

(2023) 11 J&K CK 0029

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 2928 Of 2023, Civil Miscellaneous No. 6965 Of 2023

Danish Javaid Sumji S/O Javaid Ahmad Sumji R/O Bijbehara
Tehsil Bijbehara District Anantnag Kashmir

APPELLANT

Vs

Union Territory Of J&K & Ors

RESPONDENT

Date of Decision : 15-11-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2023) 11 J&K CK 0029

Hon'ble Judges : M. A. Chowdhary, J

Bench : Single Bench

Advocate : Usman Gani

Final Decision : Disposed Of

Judgement

M. A. Chowdhary, J

1. The petitioner, through the medium of the instant petition under Article 226 of the Constitution of India seeks direction against the respondents to release an amount of Rs. 6.894 lacs for the execution of the work allotted to him in terms of the contract dated 31.01.2021.

2. The respondents, in pursuance to the E-NIT No. 26 of 2019 issued vide No. PHB/7780-7805 dated 13.01.2020, are stated to have issued allotment letter No. PHB/8476-78 dated 31.01.2020 in favour of the petitioner for execution of work for water Supply Scheme to Herpora Sombruna from Pahloo Ugjanbalan Spring located in Nowgam Army Campus (Back to Village Programme).

3. The petitioner is stated to have executed the allotted work within the stipulated period and as per the agreed terms and conditions of the allotment order had submitted the bills for payment for the work executed by him. The work executed, according to the petitioner, was cross-checked and countersigned by the respondents.

4. Learned counsel for the petitioner submits that the petitioner would be satisfied in case the instant Petition is disposed of with a direction to the respondents to consider the release of the admitted liability withheld by the respondents.

5. Keeping in view the innocuous prayer made by learned counsel for the petitioner, no purpose shall be served to keep this matter on board, as such, the instant Writ Petition is disposed of, at this motion stage, directing the respondents to consider the claim of the petitioner, as projected in the writ petition with regard to release of payment for the work done by the petitioner, subject to verification of the requisite bills, and take a decision thereon within a period of six weeks from the date copy of this order is furnished to the respondents,. The decision, so taken by the respondents, shall be conveyed to the petitioner.

6. Disposed of along-with connected application.