

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

(i) WP(C) 1624/2025
CM(4183/2025)

M/S VEDA INFRASTRUCTURE

...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(ii) OWP 767/2017
CM(4183/2025)

M/S GRANCO INDUSTRIES AND
CONSTRUCTION THROUGH ITS
MANAGING DIRECTOR GHULAM RASOOL
NAGVI

...PETITIONER(S)

Through:
Ms. Mehreen Altaf, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(iii) CPOWP 232/2018
CM(5771/2020)
CM(5779/2020)
CM(5780/2020)

M/S MPB CONSTRUCTIONS PRIVATE LIMITED

...PETITIONER(S)

Through:
None.

V/s.

LT. COL. VARUN TANDON AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(iv) OWP 1409/2018
IA(1/2018)
CM(7323/2019)

M/S MPB CONSTRUCTIONS PVT. LTD.

...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(v) WP(C) 2380/2019
CM(1089/2020)
CM(4540/2019)

M/S MPB CONSTRUCTIONS PRIVATE LIMITED

...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(vi) WP(C) 388/2022
CM(960/2022)

**M/S VALLEY ENTERPRISES CONSTRUCTIONS
COMPANY AND ANR.**

...PETITIONER(S)

Through:
Mr. S. H. Thakur, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(vii) WP(C) 3029/2022
CM(7622/2022)
CM(913/2023)

**M/S RASHID CONSTRUCTIONS COMPANY
LIMITED AND ANR.**

...PETITIONER(S)

Through:
Mr. S. H. Thakur, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(viii) WP(C) 464/2023
CM(1106/2023)

M/S SYED NOOR-ULLAH RIZVI THROUGH ITS
PROP.

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(ix) WP(C) 3020/2023
CM(7204/2023)

M/S A. A. A. CONSTRUCTIONS

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(x) WP(C) 724/2024
CM(1924/2024)

SHOWKAT AHMAD WANI AND SONS

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xi) WP(C) 1091/2024
CM(1751/2026)
CM(2989/2024)

M/S GRNACO INDUSTRIES AND
CONSTRUCTIONS LIMITED AND ANR.

...PETITIONER(S)

Through:
Ms. Mehreen Altaf, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xii) WP(C) 2912/2024
CM(7958/2024)

ABDUL HAMEED GEELANI

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xiii) WP(C) 48/2025
CM(111/2025)

ABDUL RASHID NAJAR

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xiv) WP(C) 433/2025
CM(1013/2025)

M/S SMYLE AND CO.

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xv) WP(C) 510/2025
CM(1239/2025)

M/S GRANCO INDUSTRIES AND
CONSTRUCTION LIMITED.

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xvi) WP(C) 624/2025
CM(1536/2025)

M/S GRNACO INDUSTRIES AND
CONSTRUCTION LIMITED.

...PETITIONER(S)

Through:

Ms. Moneesa Manzoor, Advocate vice
Mr. A. M. Dar, Senior Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xvii) WP(C) 1838/2025
CM(4829/2025)

M/S SUHEEL CONSTRUCTIONS TH.HIS
PARTNER

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xviii) WP(C) 2530/2025
CM(6715/2025)

M/S ZEA CONSTRUCTIONS TH PROP ...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xix) WP(C) 2893/2025
CM(7665/2025)

M/S EVERGREEN GROUP OF INDUSTRIES ...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs

(xx) WP(C) 3094/2025
CM(3060/2026)
CM(8270/2025)

M/S EVERGREEN GROUP OF INDUSTRIES
TH.ITS PROP ...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxi) WP(C) 336/2026
CM(834/2026)

MS RIYAZ AHMAD QADRI TH.ITS
PROPRIETOR

...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxii) WP(C) 368/2026
CM(943/2026)

M/S DFA ENTERPRISES

...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxiii) WP(C) 635/2026
CM(1625/2026)

M/S GASSI BROTHERS.

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxiv) WP(C) 637/2026
CM(1627/2026)

M/S MEHAK STEEL INDUSTRIES
TH.PROPRIETOR

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxv) WP(C) 1060/2026
CM(2761/2026)

M/S M A CONSTRUCTIONS

...PETITIONER(S)

Through:

Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxvi) WP(C) 1061/2026
CM(2764/2026)

M/S M.A. CONSTRUCTIONS TH. PROPRIETOR.

