

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

Case: CCP(S) No. 128/2024 in
WP(C) No. 739/2020

Bishan Dass

.....Appellant(s)/Petitioner(s)

Through: Mr. Anirudh Sharma, Advocate

vs

Shahid Iqbal and Ors.

..... Respondent(s)

Through: Ms. Jagmeet Kour, Assisting counsel to
Mr. Raman Sharma, AAG

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

08.09.2026

1. Petitioner, through the medium of present petition is seeking implementation of order dated 15.12.2023, passed by the writ Court whereby the respondents were directed to consider claim of the petitioner for release of amount after verifying the same. It was further directed that if any amount is found due to the petitioner, the same shall be released in his favour.
2. A latest statement of facts/compliance report has been filed by the respondents, in which it has been submitted that claim of the petitioner was considered in light of the available record, contents of the writ petition, the documents/annexures attached therewith, and the reports furnished by the Assistant Commissioner Development, Kathua. Upon such consideration, the claim of the petitioner was rejected vide Order No. DRDJ/LEG/221/2022-08/16798-80 dated 11.12.2025.
3. Thereafter, pursuant to order dated 03.08.2026, passed by this Court in the present proceedings, an action taken report was sought from the Assistant Commissioner Development, Kathua, In response thereto, the ACD, Kathua on 02.09.2026 has submitted the report stating that Block Development Officer, Nagrota Gujroo vide his communication dated 02.09.2026 has intimated that the matter has been re-examined/verified from the available official records and work files pertaining to the case and it has been found that the liability is only reflected/uploaded online and the same was communicated by the then BDO vide communication dated 05.11.2019. It has been further submitted that the record of

the office was again checked, however, no supply order, bills/vouchers or proof of receipt of material from the petitioner for the liability as claimed by the petitioner was found available in the office record.

4. Accordingly, the consideration order rejecting the claim of the petitioner already issued by the respondents stands confirmed and even after a fresh verification, the claim of the petitioner has not been found substantiated by the official record, therefore, the same cannot be treated as genuine on the basis of the material available with the respondents.

5. Learned counsel for the petitioner has submitted that the documents placed on record by the petitioner along with the writ petition as also with the objections filed by the petitioner to the statement of facts, clearly demonstrate that the petitioner had made the supplies to the respondents regarding which, part payment has been released in his favour, as such, they cannot now deny that no supplies were made by the petitioner.

6. The stand taken by the petitioner may or may not be correct, but the veracity of the same cannot be adjudicated upon by this Court in these proceedings. The only direction that was issued by the writ Court was for the respondents to consider the claim of the petitioner, without there being any finding recorded by the writ Court on merits of the claim of the petitioner.

7. Therefore, rightly or wrongly, once the respondents have considered the claim of the petitioner and rejected the same, the order of the writ Court stands complied with. If at all, the petitioner has any grievance against the consideration order, whereby his claim has been rejected, he is at liberty to challenge the same.

8. For the foregoing reasons, the contempt proceedings are closed and the petition is, accordingly, ***disposed of*** with liberty to the petitioner to avail an appropriate remedy in accordance with law, if so advised.

(SANJAY DHAR)
JUDGE

Jammu
08.09.2026
Suraj K. Singh