

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

Case No:- **RP No. 36/2025 in
LPA No. 216/2024
CM No. 5557/2025
CM No. 5558/2025**

Date of Pronouncement: 17.10.2025
Uploaded on: 18.10.2025

- 1. Union Territory of Jammu and Kashmir,
through its Administrative Secretary, Rural
Development Department, Civil Secretariat,
UT of J&K, Jammu/Srinagar.**
- 2. Assistant Commissioner Development
Rajouri.** **....Applicant(s)/Petitioner(s)**

Through :- Mrs. Monika Kohli, Sr. AAG with
Ms. Priyanka Bhat, Advocate

v/s

**Karmat ullah Malik
S/o Ghulm Qadir
R/o Chowkian Tehsil,
Darhal District, Rajouri**

...Respondent(s)

Through:-

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

ORDER(ORAL)

Sanjeev Kumar-J

CM No. 5558/2025

1. Notice issued to the respondent through registered post on 19.09.2025 has not been received back served or un-served. Statutory period is over. The respondent is set *ex-parte*.
2. The review petition filed by the petitioners is delayed by 96 days and, therefore, an application for condonation of delay.
3. Despite notice, the respondent has chosen not to appear and, therefore, there is no opposition to the application filed. We have gone through the

application, seeking condonation of delay and are satisfied that sufficient cause is shown, which prevented the petitioners from filing the review petition within prescribed period.

4. The application is, therefore, allowed and delay in filing the review petition is condoned.

5. ***Disposed of.***

RP No. 36/2025

1. Through the medium of this petition, the petitioners are seeking review of our judgment dated 08.04.2025 passed by this Court in LPA No. 216/2024 titled as ***“UT of J&K and Ors. Vs. Karamat Ullah Malik”***.
2. The impugned judgment is sought to be recalled primarily, on the ground, that the application for condonation of delay in filing appeal was dismissed by this Court without taking note of the fact that the petitioners had a strong case on merits.
3. It is argued by Mrs. Monika Kohli, learned Sr. AAG appearing for the petitioners that the respondent was not entitled to the amount, which has been granted by the Single Bench in terms of an order and judgment dated 28.05.2024 passed in WP(C) No. 2167/2021, as upheld by the Division Bench by dismissing the application for condonation of delay in filing the LPA No. 216/2024.
4. Having heard learned counsel for the petitioners and perused the judgment impugned, we are of the considered opinion that there is no error apparent on face of record which would persuade us to recall our concluded judgment passed on 08.04.2025 in LPA No. 216/2024.

5. Apart from the fact that the petitioners had failed to explain the delay of 72 days in filing the appeal, but this Court had also adverted to the merits of the case and found that there was a clear admission on part of the petitioners, with regard to the work executed by the respondent. The payment claimed by the respondent was resisted only on the ground that the work was executed by the respondent without technical sanction/ administrative approval. This plea was not accepted by the Writ Court and same was the view of this Court while dismissing the application for condonation of delay.
6. Viewed from any angle, we do not find it a fit case for recalling our concluded judgment which is more or less based on the admission of the petitioners before the writ Court.

7. ***Dismissed.***

JAMMU
17.10.2025
Rahul



Whether the order is speaking? : Yes/No

Whether the order is reportable? : Yes/No