

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

WP(C) 2399/2026 CM (6514/2026)

M/S Tata Joinery

...Petitioner(s)/Appellant(s).

Through: Mr. Zahid Khan, Advocate

Vs.

**Union Territory of J and K and
Others (SICOP)**

...Respondent(s).

Through:

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

22.09.2026

1. Heard the learned counsel for the petitioner in respect of the matter.
2. The case of the petitioner in nutshell is that he is a bona fide supplier and contractor and is aggrieved of the arbitrary, unreasonable and unjustified action of the respondents in withholding the admitted amount of Rs. 7,34,700/- (Rupees Seven Lakh Thirty-Four Thousand Seven Hundred Only) payable to him on account of the execution of the work i.e., "Upgradation of Science Laboratories and Library Block at Govt. Degree College for Women, Anantnag". That the subject work was executed and completed by him in pursuance of a duly issued authority letter/supply order. That he, after completing the supply to the satisfaction of the concerned authorities raised the requisite bills and submitted the same before the respondents along with all requisite documents. That the respondents received and processed

the bills submitted by him. That he fulfilled all his obligations under the supply order and there is no deficiency or fault attributable to him. That the material supplied by him was duly accepted by the respondents which entitles him to receive the agreed/admitted amount. That, however, despite the completion of the supply and submissions of the bills, the respondents have illegally and without any justification or reasons failed and neglected to release the legitimate amount of Rs. 7,34,500/- due to him. That the amount claimed by and payable to him is an admitted and undisputed liability of the respondents. That there is no order, communication citing any deficiency, dispute or other lawful impediment in releasing the said admitted liability in his favour. That he has repeatedly approached and requested the respondents for release of the outstanding payment but despite such requests and with the lapse of a considerable time since the completion of the allotted work, the respondents have failed to release his due amount. That the inaction on the part of the respondents in withholding the admitted amount is arbitrary, unreasonable and violative of his fundamental, and legal rights. That he had arranged the finances required for executing the supply by obtaining bank loan and stands continuously burdened with payment of substantial interest upon the borrowed amount. That the respondents being the State instrumentalities/authorities within the meaning of Article 12 of the Constitution are required to act fairly, reasonably and in accordance

with the law. That he got no other equally efficacious remedy available to him for redressal of his grievances.

3. The petitioner has, accordingly, prayed for issuance of writ of mandamus for commanding the respondents to release/pay the admitted outstanding amount of Rs. 7,34,500/- in his favour against the work done for Upgradation of Science Laboratories and Library Block at Govt. Degree College for Women's, Anantnag along with interest from the date the payment of the same became due till the actual realization thereof.
4. The learned counsel for the petitioner during his preliminary submissions stated that the petitioner has completed the allotted work in pursuance of the issuance of an allotment order in his favour. That he completed the allotted work within the stipulated period and raised bills which were received and processed by the respondents. That the respondents have been delaying the payment of the amount due to him on account of the execution of the said work.
5. He further contended that the petitioner, who had raised a bank loan in connection with the execution of the allotted work, has been suffering badly on account of the payment of interest thereon.
6. The Court has perused the memo of the petition and the copies of the documents enclosed with the same.
7. It is revealed from the perusal of the documents that the subject work along with some other works actually came to be entrusted to SICOF vide AA No. 05-HE of 2020 dated: 19.10.2020, whereupon

tenders came to be floated by the SICOF for execution of the subject work which came to be assigned to the petitioner-Firm by the SICOF. The SICOF has also made a communication to the Principal Degree College for Women's, Anantnag regarding arrangement of the amount due to the petitioner SSI Unit.

8. In the facts and circumstances of the case, this Court is of the opinion that the matter can be disposed of at this threshold stage by passing of appropriate orders which are not likely to prejudice the interests of any of the parties and which are otherwise needed to be complied with by the respondents out of their official obligations.
9. In the backdrop of the aforementioned discussion, the instant petition is disposed of with the direction to the respondents 2 & 3 to take immediate steps for liquidation/satisfaction of the liability of the petitioner SSI Unit on account of the execution of the subject work i.e. Upgradation of Science Laboratories and Library Block at Govt. Degree College for Women's, Anantnag, due to him.
10. The respondents shall do the needful within a period of six weeks from the date of receipt of a copy of this order.
11. **Disposed of.**

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
22.09.2026
Shahid Manzoor