

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

**RP No. 81/2024 in
OWP No. 791/2009
CM Nos. 7087/2024 & 7088/2024
c/w
CCP(S) No. 224/2024**

UT of J&K and ors.

.....Appellant(s)/Petitioner(s)

Through: Mrs. Monika Kohli, Sr. AAG in
RP No. 81/2024
Mr. Qayoom Chowdhary in
CCP(S) No. 224/2024

vs

Khazan Chand

..... Respondent(s)

Through: Mr. Qayoom Chowdhary, Advocate in
RP No. 81/2024
Mrs. Monika Kohli, Sr. AAG in
CCP(S) No. 224/2024

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

**ORDER
10.04.2026**

CM No. 7087/2024

1. This is an application seeking condonation of delay of 468 days in filing the review petition.
2. The following reasons have been assigned by the applicants for seeking condonation of delay:-

“(a) After receipt of the judgment, the matter required examination at various levels within the Home Department, particularly concerning the implications of interest payment vis-a-vis SRO 442.

(b) The file had to be processed through proper channel including Initial examination by the concerned Section Officer, Scrutiny by the Deputy Secretary, Opinion from the Finance Department regarding budgetary implications, Legal opinion from the Department of Law, Justice and Parliamentary Affairs, Final approval from the competent authority. Due to the involvement of substantial public funds and the

necessity to examine the legal implications thoroughly, several rounds of departmental consultations were required.

(c) The matter also required coordination between various departments, as the issue of interest payment on compensation has wider implications for similar cases.

(d) The delay has also been partly occasioned due to the time taken in obtaining relevant documents and compiling the necessary information to support the grounds of review.”

3. The reasons as extracted above merely demonstrate the shunting of the file from one office to another and can hardly be termed as sufficient cause for condoning the huge delay of 468 days in filing the review petition. In **Shivamma (Dead) by LRs Vs. Karnataka Housing Board and Ors**, reported in **2025 INSC 1104**, the Hon’ble Supreme Court of India, in paragraph No.263, has held as under:-

“263. Limitation periods are prescribed to maintain a sweeping scope for the *lis* to attain for finality. More than the importance of judicial time, what worries us is the plight of a litigant with limited means, who is to contest against an enormous State, and its elaborate and never-exhausting paraphernalia. Such litigations deserve to be disposed of at the very threshold, because, say if a party litigating against the State, for whatever reason, is unable to contest the condonation of delay in appeal, unlike the present case, it reopens the *lis* for another round of litigation, and leaves such litigant listless yet again. As courts of conscience, it is our obligation that we assure that a litigant is not sent from pillar to post to seek justice.”

4. In view of the above, this application is found to be misconceived. The same is **dismissed**.

CCP(S) No. 224/2024

5. Learned counsel for the petitioner submits that he has laid a motion for placing on record the judgment passed by the civil court.
6. Copy of the judgment be provided to Mrs. Monika Kohli, learned Senior AAG and the Registry to diarize the same and list the same before the Court on the next date of hearing.
7. List on **22.05.2026**.

8. In the meanwhile, the respondents shall comply the judgment in its letter and spirit.

(RAJNESH OSWAL)
JUDGE

Jammu
10.04.2026
Neha-II

