

HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR
(Through Video Conferencing from Jammu)

...
CM no.3232/2020
In WP(C) no.1268/2020
CM no.3233/2020

M/s Creation Hub

..... Petitioner(s)

Through: Mr A. Hanan, Advocate

Versus

Union Territory of J&K and others

.....Respondent(s)

CORAM:

HON'BLE MR JUSTICE TASHI RABSTAN, JUDGE

ORDER
31.08.2020

CM no.3232/2020

1. Application, for reasons detailed therein, is allowed and requirement of affixing court fee, etcetera, is dispensed with, at this stage.
2. CM disposed of.

WP(C) no.1268/2020 & CM no.3233/2020

3. Petitioner seeks a direction to respondents to release balance amount of Rs.43,28,817/- for the works, viz. repair and renovation of flood affected buildings of DIET, Srinagar, executed by him that were allotted to him vide allotment order dated 10th March 2018 (*Annexure I to writ petition*). According to petitioner, after competing and fulfilling all requirements in tendering process, he was allotted aforementioned work for total amount of Rs.86,28,817/-, followed by execution of agreement (*Annexure II to writ petition*). On completion of work, he submitted final bills to respondent department for an amount of

Rs.86,28,817/-. Respondent department is said to have released only Rs.43,00,000/- Lacs and Rs.43,28,817/- is yet to be released notwithstanding serving of legal notice (*Annexure III to writ petition*) upon them four months' ago. This, as maintained by petitioner, has forced him to knock at portals of this Court with writ petition on hand.

4. Heard and considered.

5. Since petitioner has already served a legal notice upon respondents, it would be appropriate to dispose of instant writ petition with a direction to respondents to decide the legal notice dated 17th March 2020 (*Annexure III to writ petition*) and consider release of the amount whatever due to petitioner, of course, in strict accordance with rules governing the field, provided petitioner has fulfilled all the terms and conditions of the NIT. Let respondents do well to take a decision in the matter within a period of eight weeks from the date copy of this order along with complete set of paper book is served upon them by petitioner.

Ordered accordingly.

(Tashi Rabstan)
Judge

Srinagar

31.08.2020

Ajaz Ahmad, PS

Whether approved for reporting? Yes/No