Sl. No.	Date	Office Note, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS

2026:UHC:9744

WPMS/3280/2026

Hem Chandra Upadhyay

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Hon'ble Pankaj Purohit, J.

Mr. K.K. Harbola, learned Counsel for petitioner.

2. Mr. Devendra S. Bohra, learned Dy.A.G. for the State.

3. Petitioner, who is a Contractor by profession, was awarded a contract of Re-construction of R/wall in Km.137 (4-6) on NH 87 Ext. (New NH-109) under OR (2023-24). The said work was completed by the petitioner on 06.03.2024 and it was also measured by the Department on the same date.

4. Learned counsel for the petitioner submits that he has not been paid a single penny for the work done by him and accordingly a sum of Rs.4,90,175/- is pending with the respondent-Department since the year 2024.

5. The petitioner submitted in the writ petition that dues payable to the petitioner are admitted by the respondent-Department.

6. This Court vide order dated 27.10.2026 had directed the State counsel to get instructions as to whether the dues claimed by petitioner are admitted to them or not.

7. Today, instructions have been produced before this Court by learned State Counsel which are taken on record.

8. In paragraph no. 2 of the said instructions, it has been stated that the dues are admitted to the extent of

Rs.4,90,175/-. The reason for non-payment is cited as non-availability of the budget, and it is further stated that payment will be made to the petitioner as and when the budget is received.

9. Having considered the rival submission of the parties and having gone through the instructions carefully, this Court is of the view that once the respondent-department contends that the dues are admitted to them which the petitioner is entitled to get, therefore, withholding such dues would create unnecessary financial loss to the petitioner, who is a Contractor.

10. In such view of the matter the writ petition stands allowed. The respondent no.1 is directed to make payment of the admitted dues i.e., Rs.4,90,175/- to the petitioner within a period of four months from the date of production of certified copy of this order.

(Pankaj Purohit, J.)
28.10.2026

R.Dang

RAJEEV DANG