

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

LPA 84/2025 in
[WP(C) 2330/2021]

BASHIR AHMAD AND ANR.

...Petitioner(s)

Through: Mr. Nissar Ahmad, Advocate

Vs.

GOVERNMENT OF J AND K AND ORS.

...Respondent(s)

Through: Mr. Waseem Gul, GA

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

ORDER
16.12.2025

CM (8414/2025)

1. This is an application seeking condonation of delay of 557 days in filing LPA No. 84/2025 in which the appellants have laid challenge to an order and judgment dated 08.08.2023 passed by learned Single Judge of this Court ["Writ Court"] in WP(C) No. 2330/2021.
2. The delay is sought to be condoned on the ground that prior to filing of the appeal, the appellants/applicants had filed a review petition before the Writ Court on 01.12.2023, which came to be dismissed as barred by limitation on 17.02.2025.

3. It is pleaded that the delay in filing the review petition before the Writ Court had occurred due to the applicants having taken some time to collect the relevant documents demonstrating that they had been paid the compensation only for one marla of land falling under Survey No. 766 situated at Moza Zewan, whereas, the total land under occupation of the respondents was 2 kanals and 10 marlas.
4. The review petition itself was delayed by 100 days. It is thus submitted that after dismissal of the review petition by the Writ Court on 17.02.2025, the appellants were left with no option but to file an appeal, which was filed on 16.04.2025.
5. The respondents have though caused their appearance but have chosen not to file any objections.
6. Having heard learned counsel for the parties and perused the material on record, we are of the considered opinion that delay of approximately 100 days in filing this appeal has been adequately justified.
7. The delay of this 100 days, as taken note of hereinabove is justified by the appellants/applicants on the ground that took some time to collect the relevant record from the revenue department so as to demonstrate that the impugned judgment suffered from an error apparent on face of record.
8. Be that as it may, having regard to the facts and circumstances of the case and sufficient cause having

been shown in filing the belated appeal, this application is allowed and delay in filing the appeal is condoned, subject to payment of costs of Rs. 5000/- to be deposited in Litigants Welfare Fund within a period of one week from today.

9. Application stands ***disposed of.***

10. Registry to list the main case on 29th December 2025.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

16.12.2025

"S. Nuzhat"

