



Sr. No. 143

Supp. List

2023:KLHC-SGR:2259

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(1045/2026) IN OWP 372/2018
CM(7233/2024) CM(7259/2024)

M/S JAN LIME KLIN AND Ors.

...Petitioner(s)/appellant(s)

Through: None

Vs.

UNION OF INDIA AND Ors.

...Respondent(s)

Through: MS YASMEEN JAN, ADV. VICE
MR. T. M. SHAMSI, DSGI

CORAM:

HON'BLE MR JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

10.03.2026

CM No. 1045/2026 in OWP No. 372/2018

1. Through the medium of the instant application supported with an affidavit, the applicant (Respondent No. 2 i.e., Bharat Coking Coal Limited in the main disposed of petition) seeks permission for deposition of an amount of Rs. 16,06,118/- (Sixteen lakhs Six thousands One hundred and eighteen) with the Registry of this Court in pursuance of the order dated 17.11.2023 already passed by this Court in CM No. 7233/2024, on the main ground that the amount in question as the assessed interest component chargeable on the principal amount of Rs. 41,81,247/- (Forty one lakhs Eighty one thousands Two hundred and forty seven) for the period w.e.f. deposition of the same by the non-applicants/petitioners till the refund thereof in September 2005, is needed to be released as per the order dated 17.11.2023 passed on the main petition bearing OWP No. 372/2018 while disposing of the same. That although the applicant (respondent No. 2) earlier approached the Registry to deposit the amount in question, but the Registry felt its



inability to receive the same as the firm of the non-applicants/petitioners-M/S Jan Lime Klin stands transferred in the hands of some other person's. That the Registry on its own listed CM No. 7233/2024 seeking clarification which came to be decided vide order dated 18.11.2024 with the liberty to the present applicant/respondent No. 2 to deposit the amount in question with the Registry.

2. Heard Mr. T. M. Shamsi, learned DSGI, in respect of the matter.
3. Perused the application supported with an affidavit. Also perused the record of the main disposed of file and orders dated 17.11.2023 and 18.11.2024.
4. Admittedly, this Court while disposing of CM No. 7233/2024 through order dated 18.11.2024 has given liberty to the respondents to move appropriate application before this Court seeking permission to deposit the amount before the Registrar Judicial of the Court, in case he feels any difficulty in identifying the petitioners of the main petition and their Bank Accounts for the purpose of releasing the amounts in their favour, as per the proportion of their deposits.
5. The applicant/respondent No. 2 has been able to demonstrate in the present application that there is no clarity as to the release of the amount in question owing to the transition of the petitioner firms.
6. In the aforesaid backdrop, this Court is of the opinion that it may meet the ends of justice in case the applicant/respondent No. 2 is permitted to deposit the amount in question with the Registry of this Court so that the same may be released in favour of the rightful person(s) after due ascertainment of the relevant facts.
7. Accordingly, the application is allowed and the applicant/respondent No. 2 through the office of learned Deputy Solicitor General of India is permitted to deposit the amount in question i.e., Rs. 16,06,118/- (Sixteen lakhs Six thousands One hundred and eighteen) with the Registry of



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this Court against proper receipt. The amount after being deposited shall be kept in FDR initially for a period of three months.

8. It is submitted by Mr. T. M. Shamsi, learned DSGI, that a contempt petition bearing CCP(S) No 128/2024 has already been filed by the non-applicants/petitioners alleging violation of the orders dated 17.11.2023 and 18.11.2024 passed in the main petition. The said contempt petition is stated to be listed in this Court on 31st March, 2026. A copy of this order is directed to be placed on the record of the said contempt petition for the sake of convenience.

9. Application ***disposed of.***

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
10.03.2026
Sakeena-PS

