HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Uploaded on 30.12.2025

CJ Court

LPA No. 304/2025 in
WP(C) No. 2821/2025

M/s Malik Construction Infra Pvt. Ltd. …Petitioner(s)/Appellant(s)

Through: Ms. Mandeep Reen, Advocate

v/s

M/s Inder Mohan Gupta and others …. Respondent(s)

Through: Mr. Ravinder Gupta, AAG

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.

ORDER
24.12.2025

1. The respondent No. 1 having suffered technical disqualification in e-NIT No. CEJ/PMGSY/792 of 2025 dated 30.07.2025, filed a writ petition bearing WP(C) No. 2821/2025 assailing the Technical Evaluation Summary/Report dated 25.09.2025 and also for quashing and setting aside BOQ Summary detail/Financial Evaluation Summary/Report dated 06.10.2025, as uploaded on the official website/portal of the PMGSY Department. A further direction was sought to the other respondents to consider the respondent No. 1 as qualified and responsive in the Technical Bid Evaluation in respect of the bid submitted for the aforesaid contract work and to consider and open its financial bid in the Financial Bid Evaluation and in the event, respondent No. 1 was found to be L-1, the contract for the said work be allotted in its favour.

2. Vide order dated 27.11.2025, the learned Writ Court directed the Chief Engineer, PMGSY (JKRRDA), Jammu not to take further action in respect of the work in question. Vide order dated 11.12.2025 impugned in this appeal, the

learned Writ Court, directed the Evaluation of Financial Bids of the responsive bidders including the respondent No. 1, who was declared as technical disqualified and further, if upon such evaluation, bid of respondent No. 1 comes out to be competing bid being L-1, then the same be brought to the notice of the Court to facilitate adjudication of this Writ petition on merits.

3. Ms. Mandeep Reen, learned counsel for the appellant, has contended that respondent No. 1 was not entitled to maintain the writ petition after having been declared technically disqualified.

4. Mr. Ravinder Gupta, learned AAG representing the official respondents, has submitted that financial bids of the appellant and respondent No. 1 have already been opened and that it would be in the interest of justice if the learned Writ Court is requested to decide the matter at the earliest.

5. Ms. Reen, learned counsel for the appellant, is not averse to the submissions made by Mr. Gupta.

6. In view of the fact that the learned Writ Court has yet to decide the controversy involved, we deem it proper to dispose of this *intra* court appeal by requesting the learned Writ Court to take up the matter and decide the same as expeditiously as possible.

7. Ordered accordingly.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Jammu:
24.12.2025
Rakesh PS

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No

Rakesh Kumar
2025.12.30 10:40
I attest to the accuracy and
integrity of this document