

Supplementary List-II
Serial No. 184

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

WP(C) No. 3136/2026
CM No. 6926/2026

M/s Tarmat Limited

.....Petitioner

Through: Mr. R. K. Gupta, Sr. Adv. with
Mr. Uday Bhaskar, Advocate.

Vs

Union of India & Ors.

.....Respondents

Through: Mr. Vishal Sharma, DSGI with
Mr. Karan Sharma, CGSC &
Mr. Sumant Sudan, Advocate.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(30.09.2026)

01. The petitioner is a contractorship concern which bears nomenclature in terms of its recognition by the Military Engineer Services (MES) as **“SS Class”** and presently is **“UE” (un-enlisted)**.

02. The petitioner is aggrieved of adverse Work Load Return and its ensuing effect for **Quarter September, 2025** generated by the Engineer-in-Chief, Military Engineer Services (MES) in which the petitioner's name figured at **serial No. 58**.

03. On the basis of the adverse report, the petitioner obviously has been tagged as not capable of handling fresh contract work to be tendered by Military Engineer Services (MES) and this is where the petitioner reckons that its right to compete for earning

prospective the contract works has been prejudiced without any opportunity of being heard afforded to it before tagging it with the adverse '**Work Load Return**' remarks.

04. This Court, through its Co-ordinate Benches, has come up with adjudication of identical matters, though not on merit but *disposing of* the writ petitions by reserving an opportunity in favour of the aggrieved contractor concern/s to register its/their grievance to the competent authority and till a decision taken in that respect aggrieved contractor concern to be permitted provisionally to submits its bid.

05. This Court is also tempted to follow the same line, but considering the fact that there is a regular inflow of cases to this Court in the form of writ petitions by aggrieved contractor/s dealing with the Military Engineer Services (MES) and in that regard number of writ petitions are still pending adjudication in this Court and, as such, a holistic view is required to be taken as to whether the respondents are required to update their mode and manner in which the adverse tagging of contractorship concern/s, in terms of quarterly work load return appraisal, dealing with Military Engineer Services (MES) is taking place or fair mechanism is already well in place for the aggrieved contractorship concerns to avail without suffering any prejudice till a final order from the competent authority takes place so as to obviate urge on the part of concern to petition this Court.

06. Issue notice to the respondents in the main matter as well as in **CM No. 6926/2026**.

07. Notice is waived by Mr. Karan Sharma, learned CGSC on behalf of the respondents.

08. Let reply to the writ petition as well as **CM No. 6926/2026** be filed by or before the next date of hearing.

09. List on **04.11.2026**.

10. In the meantime, the petitioner, by reference to impugned Work Load Return, shall not be debarred from participating/competing in the tendering process with respect to the contract work/s as may come notified for tendering from the end of the respondents. This direction is, however, subject to objections from the other side.



(RAHUL BHARTI)
JUDGE

JAMMU
30.09.2026

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