

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
(Through Virtual Mode)**

CM No. 7303/2025 in
RP No. 90/2025

Ghulam Qadir Yatoo and Others

.....Applicant(s)/Petitioner(s)

Through :- Mr. H. Furrahi, Advocate

v/s

State of J&K and Others

.....Respondent(s)

Through :- None

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

**ORDER
08.10.2026**

CM No. 7303/2025

1. A review petition, sought to be filed for recalling an order and judgment dated 09.07.2025, is delayed by 90 days and, therefore, this application for condonation of delay.
2. Objections on behalf of the respondents have been filed, but nobody has turned up to argue the application on behalf of the respondents.
3. Having heard learned counsel for the applicants and perused the material on record, we are of the considered opinion that the applicants have made out a case for condonation of delay, in that, he has explained the delay of 90 days in filing the review petition by providing sufficient reasons.
4. Application is, accordingly, allowed and the delay of 90 days in filing the review petition is condoned.

RP No. 90/2025

1. This is a petition seeking review of the judgment dated 09.07.2025 passed in LPA No. 347/2024, which was allowed in favour of the petitioners and they were held entitled to salary with effect from 29.02.2016 to 07.09.2016.
2. The impugned judgment is sought to be reviewed, primarily, on the ground that this Court had committed an error of fact and law by not granting the various allowances including the increment which had accrued to the petitioners during the said period.
3. Having heard learned counsel for the petitioners and considered the material on record, we are of the considered opinion that the judgment passed by us which is sought to be reviewed, does not suffer from any error apparent on the face of record. The request of the petitioners for VRS/GHS was processed by the respondent-Corporation in February, 2016 and was referred to the Government for according approval. The processing of the case took some time and, ultimately, after about six months, a formal approval/sanction to the acceptance of VRS/GHS option made by the appellants was accorded
4. The sanction was accorded to the grant of VRS/GHS to the petitioners retrospectively with effect from 29.02.2016, though, a formal order in this regard was passed on 07.09.2016. It is in these circumstances that the petitioners, though, ceased to be employees of

the Corporation with effect from 20.02.2016 continued to perform their duties in the corporation till 07.09.2016.

5. Having regard to the facts and circumstances of the case, this Court held the petitioners entitled to the salary for the period with effect from 29.02.2016 to 07.09.2016 during which the petitioners were technically not the employees of the Corporation, but had actually performed their duties. We directed the payment of salary for the aforesaid period which obviously included the basic pay as well as all the allowances available to them under law.
6. We, are, therefore at a loss to understand as to what persuaded the petitioners to file review petition seeking review of the judgment, which is entirely in their favour. We are sure that this review petition has been filed on the basis of a wrong advice tendered.
7. This review petition is found devoid of any merit and is, accordingly, dismissed.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

JAMMU
08.10.2026
Manik