HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3310 of 2026

18 November, 2026

Rama Gupta Constructions

--Petitioner

Versus

1: State Of Uttarakhand
2: Pradhan Mantri Gram Sadak Yojana
3: Chief EngineerUttarakhand Rural Roads Development Agency
4: Executive Engineer

--Respondents

Presence:-
Mr. Sagar Kothari, learned Counsel for the petitioner.

Mr. Devendra Singh Bohra, learned Dy.A.G. for the State.

Mr. S.S. Chauhan, learned Counsel for respondent nos.2 and 3.

Hon'ble Pankaj Purohit, J.

Heard learned Counsel for the parties.

2. Petitioner, a construction Firm, has approached this Court by filing the present petitioner for following reliefs: -

> *"i. Issue a writ, order or direction in the nature of Mandamus commanding the respondents, particularly Respondent No. 2, to forthwith comply with the judgment/order dated 19.12.2025 passed in WPMS No. 3526 of 2025 and release all pending dues of the petitioner arising out of the balance work of Purkul Village to Bhitarwali-Kimari Motor Road, in terms of the documents and Variation Final Bill submitted on 01.01.2026 and thereafter, after only lawful statutory/contractual deductions;*
>
> *ii. Issue a writ, order or direction in the nature of Mandamus commanding the respondents to release the amount reflected as payable under the 6th Running/Variation Final Bill, including Rs. 1,03,47,321.75 inclusive of GST as reflected in the amount since the previous bill, or such amount as is found payable upon immediate reconciliation, and in any event to release forthwith the entire admitted/undisputed amount;*

iii. Issue a writ, order or direction in the nature of Mandamus commanding the respondents, if they dispute any component of the petitioner's bill, to pass and communicate within a fixed and short period a speaking, item-wise and measurement-wise order specifying the precise contractual basis and calculation of each proposed deduction, without withholding the admitted balance;

iv. Issue a writ, order or direction in the nature of Mandamus commanding the respondents to award interest on the amount found payable to the petitioner at the rate of 18% per annum from date of completion of project work till actual payment, or at such rate as this Hon'ble Court may deem just and proper;

v. Issue any other suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, including such direction as may be necessary to secure complete compliance with the judgment dated 19.12.2025; and

vi. Award the cost of the writ petition to the petitioner."

3. This Court had called for the instructions from the respondent-Department, and on instructions, it was submitted that the Department is ready to release an amount of Rs. 50.78 lakh with G.S.T. to the petitioner firm. However the remaining amount i.e. Rs. 52.68 lakh was stated to be disputed. Learned Counsel for the Department further submitted on instructions that the road was constructed after change in its alignment leaving a stretch of 675 meters. It was also submitted that in regard to the disputed amount, the petitioner may raise a dispute before the Dispute Redressal Committee constituted under Clause 24.2 of the Contract.

4. Learned Counsel for the petitioner sought time to get instructions from his client regarding the proposal offered by the respondent-Department.

5. Today, on instructions, it is submitted by learned counsel for the petitioner that his client is ready to raise the dispute regarding the disputed amount i.e. Rs.52.68 lakh before the Dispute Redressal Committee constituted under

Clause 24.2 of the Contract *vis-à-vis* other requisite amounts deposited by the petitioner-Firm.

6. In such view of the matter, writ petition is disposed of. Petitioner is given liberty to raise the dispute before the Dispute Redressal Committee, as stated above, and if such a claim is raised before the Dispute Redressal Committee by the petitioner-Firm, the same shall be decided at the earliest but not later than six months from the date the dispute is raised.

7. It is also made clear that the amount of Rs.50.78 lakh with GST which is admitted to the respondent-Department be released in favour of the petitioner-Department within a period of four weeks from today.

8. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)
18.11.2026

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