

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

RP No. 39/2020

Kulbir Singh Jasrotia

.... Petitioner/Appellant(s)

Through:- Mr. H. C. Jalmeria, Advocate

V/s

Union of India & ors.

.....Respondent(s)

Through:-

CORAM : HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE
HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER

14.05.2025

01. The petitioner seeks review of the order dated 11.11.2020 passed by this Court in WP(C)PIL No. 31/2020, vide which this PIL has been disposed of.

02. We have heard learned counsel appearing on behalf of the petitioner.

03. The petitioner has filed a petition in public interest seeking to quash S.O. 1245(E) of 2020 dated 03.04.2020 (The Jammu & Kashmir Reorganization Act), challenging the amendment and S.O. 1245 (E) of 2020 dated 03.04.2020 vide which the requirement of the permanent resident certificate was replaced by Domicile Certificate and also Clause-3 of the J&K Grant of Domicile Certificate (Procedure) Rules, 2020 and repealing of J&K Permanent Residents Certificate (Procedure) Act, 1963.

04. This petition was considered by this Court on 11.11.2020 and disposed of by holding that the petitioner is seeking a mandamus to the

respondents to undertake legislation, which is not permissible but the respondents were directed to consider the representation of the petitioner dated 24th/26th June, 2020, copy of which was to be served on them within two weeks.

05. Learned counsel for the petitioner seeks a review of the judgment only on the ground that the petitioner could not connect with the High Court on virtual mode on the said date and the final order has been passed without hearing the petitioner.

06. While dealing with the contention of the petitioner, we have to consider that this Court can review its own orders in terms of the Rule-65 of the Jammu and Kashmir High Court Rules, 1999. It reads as under:-

“65. Application for review of Judgment- The Court may review its judgment or order but no application for review shall be entertained except on the ground mentioned in Order-XLVII Rule -I of the Code”.

07. The plea for review of the judgment can be considered only on the grounds mentioned in Order-47 Rule-1 of the code of Civil Procedure. The review can only be entertained if the petitioner shows an error, apparent on the face of record, or new or important matter and evidence which after due diligence was not within his knowledge or any other sufficient reason.

08. The petition was filed in public interest and was duly considered vide order dated 11.11.2020. It is well settled that there cannot be any mandamus for undertaking legislation. The order does not suffer from any error apparent on the face of record. The petitioner only seeks to re-argue and re-agitate the issue which has already been

considered and decided and the same is not permissible. The petitioner has failed to carve out a case for entertaining this review petition.

09. In view of the aforesaid, there is no merit in this petition and the same is, accordingly, **dismissed**.

(SHAHZAD AZEEM)
Judge

(SINDHU SHARMA)
Judge

JAMMU
14.05.2025
RAM MURTI

