

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

CM (2311/2025) IN LPA 86/2025
CM (2312/2025)

**UNION TERRITORY OF J AND K AND
ORS**

...Appellant/Petitioner(s)

Through: Mr. Jehangir Ahmad Dar, GA.

Vs.

GHULAM AHMAD BHAT AND ORS

...Respondent (s)

Through: Mr. Syed Riyaz Khawar, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

08.12.2025

CM 2311/2025

1. This is an application by the applicants-appellants seeking condonation of delay of 423 days in preferring LPA No. 86/2025 to challenge an order and judgment dated 22nd December, 2023 passed by the learned Single Judge ["the Writ Court"] in OWP No. 1441/2012 titled "*Ghulam Ahmad Bhat vs State of J&K and Ors*".

2. The delay of 423 days in filing the appeal has been sought to be condoned on the ground that a lot of time was taken/consumed in completing the departmental process for obtaining the sanction from the Department of Law to file the Appeal. He submits that sanction to file Appeal was granted by the Department of Law on 12th December, 2024, which was communicated to the counsel concerned on 31st December, 2024. However, the Appeal was filed by the learned counsel on 18th April, 2025. There is nothing more said in the application for seeking the condonation of delay.

3. For facility of reference we deem it appropriate to reproduce what is contained in Para 3 and 4 of the application for seeking the condonation of delay herein below:

“3. That delay in filing the appeal has occurred due to the time consumed in completing the departmental process for obtaining the sanction to file this appeal and further compiling of the record. The sanction to file the present appeal was granted by the Law Department vide letter dated 12.12.2024 and in this regard a letter dated 31.12.2024 issued by the Appellant Department whereby the sanction to file the appeal was communicated to the counsel. The total delay in filing of the appeal totals approximately to 312 days

4. That approval process in fact required consultations, examination of records, and permissions from competent authorities. The same consumed time which has occasioned in delay in filing of the present appeal.”

4. We have gone through the application filed by the appellant and do not find the reasons for delay indicated in the application constituting a ‘sufficient cause’ which could have prevented the appellants from filing Appeal in time. We could not even understand as to how the counsel who was requested to file the appeal in terms of communication dated 31st December, 2024, took four months to file this appeal.

5. We are also not inclined to buy the argument that the consultation between the Departments leading to the grant of sanction by the Department of Law took almost a year to fructify.

6. Viewed from any angle, it cannot be said that the appellants have successfully explained the huge delay of 423 days in filing the appeal.

7. We have also gone through the judgment impugned and do not find any legal infirmity therein. The Writ Court has only directed the appellants

herein to pay the compensation to the interested persons strictly as per the final award passed by the Collector, Land Acquisition.

8. Mr. Jehangir Ahmad Dar was fair enough before us to say that the final award has neither been challenged by any authority nor has the same been modified or set aside by any competent authority.

9. For the foregoing reasons, we do not find any merit in this application and the same is accordingly **dismissed**, as a consequence the appeal filed shall also stand **dismissed**.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

08.12.2025

"Shahid Manzoor"