Serial No. 15

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

WP(C) No. 1230/2022

Mohd. Sadiq .....Appellant(s)/Petitioner(s)

Through: Mr. H. R. Qureshi, Advocate.

vs

UT of J&K and Ors. ..... Respondent(s)

Through: Ms. Monika Thakur, Advocate vice
Mr. Ravinder Gupta, AAG.

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

ORDER
11.08.2026

1. With the consent of learned counsel for the parties, the matter is taken up for final disposal.

2. The petitioner was allotted work vide allotment No. 5716-23 dated 28.09.2016 for the *"construction of R/wall Km 1st Rd 0-25 on Ari Bridge to Dakki Bye Pass road."* issued by respondent No. 5 pursuant to e-NIT No. 30 of 2016-17 dated 12.08.2016. Further in terms of communication dated 24.10.2017, respondent No. 5 intimated respondent No. 4 that respondent No. 6 has asked and recommended the petitioner for execution of additional work, as tendering the same in a short period was not possible. The estimated cost of the work was Rs. 90 lacs. Thereafter, vide another communication issued by respondent No. 4 dated 22.11.2017, respondent No. 5 was asked to take appropriate action to execute additional quantum of work through the same agency on the same item rate terms and conditions, as mentioned in allotment order dated 28.09.2016.

3. It is contended by the petitioner that though he has executed all the works mentioned above, but an amount of Rs. 17,27,000/- is yet to be paid to the petitioner.

4. The respondents in their response have admitted the allotment of the original work to the petitioner and also additional works which the petitioner was asked to execute and further in para 7, it is stated that bill of the petitioner has been passed by the office of respondent No. 5 and submitted to the District Treasury, Poonch for payment but due to technical problem/failure of internet, the payment could not be processed by the treasury. As such, as and when the funds are received by the office of respondent No. 5, the payment shall be made to the petitioner.

5. The respondents have admitted the liability of Rs. 17,27,000/- in lieu of the works executed by the petitioners and it is their stand that as and when the funds are received, the amount shall released in favour of the petitioner.

6. Accordingly, this writ petition is **disposed of** by directing the respondents to release the admitted amount of Rs. 17,27,000/- in favour of the petitioner along with interest at the rate of 6 percent per annum from the date of filing of this writ petition till the actual payment, within the period of three months from the date of receipt of this order.

(RAJNESH OSWAL)
JUDGE

Jammu
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Neha Kumari
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I attest to the accuracy and
integrity of this document