Serial No. 20

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CCP(S) No. 276/2024
In WP(C) No. 331/2024

Krishan Kumar Plasar …..Appellant(s)/Petitioner(s)

Through: Mr. Varun Raina, Advocate

vs

Shaleen Kabra, Financial Commissioner ….. Respondent(s)
Jal Shakti Department Jammu and ors.

Through: Ms. Nisha Kangotra, Advocate vice
Ms. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
31.08.2026

1. The petitioner, through the medium of present petition, has sought implementation of order dated 21.02.2024 passed by the Writ Court , whereby a direction was issued to the respondents to effectively consider the claim of the petitioner for release of the final payments qua the works claimed to have been allotted and executed by the petitioner.

2. The respondents have filed compliance report. In the compliance report, it has been submitted that claim of the petitioner has been considered and consideration Order No. 01 of 2025 dated 09.04.2025 came to be issued. Copy of the said order has been annexed with the compliance report. As per the consideration order, the claims submitted by the petitioner were found to be devoid of any merit and hence, rejected. In the consideration order, it has been submitted that the work was got executed by them without following proper codal procedures, which constitutes a gross violation of rules, given the gross procedural lapses and violations of codal formalities.

3. Learned counsel for the petitioner has submitted that in the consideration order itself, the respondents have admitted that the work was executed by the petitioner. Merely because some codal formalities were not adhered to, the petitioner cannot be deprived of his claim. He has further contended that the petitioner had executed the works after approval from the higher authorities, therefore, there is no reason or justification for the respondents to reject the claim of the petitioner.

4. Without going into the merits of the submission made by the learned counsel for the petitioner, one thing is clear that only direction issued by the Writ Court to the respondents was to consider the claim of the petitioner, which they have done. The stand of the respondents in rejecting the claim of the petitioner may or may not be legally justified but there was no positive direction from the Writ Court to accept the claim of the petitioner nor any finding was given by the Writ Court with regard to the merits of claim of the petitioner.

5. In these circumstances, once the respondents have considered the claim of the petitioner and rejected the same, the order of the Writ Court stands complied with. The contempt proceedings, are, therefore closed, leaving it open to the petitioner to challenge the consideration order by way of appropriate proceedings.

6. **Disposed of**.

(SANJAY DHAR)
JUDGE

Jammu
31.08.2026
Neha-II

NEHA KUMARI
2026.09.01 10:19
I attest to the accuracy and
integrity of this document