Serial No. 06

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CJ Court

Case No. LPA No. 309/2025 in
WP(C) No. 3258/2025

M/s Dinesh Kumar Sharma Constructions Pvt. Ltd. …..Appellant(s)/Petitioner(s)

Through: Mr. D C Raina, Sr. Advocate with
Mr. Anuj Dewan Raina, Advocate.
Mr. Mazher Ali Khan, Advocate.

vs

Vikesh Kumar and Ors. ….. Respondent(s)

Through: Mr. Sunil Sethi, Sr. Advocate with
Mr. Mohsin Bhat, Advocate for respondent no.1.
Mr. Ravinder Gupta, AAG for respondent nos. 2 to 4.

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

ORDER
29.12.2025

(ORAL)

01. Concededly, in response to e-NIT No. CEJ/PMGSY/792 of 2025-26 dated 30.07.2025 issued by the Chief Engineer, PMGSY (JKRRDA) for 64 road construction works, the appellant as also the private respondent had submitted their respective bids. It is not in dispute that respondent no.1 was declared non-responsive by the respondent-Authorities and being aggrieved he approached this Court vide WP(C) No. 3258/2025 (*Vikesh Kumar. Vs. UT of J&K and ors.*). And the Writ Court vide impugned order while issuing notice to the respondents also directed the Tender Inviting Authority to consider/evaluate the financial bid of the respondent herein.

02. We are informed by Mr. Ravinder Gupta, learned Additional Advocate General, that the financial bids of all the tenderers/participants were opened and

evaluated. But the results have not been formally declared/notified. It is urged that he is under instructions to submit, for, the matter is sub-judice before the Writ Court, the Authorities would not assign the Contract till the matter is finally decided.

03. It is not in dispute either that the appellant is not a party to the petition. Needless, to assert that in the event, any of his rights/interests are/is impaired because of the order that is being assailed, he was/is at liberty to move an appropriate application before the Writ Court.

04. In the given circumstances, learned counsel for the respective parties submit that it would be expedient if the appellant is arrayed as respondent to the petition and contest the matter. And, to secure the interest of all the stakeholders, a joint request shall be made by learned counsel for the parties to the Writ Court to take up and decide the matter at the earliest.

05. In wake of the position sketched out above and in terms of the statements made by the learned counsel for the parties, the appeal is disposed of.

(RAJNESH OSWAL) JUDGE **(ARUN PALLI) CHIEF JUSTICE**

Jammu
29.12.2025
Sunita/Secy.

SUNITA KOUL
2025.12.30 12:18
I attest to the accuracy and
integrity of this document