

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

CM No. 3308/2026 in
 LPA No. 110/2026

M/S Al Hayat Sanitation Services. ... Appellant(s)

Through: Mr. Mohammad Yawar Hussain, Advocate.

Vs.

University of Kashmir Th. it's Vice Chancellor. ...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
 HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
03.06.2026

CM No. 3308/2026.

For the reasons stated in the application, coupled with submissions made at bar, CM No. 3308/2026, is allowed and the applicant/appellant is exempted from placing on record the certified copy of the order dated 20th May, 2026.

Application is ***disposed of***.

LPA No. 110/2026.

1. The appellant through the medium of WP (C) No. 1140/2026 had impugned the document No.GEM/2026/B/7525475 dated 12.05.2026, issued by the respondents to the extent of outsourcing of "Sanitation Assistants", the work already allotted to the appellant in terms of LOI No.GEM/2026/B/7525475 dated 12.05.2026, and a further direction was also sought to be issued upon the respondents to allow the appellant to start the services of deployment of the sanitation manpower outsourcing in terms of LOI and allotment order (supra).

2. Learned counsel for the appellant has vehemently argued that because of litigation the formal contract could not be executed between the parties, as a result of which the appellant could not execute the work in terms of LOI No. F (outsource-contract) Enhy/ / KU/2024 dated 29th May, 2024 and letter of allotment dated 29.05.2024. He has further submitted that because of litigation initiated at the instance of third party, the appellant cannot be penalized and the respondents are under an obligation to allow the appellant to execute the work pursuant to LOI dated 29th May, 2024 and allotment dated 12th June 2024.
3. Pursuant to a specific query made by this Court, learned counsel for the appellant very fairly submitted that the appellant has submitted a bid pursuant to the document impugned in the writ petition.
4. We have examined the order dated 20th May, 2026, whereby the learned Writ Court has dismissed the writ petition preferred by the appellant in *limine*. The learned Writ court has observed that as the work earlier allotted had already outlived its tenure of twelve months because of the intervention of this Court, the respondent-University cannot be penalized or restrained from issuing a fresh bid document for the same work, which had originally allotted to the appellant in the year 2024 for a period of twelve months. We find that in the order impugned in this intra court appeal, an observation has been made by the learned Writ Court that the appellant can participate in fresh tendering process. Further, learned Writ Court has directed release of the amounts deposited by the appellant in his favour

strictly in accordance with law. Once the appellant has participated in the fresh tendering process, no cause is available to the appellant to impugn the bid document dated 12th May, 2026.

5. Accordingly, we do not find any reason to show indulgence. The order passed by the learned Writ Court is well reasoned, as such, this appeal is dismissed being bereft of any merit.

(SANJAY PARIHAR)
JUDGE

(RAJNESH OSWAL)
JUDGE

SRINAGAR:
03.06.2026
"Ab. Rashid"