...PETITIONER(S)

Through:

Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxvii) WP(C) 1135/2026
CM(2967/2026)

M/S (MESSRS) U.K. ENTERPRISES TH.ITS PROP

...PETITIONER(S)

Through:

None.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:

Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxviii) WP(C) 1529/2026
CM(3983/2026)
CM(5428/2026)

M/S MEGA CONCRETE CONSTRUCTIONS ENGINEERS AND CONTRACTORS ...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxix) WP(C) 1999/2026
CM(5427/2026)

M/S SUMEET TRADING CORPORATION TH.ITS PROPRIETOR ...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxx) WP(C) 2020/2026
CM(5469/2026)

M/S LONE CONSTRUCTION COMPANY TH.ITS PROP ...PETITIONER(S)

Through:
None.

V/s.

UNION OF INDIA AND ORS. ...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxxi) WP(C) 2081/2026
CM(5628/2026)

M/S MAUROOF AHMAD MIR ...PETITIONER(S)

Through:

Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

(xxxii) WP(C) 2448/2026
CM(6622/2026)
CM(6730/2026)

M/S ELECTROMECH

...PETITIONER(S)

Through:
Mr. Aushaq Hussain Shah, Advocate with
Mr. Asif Ali, Advocate.

V/s.

UNION OF INDIA AND ORS.

...RESPONDENT(S)

Through:
Mr. T. M. Shamsi, DSGI with
Mr. Nazir Ahmad, Mr. Mudasir Malik, Mr. Faizan Ahmad Ganai, CGCs.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

JUDGMENT (ORAL)

01. Since the grievance projected and the relief claimed in all these petitions are almost identical, the petitions have, therefore, been heard together and taken up for disposal by virtue of this common judgment.

02. The fulcrum of the case set up by the petitioners, who are registered contractors/firms supplying services to the respondents-Military Engineering Services (MES), is that they have been carrying out contract works for the respondents for several years and have, throughout, rendered satisfactory services. The petitioners have challenged the communications /orders issued by the respondents whereby they have been rendered ineligible for participation in the tendering process

on the ground that certain works allotted to them were shown as being in “slow progress” in the relevant Work Load Returns (WLRs). It is the case of the petitioners that the said entries do not reflect the actual position, as the works in question had either been substantially/completely executed, or their execution was delayed for reasons beyond the control of the petitioners, including restrictions on access to the sites, circumstances prevailing during the COVID-19 pandemic and the period following the constitutional changes of August, 2019, besides other circumstances, including personal/family difficulties and health-related issues.

03. It is further averred that, in certain cases, works were cancelled by the respondents despite substantial completion thereof, without release of the amounts claimed by the petitioners. The petitioners accordingly contend that they cannot be held responsible for delays attributable to circumstances beyond their control or to acts/omissions on the part of the respondents or their concerned units. It is also the case of the petitioners that they have subsequently completed the works which were earlier shown as being in slow progress and that the impugned entries in the relevant WLRs as on date, therefore, unjustified and ought not to constitute a basis for debarring or rendering them ineligible from participating in the tendering process. On these grounds, the petitioners seek quashing of the impugned communications/ orders to the extent they affect their eligibility and a direction to the respondents to permit them to participate in the tendering/allotment process in accordance with the applicable rules and conditions.

04. The record reveals that this Court, after feeling *prima facie* satisfied, has stayed the impugned orders in almost all the cases and given liberty to the petitioners to participate in

the various tenders irrespective of the impediment projected by the respondents through the medium of the impugned communications, and the participation of the petitioners in the fresh tenders, however, is subject to the final orders to be passed in these writ petitions.

05. Since the relief sought by the petitioners has been granted by this Court on the very first day of hearing, whereby the various petitioners have been allowed to participate in the tenders, however, the final veil/impediment pointed out by the respondents has not been finally removed/corrected, despite the change of circumstances, which could only be removed if the matter is heard and decided finally.

06. Mr. T. M. Shamsi, learned Deputy Solicitor General of India submits that these writ petitions can be disposed at this stage with a direction to the Chief Engineer Command to treat these writ petitions as representations and to accord consideration to the same, within some reasonable time by taking into consideration the aforesaid developments as also the policy and the guidelines framed by the respondents in this regard, which find mention in the communication produced by Mr. Shamsi, learned Deputy Solicitor General of India, which is taken on record.

