

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT JAMMU**

WP(C) No. 1972/2021  
CM No. 1395/2025  
CM No. 1396/2025  
CM No. 1397/2025  
CM No. 7362/2021

Tasadaq Hussain

.....Appellants

Through: Mr. Sajid Bukhari, Advocate

**Vs**

UOI and ors..

..... Respondents

Through: Mr. Sumant Sudan, Advocate vice  
Mr Vishal Sharma, DSGI  
Ms. Pallavi Sharma, Advocate vice  
Mr. Ravinder Gupta, AAG

**CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**  
**ORDER**  
**05.08.2025**

Through the medium of this order, three applications filed by legal heirs of original writ petitioner through their attorney holder, Sh. Arif Hussain Shah, are proposed to be disposed of.

Heard and considered.

It appears that original writ petitioner Sh. Tasadaq Hussain expired during the pendency of this writ petition on 19.09.2022. The present applications have been filed on 10.03.2023 after the expiry of the prescribed period of limitation. In the applications, it has been submitted that the right to sue survives upon the legal heirs of the deceased-Tasadaq Hussain. It has been further submitted that the attorney holder of the legal heirs of original writ petitioner could not file the application within time because he was suffering from post-Covid complications. It has been

further submitted that one of the legal heirs Ms. Nasreena Kossar is a resident of Kashmir and that the attorney holder had to bring together all the legal heirs for execution of the attorney which consumed considerable period of time.

Having regard to the reasons assigned and keeping in view the submissions made at Bar, all the three applications are allowed and the delay in filing the application for substitution of the legal heirs is condoned. The abatement of the writ petition is, therefore, set aside. Legal heirs of original writ petitioner-Late Tasadaq Hussain as mentioned in the application are substituted as petitioners.

Amended memo of parties be filed.

List the main petition on 24.09.2025.



**(SANJAY DHAR)**  
**JUDGE**

**JAMMU**  
**05.08.2025**  
Tarun/PS

सत्यमेव जयते