

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3815/2026

Mcc Infratech Pvt. Ltd., (Erstwhile M/s Mundan Construction Company) Having Its Registered Office At Opp. Nasrani Petrol Pump, Village Pal, Jodhpur Rajasthan 342001 Through Its Authorized Representative Mr. Bhanu Prakash Choudhary S/o Daya Ram Aged About 60 Years R/o Plot No. D, Vishanoi Dharmshala Ke Pas, Shiv Road Ratanada, Jodhpur, Rajasthan 342001.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary Public Works Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Chief Engineer, Public Works Department, Rajasthan, Jacob Road, Jaipur, Rajasthan.
3. The Executive Engineer, Public Works Department, District Division-I, (Hq Pipar City), Jodhpur, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Priyansh Arora Mr. Mayank Taparia (through VC)
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

23/02/2026

1. By way of filing present writ petition under Article 226 of the Constitution of India, the petitioner has prayed for the following relief:-

“It is therefore, most respectfully prayed before this Hon’ble Court to kindly allow the present Writ Petition and by an appropriate Writ, order or direction, Hon'ble Court may further be pleased to:

1. The Respondent may be directed to to give effect to Clause 36E of the contract agreement and to grant

adjustment/payment of the differential GST amount of ₹1,81,53,769/- (Rupees One Crore Eighty-One Lakh Fifty-Three Thousand Seven Hundred Sixty-Nine only) arising on account of statutory increase in the rate of GST from 12% to 18% in respect of the subject work;

2. Grant interest on the differential GST amount from the date of deposit of the additional GST with the statutory authorities till the date of actual payment, at such rate as this Hon'ble Court may deem fit in the facts and circumstances of the case;

3. Without prejudice to the Petitioner's substantive prayer for grant of adjustment/payment of the differential GST amount, direct the Respondents to consider and decide the Petitioner's representation dated 04.11.2025, read with reminder dated 04.12.2025, in a time-bound manner, by passing a reasoned and speaking order, strictly in accordance with Clause 36E of the contract and the internal departmental communication dated 19.05.2023;

4. Grant such other reliefs as this Hon'ble Court may think fit including the cost of this Writ Petition."

2. This Court having heard learned counsel for the petitioner and having perused the representations dated 04.11.2025 and 04.12.2025 submitted by the petitioner to the respondent No.3 The Executive Engineer, Public Works Department, District Division-I, (Hq Pipar City), Jodhpur, Rajasthan seeking adjustment/refund of differential GST amount of Rs.1,81,53,769/- only arising on account of statutory increase in the rate of GST from 12 to 18% in respect of the work for widening and strengthening work of Karwasaro Ki Dhani to Kindakore (SH-145) via Rajlani Nadasar Bhopalgarh Heeradesar Khedapa (NH-62) KM.

0/0 to 45/0", deems it just and proper to dispose of the present writ petition with direction to respondent no.2 and 3 to consider and decide the same in accordance with law as expeditiously as possible preferably within a period of eight weeks from the date of production of certified copy of present order.

3. It is made clear that in case the respondent Nos.2 & 3 after considering the representations dated 04.11.2025 and 04.12.2025 submitted by the petitioner decides the same against the petitioner then, the petitioner would be at liberty to approach appropriate legal forum for redressal of its grievance.

4. The writ petition stands disposed of accordingly. Stay application also stands disposed of.

(KULDEEP MATHUR),J

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