



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

CJ Court

Case : LPA No. 67/2026 in
[WP(C) 877/2026]
CM No. 2272/2026
CM No. 2273/2026

*Date of Pronouncement : 20.04.2026
Uploaded on : 27.04.2026*

R B Chopra Freighters Pvt. Ltd.

..... Appellant/Petitioner(s)

Through: Mr. Sachin Gupta, Advocate

Vs

UT of Ladakh and others

..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

ORDER(ORAL)

ARUN PALLI-CJ

1. This is an intra-court appeal under Clause 12 of the Letters Patent against an interim order dated April 07, 2026, rendered by the Writ Court.
2. Facts that are required to be noticed are limited.

Vide NIT No. 191 dated 21.01.2026, Office of the Executive Engineer R&B Division Leh invited e-tender for upgradation/construction of additional classroom for Govt. High School Phyang (Under SDP). And vide another e-NIT No. E-Tender/159 dated 21.01.2026, tenders were invited by the Executive Engineer Construction Division Leh for construction of monk hostel and study room at Skalzangling Lehdo Sarai (Under District Capex). Accordingly, Respondent Nos. 5 and 6 submitted their respective bids *qua* both the works. Whereas, respondent Nos. 7 and 8 responded to NIT No. 191 and respondent Nos. 9 and 10 submitted their tenders in response to NIT No. 159. However, upon evaluation of technical bids submitted by the private respondents, the committee constituted in this regard declared them **non-**



responsive, for, they failed to meet the technical specifications. Aggrieved thereby, the Chairman, Contractor Association, Leh moved the respondent-Authorities vide a representation dated March 10, 2026, for, nothing was indicated as to which of the specifications or tender conditions the private respondents had failed to meet. Followed by a notice dated March 16, 2026, indicating that in fact the appellant, who was assigned the letter of acceptance, did not meet the essential conditions/ specifications depicted in the standard bid document. But since the authorities failed to take cognizance of the concerns/grievance of the private respondents they were constrained to approach this Court. And vide the impugned order dated April 07, 2026, the Writ Court while issuing notice, directed the respondent-Authorities to consider the representation moved by the private respondents and pass appropriate orders within two weeks. Further, to not allow the appellant to execute the works. Thus, this appeal.

3. Learned counsel for the appellant submits that owing to the impugned order, execution of vital public infrastructure projects at Leh has come to a halt at the behest of technically disqualified bidders. It is submitted that the private respondents were declared **non compliant**, for, they did not submit mandatory 2024-2025 audit reports and UDIN verified financial statements. Further, they even failed to assail the technical evaluation results within the two days window before the price bids were opened and moved a delayed representation on March 10, 2026. He asserts that the appellant is technically compliant and was adjudged L-1 and, therefore, was rightly issued the letter of acceptance.

4. However upon being pointedly asked, learned counsel for the appellant submits that he is yet to cause appearance before the Writ Court and submit objections/response. Concededly, the matter before the Writ Court is listed on April 29, 2026. Similarly, learned Senior counsel for the respondent-Authorities submit that they too have not filed the objections/statement of facts to the petition. We are informed that the representation submitted by the private respondents is still pending consideration and a decision thereon would be made soon.



5. In the wake of the above, we are dissuaded to interfere with the impugned order. However, at this stage, learned counsel for the appellant as also learned Senior counsel for the respondent-Authorities submit that they would file their respective objections/statement of facts before the adjourned date (29.04.2026). But, it is urged that since the matter is time-sensitive and owing to the order under challenge their rights/interests are severely impaired, the Writ Court be directed to take up and decide the matter on the adjourned date.

6. That being so, the appeal is, accordingly, **disposed of** with a request to the learned Single Judge that in the event the appellant as also the official respondents submit their response/objections before the adjourned date and the pleadings are complete, the matter be taken up/considered on the date fixed. And if viable, the application for interim relief or even the main case itself be decided. Needless to assert that if in the meanwhile the authorities pass any order on the representation of the private respondents, the same shall be placed before the Writ Court.

Jammu :
20.04.2026
Pawan Angotra

