

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6242/2026

Spml Infra Limited, A Company Incorporated Under The Companies Act, 1956 And An Existing Company Under The Provisions Of The Companies Act, 2013, Having Its Registered Office At 22, Camac Street, Block-A, 3Rd Floor, Kolkata 700016, West Bengal, And Also At 74A, Rajbhawan Road, Civil Lines Jaipur-Rajasthan, Rajasthan Through Its Authorized Signatory Mr. Shalin Jain, Manager.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary/ Additional Chief Secretary (Acs) In Charge Of The Public Health Engineering Department (Phed) Having His Office At Main Building, Government Secretariat, Jaipur-302005, Rajasthan.
2. Additional Chief Engineer (Project), Public Health Engineering Department (Phed), Bharatpur/kaman, Rajasthan Having His Office At Chambal Head Works Mallah Road, Bharatpur 321001.

----Respondents

For Petitioner(s) : Mr. Ankit Sethi

For Respondent(s) :

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

24/04/2026

The present writ petition has been filed by the petitioner challenging the communication dated 24.02.2026 (Annexure-8) issued by the Executive Engineer, PHED, Deeg, vide which the petitioner has been informed that the approval of the price variation bill amounting to Rs.13.50 crore has not been found to

be in accordance with law and accordingly, the petitioner has been directed to refund the said amount.

Mr. Ankit Sethi, learned counsel for the petitioner submits that the impugned communication/recovery order dated 24.02.2026 has been issued requiring the petitioner to refund an amount of Rs.13.50 crore which was approved by the respondents themselves way back in the year 2024 and no show cause notice worth the name was served upon the petitioner prior to issuance of the impugned recovery order thereby depriving the petitioner of an opportunity to justify his case or atleast learn about the reasons for issuance of the said impugned recovery order.

Learned counsel for the petitioner further submits that in response to the recovery order dated 24.02.2026, the petitioner had requested the respondents to grant an opportunity of hearing before taking any coercive action, however, neither any response to the same has been given by the respondents, nor any opportunity of hearing has been granted to the petitioner.

Learned counsel for the petitioner also submits that the work involved in question being work of regional water supply scheme of 246 villages of Kaman and Pahari block under Chambal Dholpur Bharatpur Project (Phase-I, Part-II, Package-I) has been executed by the petitioner since 2013 and about 97% of the work has already been completed and thus, there was no occasion to issue the impugned recovery order, that too without granting any opportunity of hearing to the petitioner.

Taking note of the aforesaid submissions, issue notice to the respondents, returnable within six weeks. Notice be also sent through registered post in addition to the normal process.

Notice be given '*dasti*' to learned counsel for the petitioner.

List the matter on 08.07.2026.

Till the next date, the effect and operation of the impugned recovery order dated 24.02.2026 shall remain stayed.

(ANUROOP SINGHI),J

VINAY /17