

...Petitioner/Appellant(s)

Through: Mr. Zahid Khan, Advocate.

Vs.

UNION TERRITORY OF J&K AND ORS.

...Respondent(s)

Through: Mr. Hakim Aman Ali, Dy.AG for R 1

Mr. Waseem Gul, GA for R 2 to 5.

CORAM:

HON'BLE MR JUSTICE JAVED IQBAL WANI, JUDGE

ORDER (ORAL)

06.03.2026

1. In the instant petition, the petitioner has prayed for the following reliefs: -

Writ in the nature of Mandamus commanding upon the respondents to make the payment of the admitted claim amount so pending with regard to the work done by the petitioner amounting to Rs.17.85 lakhs without any further delay along with the interest.

2. The petitioner while seeking aforesaid reliefs claims to be a contractor and as such allotted the work for "Construction of RCC & Brick Compounding walling on CRC Side" at SKIMS Medical College & Hospital Bemina Srinagar, for an amount of Rs.44,49,970/- vide order No. SKIMS/WBD/04 of 2018 dated 10.07.2018.

It is next stated that during the execution of said allotted work, the respondents approved additional work in favour of the petitioner amounting to Rs.20 lacs, making the overall cost of the work at Rs.64.50 lacs, out of

which amount after completion of the work in question the petitioner came to be paid an amount of Rs.46.65 lacs withholding the remaining amount of Rs.17.85 lacs.

It is further stated that though the petitioner repeatedly requested the respondents for release of balance amount of Rs.17.85 lacs, having satisfactorily completed the work in question, yet the respondents did not pay any heed to the said requests compelling the petitioner to approach this Court through the medium of instant petition.

3. Objections to the petition have been filed by respondents, wherein it is being stated that vide Government order No.752-JK(GAD) of 2020 dated 10.08.2020, 15 departments/wings of Public Works (R&B) Department including the Engineering Wing of SKIMS Medical College, Bemina, came to be merged and simultaneously the restructuring of the Public Works (R&B) Department by way of re-organization and rationalization of its jurisdiction vide Government Order No.22-JK(GAD) of 2023 dated 06.01.2023 also got merged/subsumed in R&B Department and re-organized as R&B Division Bemina under the Administrative Control of PWD(R&B) Department of Union Territory of J&K.

It is further stated that under clause (13) and (14) of Government Order dated 06.01.2023 provided that all civil works and contracts of other Departments (merged vide Government Order No.752-JK(GAD) of 2020 dated 10.08.2020) be executed by newly created Division/Sub Division as per its jurisdiction and that by virtue of Government Order No.319-PW(R&B) of 2023 dated 02.08.2023, measurement Books of all works with all the subsumed engineering units including all other records stand closed by 10.08.2023.

It is lastly stated in the objections that post reorganization of the erstwhile State of Jammu and Kashmir, case of the petitioner lies entirely within the administrative ambit of PW(R&B) Department.

Heard counsel for the parties and perused the record.

4. Having regard to the stand taken by respondents in the objections filed to the petition, it is nowhere forthcoming that respondents have either denied or disputed the allotment of the work in question in favour of the petitioner including the additional work or the execution of the said work amounting to Rs. Rs.44,49,970/- and Rs.20 lacs respectively.

5. It is also not being denied by respondents that out of total cost of the work of Rs.64.50 lacs, the petitioner stand paid part payment of Rs. Rs.46.65 lacs with a balance amount of Rs.17.85 lacs payable to the petitioner.

6. In view of the aforesaid admitted position obtaining in the matter, the instant petition succeeds as a consequence whereof the respondents are commanded to release the balance admitted amount of Rs.17.85 lacs in favour of the petitioner within a period of two months from the date a copy of this order is produced by the petitioner before the respondents and in the event the said amount is not paid within the said period, the respondents shall be liable to pay an interest @ of Rs.7% per annum to the petitioner over the said balance amount from the date same became due to the petitioner till the date of its actual payment.

7. Disposed of along with connected CM/s.

**(JAVED IQBAL WANI)
JUDGE**

SRINAGAR

06.03.2026

Ishaq

Whether the order is speaking ?

Yes/No

Whether approved for reporting ?

Yes/No