

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

CM (6754/2024) in LPA 294/2024

Ghulam Mohammad Dar

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

Through: Mr. Mir Umar, Advocate

Vs.

U.O.I and Ors

...Respondent(s)

Through: Mr. T.M. Shamsi, DSGI with
Ms. Rehana Qayoom, Advocate

CORAM:

**HON'BLE THE CHIEF JUSTICE (ACTING)
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE**

ORDER
06.07.2026

CM 6754/2024

1. This is an application seeking condonation of delay of 372 days in filing Letters Patent Appeal against the Order and Judgment dated 18th August, 2023 passed by the learned Single Judge of this Court [the “Writ Court”] in SWP No. 506/2012 titled “*Ghulam Mohammad Dar vs. Union of India and Ors*”, whereby the Writ Court has dismissed the writ petition filed by the appellant.

2. The huge delay of 372 days is sought to be explained by submitting that though the judgment impugned was passed in the presence of learned counsel for the appellant yet, the decision was not communicated by the learned counsel representing the appellant in time. In short, the entire blame for the delay of 372 days in filing the appeal has been put on the learned counsel who was representing the appellant.

3. With a view to find out truth in the matter, we directed the appellant to file an affidavit of Mr. N.H. Khuroo, Advocate who was representing the appellant before the Writ Court. In compliance with the order dated 27th October, 2025, Mr. N.H. Khuroo, Advocate has filed an affidavit in which

the learned counsel has put it on affidavit that after the dismissal of the writ petition by the Writ Court, he tried his best to inform the appellant about the dismissal of the case but he did not pick up his calls. The affidavit of the appellant is also on record a perusal whereof would indicate that he has put forth two reasons for not filing the appeal in time; first, that because of some medical emergency he had lost contact with his counsel Mr. N.H. Khuroo; and second that he could not get knowledge of the dismissal of the case as he did not get information from his counsel.

4. Both the grounds pleaded do not constitute a ‘sufficient cause’ which could be said to have prevented the appellant from filing the appeal in time. That apart, the affidavit of N.H. Khuroo, learned counsel appearing for the appellant makes it abundantly clear that the appellant failed to take up calls of his counsel who wanted to inform him about the dismissal of the case. Otherwise also, it is duty of a litigant to remain in touch with his counsel and not the vice-versa.

5. Viewed from any angle, the explanation tendered by the appellant for seeking the condonation of delay of 372 days does not constitute sufficient cause which may have prevented the appellant from filing the appeal in time.

6. We have also gone through the order impugned and do not find the same to be suffering from any palpable error of law and facts.

7. Viewed thus, we find no good ground to condone the delay and accordingly the application for condonation of delay is rejected. As a consequence, the LPA No. 294/2024 shall also stand dismissed.

(Mohd Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (Acting)

SRINAGAR:

06.07.2026

“Shahid Manzoor”