

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

Case:- OWP No. 653/2019

Sohan Lal aged 73 years
S/o Late Munshi Ram
R/o Hakal, Tehsil & District Jammu

.....Petitioner(s)

Through: None.

Vs

1. J&K Special Tribunal, Jammu.
2. Prem Nath
S/o Sh. Teju Ram.
3. Tarseem Lal
S/o Sadhu Ram.
Both R/o Hakal (Chatta)
Tehsil & District Jammu.

.....Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(02.07.2025)

01. Nemo for the petitioner.

02. The petitioner had filed a revision petition under section 21 of the J&K Agrarian Reforms Act, 1976 on file No. STJ/425/2006 on 19.01.2006 to challenge an order dated 29.08.2005 passed by the Commissioner Agrarian Reforms, J&K whereby appeals preferred by the petitioner against the mutations No. 504 & 508 under sections 4 & 8 of the J&K Agrarian Reforms Act, 1976 with respect to land comprising under khasra No. 687/536 (9 kanals), khasra No. 537 (17 marlas), khasra No. 514

(1.14 kanal) and khasra No. 546 (2.1 kanal) of village Hakal tehsil Jammu were *dismissed*.

03. The Jammu & Kashmir Special Tribunal, Jammu, by virtue of its order dated 29.03.2012, came to *dismiss* the revision petition so preferred by the petitioner. The *disposal* of the revision petition of the petitioner had taken place in presence of counsel for the petitioner so representing him before the J&K Special Tribunal, Jammu.

04. After a period of more than six years, the petitioner came forward with the institution of the present writ petition to seek judicial review of order dated 29.03.2012 of the J&K Special Tribunal, Jammu with an averment made in the writ petition to explain the delay and laches saying that the counsel of the petitioner had not informed him about the *dismissal* of the revision petition as if the petitioner himself was under no obligation to keep track of his own revision petition and it was meant for the counsel of the petitioner to visit the residence of the petitioner and inform him about the status of his revision petition having been *dismissed*.

05. Advocates Act, 1961 places no such obligation on an Advocate that he is suppose visit and then to apprise a litigant about the outcome of a litigation whereas litigant is entitled to stay in his/her own slumber.

06. The conduct of the petitioner in pursuing the present writ petition is also exhibit of the fact that he is least interested in its

prosecution given the number of dates on which the absence of the counsel for the petitioner has taken place and the record of the proceedings self-speak about the same.

07. This writ petition is, therefore, ***dismissed*** on account of serious delay and laches on the part of the petitioner in coming forward with the writ petition under article 226 of the Constitution of India in assailing an adjudication which came to take place way back in the year 2012 to the very notice of the petitioner whether or not the counsel of the petitioner had informed him about the outcome or not.

08. The original record requisitioned from the J&K Special Tribunal, Jammu as well as authorities below be sent back by the Registry.

09. ***Dismissed*** along with connected application(s).

(RAHUL BHARTI)
JUDGE

JAMMU
02.07.2025

Bunty

Whether the order is speaking: Yes/No

Whether the order is reportable: Yes/No