Serial No. 194

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

****

WP(C) 2688/2026 CM(7363/2026).

M/S LONE CONSTRUCTION COMPANY TH.ITS PROP.

…Petitioner (s)

Through: Mr. Showkat Ahmad Khan, Adv.

VERSUS

UNION OF INDIA (MINISTRY OF DEFENCE) AND OTHERS.

Through: Mr. Faizan Ahmad Ganie, CGC vice
Mr. T. M. Shamsi, DSGI.

…Respondent(s)

CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER

28-10-2026

1. After arguing for a while, learned counsel for the petitioner has drawn the attention of this Court to an order dated 29-09-2026, passed by this Court in identical matter viz. WP(C) no.1624/2025, titled *M/s Veda Infrastructure vs. Union of India and others*, along with clubbed matters; a copy of which has been placed on record as Annexure-V, by virtue of which this Court, after hearing the learned counsel for the parties, has observed and directed as under:

> *"09 For the foregoing discussion, this Court is of the considered opinion that no fruitful purpose would be served to keep these petitions alive, and accordingly, the same are disposed of by virtue of this common judgment, with the consent of the learned counsel appearing on behalf of the petitioners and the respondents with a direction to the concerned Chief Engineer (Command) to treat each writ petition separately as representation on behalf of respective petitioners and take a final call thereon in accordance with law and pass a detailed speaking order with respect to each and every petitioner separately, by taking note of the workload strictly in the light of the policy so framed by the respondents*

mentioned supra, expeditiously, within a period of four weeks from the date of receipt of copy of this order. It is further made clear that in case the decision of the concerned Chief Engineer (Command), after taking into consideration all the relevant facts and the subsequent developments in the light of the contemporaneous official record, goes against the petitioners, the petitioners shall be at liberty to seek appropriate remedy under law by way of appropriate proceedings, if so advised.

10. Before parting, this Court would like to make it clear that till the fresh decision is taken by the chief Engineer (Command) in terms of this order, the interim orders passed by this Court in each and every case, if the same are subsisting as on date shall remain in operation till a decision is taken by the Chief Engineer (Command) in conformity with the directions passed by this Court today."

2. Learned counsel for the petitioner submits that the case of the petitioner is covered by the judgment passed by this Court in abovementioned matter and prays that the instant petition may also be disposed of on the same lines.
3. Mr. Faizan Ahmad, CGC vice Mr. T. M. Shamsi, DSGI is not averse to the disposal of the instant petition on the same lines.
4. With the consent of learned counsel for the parties, the instant petition is taken up for disposal and is accordingly disposed of on the same lines as are ingeminated in WP(C) no.1624/2025, by directing the respondents to treat the instant writ petition as representation and take a final call thereon in accordance with law and pass a detailed speaking order by taking note of the workload strictly in the light of policy so framed by the respondents, expeditiously, within a period of four weeks from the date a copy of this order, along with writ petition and annexures thereto, is made available to the respondents No. 2, 3 and 4.
5. From a bare perusal of the order passed by this Court in clubbed petitions, it is apparently clear that interim orders were passed in those cases, which were allowed to remain in operation till the decision was taken by the competent

authority in conformity with the directions passed by this Court in the clubbed petitions. It has been brought to the notice of this Court by learned counsel for the petitioner that since the instant petition is a fresh petition and he prays that he may be protected for the time being till a decision is taken by the competent authority.

6. Therefore, in the light of argument advanced by learned counsel for the petitioner, and as the case of the petitioner is distinguishable from those cases on which the reliance has been placed, this Court, in the peculiar facts and circumstances of the case, deems it proper that the operation of the workload returns by the quarter ending December 2025, as shown at Serial No. 4 of the impugned order shall not come in the way of petitioner for participating in the future tenders for the time being till the decision is taken by the competent authority. However, the participation of the petitioner for future tenders after expiry of the aforesaid period shall be governed by the decision which is likely to be taken by the competent authority, and therefore, this interim protection is only during this intervening period till the decision is taken by the competent authority.

7. In the aforesaid backdrop, the writ petition is ***disposed of*** in the manner indicated above.

(Wasim Sadiq Nargal)
Judge

SRINAGAR
28-10-2026
Sarvar