

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

WP(C) No.1057/2026

M/S Kanhaiya Constructions

.....Petitioner(s)

Through: Mr. Sunil Sethi, Sr. Advocate with
Mr. Arjun Gandotra, Advocate

Vs

Union Territory of J&K and others

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
20.04.2026

1. Issue notice to the respondents in the main as well as in the interim application, returnable by the next date of hearing, subject to taking of requisite steps for service within a week's period for filing of reply/objections.
2. Heard the learned counsel for the applicant/petitioner in respect of his prayer for grant of interim relief and considered his submissions.
3. The case of the petitioner-Firm in nutshell is that petitioner is aggrieved of a highly illegal and arbitrary action of the non-applicants/respondents in withholding the amount of admitted liability of contract allotted to it which despite repeated representations has not been released in its favour causing grave financial distress to the Firm thereby spoiling its future business prospects. That the petitioner-Firm was allotted the contract for construction of Girls Common Room and Class Room at Govt. Womens College Gandhi Nagar, Jammu vide allotment order No.SEJ/11900-11903 dated 29.1.2021 after its participation in the tendering process in response to e-NIT No.CD-1/143 of 2021-22 dated 29.09.2021 and after the financial bid submitted by it was declared as the lowest one. That the advertised amount of the contract was

Rs.392.69 lacs. whereas the contract was allotted to the petitioner-Firm at the amount of Rs.2,91,84,831/-. That after allotment of the contract to the petitioner-Firm, and the execution of the contract agreement, it took immediate steps to execute the contract as per the designs and as per the directions/instructions issued by the respondents. That respondents in acknowledgement of the execution of the contract by the petitioner-Firm have released payments in its favour as per the Work Done claims after due verification of the same, but there is a balance payment of Rs.13.74 lacs. which is payable to the petitioner-Firm. That the aforesaid position is fully indicated and admitted by the respondent No.4 in communication No.11041-43 dated 26.03.2025 which has been written by the respondent No.4 to the Principal, PSPS Govt. College for Women Gandhi Nagar, Jammu. That the position stands also authenticated by the certificate issued by Executive Engineer PWD(R&B) Division Gandhi Nagar, Jammu under No.270-71 dated 07.04.2026.

4. Perused the interim application supported with an affidavit. Also perused the main petition and the copies of the documents enclosed with the same as **Annexures** thereto.

5. List on **29.05.2026**.

6. In the meantime, the non-applicants/respondents 1 to 4 are directed to take immediate steps for payment of the balance admitted amount of the allotted and executed work in favour of the applicant/petitioner-firm, with the submission of the status report to the Court.

(Mohd. Yousuf Wani)
Judge

Jammu
20.04.2026
Shammi