Serial No. 02

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CONSW No. 10/2016

Date of pronouncement: 31.07.2026
Date of uploading: 31.07.2026

Commsr/Secy. Industries Deptt. & Ors. …..Appellant(s)/Petitioner(s)

Through: Mr. Dewakar Sharma, Dy. AG

vs

Shiv Kumar Khajuria ….. Respondent(s)

Through: Mr. Abhinav Sharma, Sr. Advocate with
Mr.Vansh Verma, Advocate

CORAM: HON'BLE THE CHIEF JUSTICE (ACTING)

ORDER (ORAL)
31.07.2026

1. The applicants are seeking review of the judgment dated 26.02.2015, passed by this Court in SWP No. 741/2014 titled *"Shiv Kumar Khajuria Vs. State of Jammu and Kashmir & Ors."* The review petition is delayed by 368 days and therefore, the instant application for condonation of delay.

2. The huge delay of more than one year is sought to be explained by the petitioners by pleading that the department received the information about passing of the judgment on 21.04.2015, however, it took them huge time in seeking advice. Here is also a reference to the delay caused by the learned counsel, who was appearing for the petitioners in conveying the copy of the judgment.

3. Indisputably, the judgment was passed in the presence of Govt. Counsel, who at the relevant time was representing the applicants.

There is nothing on record to show as to when the judgment, sought to be reviewed, was conveyed to the applicants by the learned Govt. Counsel. Even if we assume that there was some delay on the part of the Govt. Counsel to convey the copy of the judgment dated 26.02.2015 to the applicants, yet a delay of more than a year would not be justified on any count.

4. From a reading of the application for condonation of delay, it clearly transpires that the judgment under review, which was passed on 26.02.2015, was conveyed to the applicants on 21.04.2015, however, the review was filed only on 31.03.2016. There is no explanation of the delay w.e.f. 21.04.2015 to 31.03.2016 except that, the applicants were seeking advice and communicating *inter-se.*

5. We have quickly gone through the judgment sought to be reviewed as well and do not find any error of law or fact apparent on face of record.

6. Viewed from any angle, we see no justification to condone the huge delay of 368 days in filing the review petition.

7. Accordingly, the instant application is **dismissed.**

(Sanjeev Kumar)
Chief Justice (A)

Jammu
31.07.2026
Vishal Sharma

Whether the order is reportable: Yes/No

Whether the order is speaking: Yes/No