

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

CCP(S) No. 447/2023

In WP(C) No. 329/2023

Abraq Infrastructure LLP

Through: Mr. AdilAsmi, Advocate

**Vs.**

Mr. Bhupinder Kumar and Ors.

...Respondent(s)

Through: Mr. Mohsin S. Qadri, Sr. AAG with  
Ms. Maha Majid, Advocate  
Mr. A. R. Malik Sr. AAG

**CORAM:****HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE****ORDER****10.07.2024**

1. In the instant contempt petition, petitioner herein has alleged non-compliance of the order dated 10.07.2023 whereby the writ petition was partly allowed and the respondents were directed to release an amount of Rs. 9,00,44,358/- in favour of the petitioner within a period of two months. It was further directed that in case the aforesaid amount is not released in favour of the petitioner within the stipulated period, the same shall carry interest @6% per annum from the date of issuance of the order.
2. Statement of facts have been filed by the respondents, wherein it is stated after the receipt of the aforementioned Court directions, the matter was taken up with Superintending Engineer PW (R&B) Circle Srinagar-Budgam vide letter No. CE/RBK/LAW/10863-64 dated 01.08.2023.
3. It is further stated that in response to the communication received by the Revenue Department, the requisite information was forwarded to the concerned authority vide letter dated 19.10.2023, wherein the important facts regarding the administrative approval, technical sanction, financial concurrence and utilization certificates were cleared and amount to the tune of Rs. 1 crore was transferred by the indenting department (Revenue) to the executing department (R&B) vide order No. 42 of 2018 dated 07.03.2018.
4. This Court in terms of order dated 24.04.2024 had granted last and final opportunity of eight weeks to the respondents to comply with the judgment dated 10.07.2023, failing which all the account heads of the Public

Works (R&B) Department, Jammu/Srinagar, had to be attached, after expiry of the eight weeks.

5. Learned counsel for the respondents have stated that the Revenue Department is the indenting department, therefore, the matter has been taken up by the Revenue Department, which in turn took up the matter with the Finance Department vide O.M. No. Rev/Plg/2/2024/7400217 dated 02.07.2024. The Revenue department has informed vide O. M. No. Rev/lit/199/2023(7153845) dated 05.07.2024 that matter has been taken up with the Finance Department with a request to accord financial concurrence to the project so that the process of Administrative Approval from the competent authority is initiated.
6. Though, in terms of order dated 24.04.2024, this Court had to attach the account heads of Public Works (R&B) Department, Jammu/ Srinagar, on account of the fact that even after the expiry of 8 weeks, the judgment/order dated 10.07.2023 has not been implemented till date.
7. Admittedly, the petitioner has executed the work in the year 2018, and only because of the technical requirements, the said amount has not been released by the respondents till date.
8. In the interest of justice two weeks' last and final opportunity is granted to the respondents to comply with the judgment dated 10.07.2023 in its true letter and spirit, failing which all the account heads of the Public Works (R&B) Jammu/Srinagar shall stand attached.
9. List on 31.07.2024, higher up.

**(MOKSHA KHAJURIA KAZMI)**  
**JUDGE**

**SRINAGAR**  
**10.07.2024**  
*Aadi*