

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**WP(C) 2359/2026
CM(6416/2026)**

M/S TATA JOINERY

...PETITIONER(S)

Through:
Ms. Sehreen Zehra, Advocate.

V/s.

UNION TERRITORY OF J&K AND ORS.

...RESPONDENT(S)

Through:
Mr. G. N. Sofi, Dy. AG.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER
19.09.2026

01. The petitioner, through the medium of the instant petition, has sought the following relief(s):

- I. Issue a writ of Mandamus or any other appropriate writ, order or direction commanding the respondents to release/pay the admitted outstanding amount of Rs 9,74,417/- (Rupees Nine Lakhs Seventy Four Thousand four hundred & Seventeen Only) in favour of the petitioner against the Work description of Renovation & Repairing ceiling Eco paneling, Rough ceiling & SS Book Rack for new library block at Government Degree College for Women, Anantnag.
- II. Direct the respondents to pay interest on the aforesaid outstanding amount from the date the amount became due till its actual and final realization at such rate as this Hon'ble Court may deem just and proper.
- III. Pass any other or further order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

02. It has been vehemently argued by the learned counsel for the petitioner that the petitioner, who is a bonafide contractor, is aggrieved of the arbitrary, unreasonable and unjustified action of the respondents in withholding the admitted liability to the tune of ₹.9,74,470/- payable to the petitioner against the work job *“Renovation & Repairing ceiling Eco Paneling, Rough Ceiling & SS Book Rack for new library block at Government Degree College for Women, Anantnag.”*

03. It has been further submitted by the learned counsel for the petitioner that the respondent No. 2 through the competent authority authorized the supply order in favour of the petitioner by virtue of authority letter bearing No. SICOP/DGM/21-22/12/31-33 dated 19.04.2021, whereby the petitioner was authorized to undertake with the work *“Renovation & Repairing ceiling Eco Paneling, Rough Ceiling & SS Book Rack for new library block at Government Degree College for Women, Anantnag.”*

04. Pursuant to the aforesaid authority letter/supply order, the petitioner duly executed and completed the entire supply/work entrusted to him and supplied the material, strictly in accordance with the specifications prescribed by the respondents. It is submitted that the petitioner after completing the supplies to the satisfaction of the concerned authorities, raised the requisite bill amounting to ₹. 9,74,417/- and submitted the same before the respondents along with the requisite documents, which were duly received and processed by the concerned authorities, however, despite the completion of the supplies and submission of the bills, respondents without any lawful justification or reason, failed to release the legitimate dues of the petitioner amounting to ₹. 9,74,417/- till date.

05. Learned counsel with a view to fortify her claim, submits that the amount payable to the petitioner is an admitted and undisputed liability, which is evident from a bare perusal of the communication dated 09.12.2023 issued by the Executive Engineer, Small Scale Industries Development Corporation Limited (SICOP), to the Principal, Government Degree College for Women, Anantnag, whereby the respondents have acknowledged the

execution of the aforesaid work/supply and has requested the concerned Principal to arrange the transfer of the amount so that the same is paid to the contractor, the executing agency.

06. Pursuant thereto, even a reminder has also been issued by the Executive Engineer concerned to the Principal, Government Degree College for Women, Anantnag on 01.07.2025, but without any tangible result, and the admitted liability till date has not been released in favour of the petitioner, and the petitioner has been put to a recurring loss due to inaction on part of the respondents.

07. Learned counsel for the petitioner further submits that the instant matter is squarely covered by the judgment rendered by this Court in case titled *“M/S Saint Soldier Engineer and Contractor Pvt. Ltd. through its Director vs. Union Territory of JK through Commissioner Secretary to Govt. PWD (R&B) Department, Jammu and Ors, WP(C) No. 2472/2022, decided on 26th September, 2025”* and prays that the instant matter be also disposed of in light of the law laid down by this Court in the said case.

08. Heard learned counsel for the petitioner at length and perused the record.

09. Issue notice to the respondents.

10. On asking of the Court, Mr. G. N. Sofi, learned Deputy Advocate General waived notice on behalf of the respondents.

11. From a bare perusal of the documents placed on the record, it can safely be concluded that the amount which the petitioner is claiming through the medium of the instant petition is the admitted liability, and the respondents have admitted vide communication dated 09.12.2023 that the said amount is payable to the petitioner for the work he has already executed and there is no legal impediment in releasing the same.

12. Therefore, this Court, under the peculiar facts and circumstances of the case, deems it proper to dispose of the writ petition at the very threshold by directing respondent Nos. 2 and 3 to treat the instant petition as representation on behalf of the petitioner and to accord consideration for release of the amount of

₹. 9,74,417/- within a period of four weeks from the date a copy of this order along with the writ petition and the annexures, are made available to the said respondents, strictly under rules and as per law. **ordered accordingly.**

13. It is further made clear that while according consideration to the representation of the petitioner, the respondents shall accord due consideration to the judgment passed by this Court in case titled "*M/S Saint Soldier Engineer and Contractor Pvt. Ltd. through its Director vs. Union Territory of JK through Commissioner Secretary to Govt. PWD (R&B) Department, Jammu and Ors, WP(C) No. 2472/2022, decided on 26th September, 2025.*" The order of consideration which is likely to be passed by the said respondents be forwarded to the petitioner through registered post. Needless to say, that in case the respondents intend to hear the petitioner while passing the order of consideration, same shall be done after putting the petitioner to notice, and the petitioner in that eventually, shall be at liberty to produce the additional record/documents if required, for according such consideration.

14. The writ petition is accordingly **disposed of** along with connected CM(s) in the manner indicated above.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:

19.09.2026

"*Hamid*"