

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) 2845/2023
CM 6785/2023

K.S. Enterprises through Mohammad Iqbal ...Petitioner(s)
Shahdad

Through: Ms. Sharaf Wani, Advocate

Vs.

UT of J and K and Anr. ...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
06.11.2023

The case of the petitioner is that the respondents have availed supply of various information technology equipments like HP Desktops, TFT, UPS, Canon Toner and Wireless, Keyboards/Mouses etc., worth an amount of Rs. 21,137.85/- in terms of a transaction of order and supply carried out through GeM Portal as against Invoice no. KSE/8586 dated 13.03.2020 but despite supply of the equipments as against the said invoice made to the respondents, the payment of price amount in favour of the petitioner has not taken place despite lapse of good amount of time making the petitioner to suffer wrongful loss at the hands of the respondents which act of omission and commission on the part of the respondents is amenable to judicial review and hence the writ petition.

Prima facie a case is made out.

Issue notice to the respondents.

Notice in the CM as well.

Petitioner to furnish registered postal covers within a period of ten days, whereupon the Registrar Judicial, Srinagar shall issue notice to the respondent returnable within a period of three weeks.

List on 15th December, 2023.

In the meantime, the pendency of the writ petition shall not come in the way of the respondents in considering the pending admitted claim, if any, of the petitioner and in case any payment is due to the petitioners then they shall be well within their discretion to make the same in favour of the petitioner.

(RAHUL BHARTI)
JUDGE

SRINAGAR
06.11.2023
MUBASHIR