07. A bare perusal of the aforesaid communication reveals that the respondents have formulated a policy, which for facility of reference is reproduced as under:

“(iv) Zonal CEs while forwarding reports to CE Commands in respect of Contractors having work load more than Rs 50 lakhs will not endorse copy to CsWE and E in-C's Branch. MES website.

(v) Zonal CE will compile and forward his report to CE Command for uploading in website.

(vi) Commands CE will compile and circulate his report and get it uploaded in MES website

(vii) Show cause notices for proposed adverse remarks in work load returns shall be served by the Accepting Officer of Contracts latest by 10th of the last month of the quarter and copy of the same alongwith reply of Contractors shall be enclosed with WLR by GE/CWE, while forwarding report to CE Zone, and by CE Zone to CE Command.

(viii) In the forwarding letter of the WLR to higher formation, there shall be specific mention that against the contractor who have then adversely remarked, necessary Show Cause Notices (SCNs) have been issued to the contractors, replies received from contractors and replies analysed before putting the adverse remark.”

08. Thus, from a bare perusal of the policy framed by the respondents, a complete mechanism has been provided in the aforesaid policy, which is required to be followed by the Chief Engineer while according consideration to the case of the petitioners individually by treating these writ petitions as representations within some reasonable period, to which the learned counsel appearing on behalf of the petitioners are not averse.

09. For the foregoing discussion, this Court is of the considered opinion that no fruitful purpose would be served to keep these petitions alive, and accordingly, the same are disposed of by virtue of this common judgment, with the consent of the learned counsel appearing on behalf of the petitioners and the respondents with a direction to the concerned Chief Engineer (Command) to treat each writ petition separately as representation on behalf of respective

petitioners and take a final call thereon in accordance with law and pass a detailed speaking order with respect to each and every petitioner separately, by taking note of the workload strictly in the light of the policy so framed by the respondents mentioned supra, expeditiously, within a period of four weeks from the date of receipt of copy of this order. It is further made clear that in case the decision of the concerned Chief Engineer (Command), after taking into consideration all the relevant facts and the subsequent developments in the light of the contemporaneous official record, goes against the petitioners, the petitioners shall be at liberty to seek appropriate remedy under law by way of appropriate proceedings, if so advised.

10. Before parting, this Court would like to make it clear that till the fresh decision is taken by the Chief Engineer (Command) in terms of this order, the interim orders passed by this Court in each and every case, if the same are subsisting as on date, shall remain in operation till a decision is taken by the Chief Engineer (Command) in conformity with the directions passed by this Court today.

11. All the writ petitions except WP(C) 1091/2024 shall stand **disposed of** along with connected CM(s)/contempt petitions in the manner indicated above.

CM No. 6730/2026 In WP(C) No. 2448/2026:

Mr. Aushaq Hussain Shah, Advocate with Mr. Asif Ali, Advocate for Petitioner.

12. This is an application preferred by the applicant/petitioner seeking rectification of typographical error that has crept in the cause title of the order dated 26.09.2026 passed in WP(C) 2448/2026, wherein the name of the petitioner has been mentioned as “*M/s Electromech Th. Partner*” instead of “*M/s Electromech Engineers.*”

13. For the reasons stated in the application, coupled with submissions made at the Bar, the same is allowed and the title of the case in the order dated 26.09.2026, shall be read as “M/s Electromech Engineers” instead of “M/s Electromechanic.” This order shall be read in continuation to Order dated 26.09.2026.

14. CM is accordingly **disposed** of.

15. Main writ petition (WP(C) No. 2448/2026 shall stand disposed of in the light of the detailed order passed hereinabove, in the connected matters and shall be governed by the directions passed therein.

WP(C) No. 1091/2024:

Ms. Mehreen Altaf, Advocate for Petitioner.

16. Learned counsel for the petitioner makes a categorical statement at the Bar that with the efflux of time, the instant writ petition has been rendered infructuous, as such, she does not want to pursue the same any further. Statement of the learned counsel is taken on record.

17. Writ petition is accordingly **dismissed** as having been rendered infructuous. Interim direction, if any, shall stand vacated.

18. Registry to place a copy of this Judgment on the record of each file.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:

29.09.2026

"Hamid"

❖ Whether the Judgment is Reportable?	Yes/No
❖ Whether the Judgment is Speaking?	Yes/No