

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

AA No. 5/2026

M/s K. S. Constructions Petitioner(s)/Appellant(s)

Through: Mr. Sunil Sethi, Sr. Advocate with
Mr. Ankesh Chandel, Advocate

vs

UT of J&K and Ors. Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER

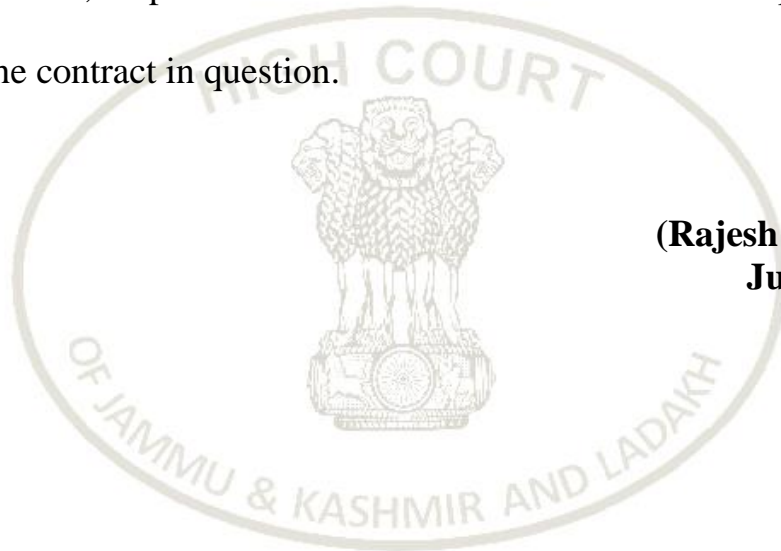
15.06.2026

- 01.** Petitioner has invoked Section 9 of the Arbitration and Conciliation Act, 1996 for restraining the respondents from terminating the contract, which came to be allotted in its favour, pursuant to e-NIT dated 11.06.2022 or from outsourcing the allotted work to any third party, till a decision with respect to actual scope of work covered under e-NIT is taken, as per the Dispute Resolution Mechanism provided under the contract.
- 02.** It is contention of the petitioner that allotted work was completed as per the tender criteria and requirements of the tender and duly submitted by it to the office of Superintending Engineer, Hydraulic Circle, Jammu along with proof of its completion against proper receipt.
- 03.** Allegation of the petitioner is that despite completion of the allotted work within the timelines, no payment has been released in its favour and only assurances were extended that payment was under process. It is contention of the petitioner that it has come to know that respondents are going to outsource the allotted work to third party by terminating the

allotment order and an agreement draft Memorandum of Understanding (MoU) in this respect was also shared by respondent No.3 with the office of the Director, Survey of India and shortly thereafter, claim of the petitioner for the payment of the work already completed was rejected by the respondents on 25.02.2025.

04. *Prima facie*, case for indulgence is made out.
05. Issue notice to the respondents, returnable within four weeks. Requisite steps for service be taken within one week.
06. List on **26.08.2026**.
07. Meanwhile, respondents are directed to maintain status quo, as on date *qua* the contract in question.

Jammu
15.06.2026
Riya



(Rajesh Sekhri)
Judge