



Serial No. 124 2026:JKLHC-JMU:1526

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

WP(C) No. 2998/2025

CM No. 6897/2025

M/s Neel Constructions and
Developers

.....Petitioner(s)

Through: Mr. Amit Gupta, Sr. Advocate with
Mr. Sumit Moza, Advocate.

Vs

UT of J&K & Ors.

.....Respondent(s)

Through: Ms. Pallavi Sharma, Advocate vice
Mr. Ravinder Gupta, AAG.

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

ORDER
(29.10.2025)

01. The petitioner came to be one of four bidders in response to e-NIT No. CEJ/PMGSY/794 of 2025-26 dated 08.08.2025 for the work of "Construction and Maintenance of Road from L031-(Link Road) Dhanmasta to Kharwan via Runigam, Package No. JK19-4008, PMGSY-IV, Batch-I of 2025-26, Block-Ramsu, District Ramban Lenth-4.600 Kms".

02. The petitioner's technical bid came to suffer rejection for the following reason:

"The proposed programme of Construction/Bar chart is not attached as per the requirement of SBD clause 4.2 (XVI), 4.4 B(a) XVI and 12.2 b XVI."



03. The petitioner submits that the petitioner has been singled out for the ouster, whereas in the technical Evaluation Report, only one bidder i.e. SGF infra Pvt. Ltd. has been held to be responsive.

04. The petitioner submits that the tendering evaluation process is nothing but a sham exercise with only one bidder in the hunt so as to pave way for shelving the exercise.

05. Mr. Amit Gupta, learned Senior Advocate for the petitioner, submits that for the identical nature of the works tendered, the petitioner's bid had not only been entertained but also held to be responsive and, therefore, the present ouster of the petitioner is actuated by malafide intent, and the consequent shelving of the e-tendering process in furtherance of e-NIT No. CEJ/PMGSY/794 of 2025-26 dated 08.08.2025 is equally vitiated by malafide in law.

06. Issue notice to respondent No. 2 only.

07. Ms. Pallavi Sharma, learned counsel appearing vice Mr. Ravinder Gupta, learned AAG accepts notice on behalf of respondent No. 2.

08. Let reply/response be filed by respondent No. 2 within a period of two weeks.

09. List on **15.12.2025**.

10. In the meantime, the contract work for "Construction and Maintenance of Road from L031-(Link Road) Dhanmasta to Kharwan via Runigam, Package No. JK19-4008, PMGSY-IV, Batch-I



of 2025-26, Block-Ramsu, District Ramban Lenth-4.600 Kms” forming subject matter of e-NIT No. CEJ/PMGSY/794 of 2025-26 dated 08.08.2025 be not put to re-tendering.

11. This order is, however, subject to objections from the other side and till next date of hearing.

(RAHUL BHARTI)
JUDGE

JAMMU
29.10.2025

Shivalee

