



Government of Jammu & Kashmir  
Public Works (R&B) Department  
Civil Secretariat, J&K Jammu

**Subject: Contempt No. 236/2018 in OWP No. 204/2018  
titled Girdhari Lal V/s State & Ors.**

Govt. Order No. 150 of PW (R&B) Department  
Dated 26 -04-2021

Whereas, it was decided in the District Development Board Meeting of Rajouri District held on 16.9.2009 at Jammu under the Chairmanship of the then Hon'ble Chief Minister J&K that Detailed Project Report for construction and up-gradation of Sports Stadium at Rajouri will be submitted to Administrative Department. Pursuant to the decision taken in the Board Meeting, among others, DPR for construction of sports stadium at Kotranka at an estimated cost of Rs 210.50 lakh was formulated by PW(R&B) Deptt. Jammu.

Whereas, a tender notice was issued by the Executive Engineer, R&B Division Rajouri vide his NIT No. 09 of 2010-11 dated 22.05.2010 for construction of Sports Stadium at Kotranka Rajouri.

Whereas, Mr. Girdhari Lal was declared successful bidder and the work was allotted to him vide allotment No. CEJ/CC/7396-98 dated 06.08.2010.

Whereas, an amount of Rs 33.00 lakh was released (Rs23.00 lakh during 2009-10 and Rs 10.00 lakh during 2010-11) by District Development Commissioner, Rajouri under Annual Plan of YSS sector to the concerned Superintending Engineer for executing the project in question.

Whereas, the Contractor laid a further claim to the tune of Rs.43.95 lakh to the R&B department for the work done by him.

Whereas, the contractor also approached the Hon'ble High Court at Jammu through the medium of a writ petition registered as OWP No. 204/2018 titled Girdhari Lal V/s State & Ors praying therein for directing the respondents to release payment in his favour against the work done by him for the construction of the Sports complex at Kotranka Rajouri amounting to Rs.43.00 lakh.

Whereas the writ petition was disposed of by the Hon'ble High Court vide order dated 27.02.2018 the operative part whereof reads as under:

*"in view of the submissions made and in the facts of the case this writ petition is disposed of with a direction to respondent No. 2, Commissioner Secretary R&B department Civil Secretariat J&K Jammu to decide the representation submitted by the petitioner by a speaking order within a period of 02 months from the date of receipt of a certified copy of the order passed today. It is made clear that this court has not expressed any opinion on merits of the case".*

Whereas, the petitioner filed a contempt petition also registered as CPOW236/2018 in which an affidavit was filed by the R&B department submitting therein that the matter regarding the release of payment to the tune of Rs.43.95 lakh in favour of the petitioner for the work done was taken up with the Youth Services & Sports Deptt vide No. PW(R&B)/Legal/361 /2018/217-18 dated 25.06.2018 and the response is awaited.

Whereas, the project has been taken up for construction under District Plan of YSS sector, the balance funds shall be released by YSS Department from UT sector or District sector to PW (R&B) Department Jammu, for clearing work done claims and completion of balance work of the said project. As soon as the funds are made available by the Youth Services & Sports department, the same will be released in favour of the petitioner to the extent of work done strictly in accordance

with rules and fulfilling the codal formalities if any required for the release.

Now, therefore, having considered the representation of the petitioner in compliance to the order dated 22.07.2018 of the Hon'ble High Court of J&K in OWP No. 204/2018 titled Girdhari Lal V/s State & Ors, the claim of the petitioner will be settled immediately upon making available the funds to the R&B department either by the Dy. Commissioner Rajouri or by the Youth Services & Sports department. This matter shall also be taken up with Department of Youth Services and Sports by the R&B Department for arranging funds to clear claims of the petitioner.

By order of the Government of Jammu & Kashmir.

**Sd/-**

**(Shailendra Kumar) IAS**

Principal Secretary to Government


No: PW(R&B)Legal/361/2018<sup>SPC</sup>

Dated: 26.04.2021

Copy to the: -

1. District Development Commissioner, Rajouri for information.
2. Director, Achieves, Archaeology and Museum Department, J&K, Jammu for information.
3. Chief Engineering, PW(R&B) Jammu for information.
4. Executive Engineer PW(R&B) Division Rajouri for information and necessary action.
5. Private Secretary to Principal Secretary to Government, PW(R&B) Department for information.
6. Private Secretary to Principal Secretary to Government, Youth Service Sports Department for information of the Principal Secretary to Govt. Youth Service & Sports.

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**(Farooq Ahmad Malik)**  
Under Secretary to Government