

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

CM No. 3922/2019 in
LPA No. 150/2019

Date of pronouncement: 27.08.2026
Date of uploading: 27.08.2026

**Director General J&K Funds
Organisation**

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

Through: Ms. Maha Majeed, Assisiting counsel to
Mr. Mohsin Qadri, Sr. AAG

vs

Neelofar J&K & Ors.

..... Respondent(s)

Through: None

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

ORDER (ORAL)
27.08.2026

CM No. 3922/2019 in LPA No. 150/2019

1. This is an application seeking condonation of delay of 543 days in filing appeal under Clause 12 of the Letters Patent to challenge an order and judgement dated 20.09.2017 passed by a learned Single Judge of this Court [**“the Writ Court”**] in SWP No. 407/2015 titled *“Neelofar Jan & Anr. Vs. State of J&K & Ors.”*. Objections on behalf of respondent Nos. 1 and 2 are filed.
2. Having heard learned counsel for the petitioner, we are though not convinced with the explanation tendered for filing the appeal after a delay of 543 days, yet in the larger interest of justice, we condone the delay. Accordingly, application is **allowed** and delay in filing the appeal is condoned.

3. Application stands ***disposed of.***

LPA No. 150/2019

1. This appeal under Clause 12 of the Letters Patent is directed against an order and judgment dated 20.09.2017, passed in SWP No. 407/2015 titled “*Neelofar Jan & Anr. Vs. State of J&K & Ors.*”, whereby the respondents have been held entitled to the benefit of regularisation w.e.f. 26.09.2010.
2. Indisputably, the petitioners were engaged in the Department of Finance vide order dated 14.03.1997 as Assistant Compilers on *ad hoc* basis. They completed 07 years of service on 14.03.2004 and therefore, had to their credit more than seven years of service as on the date of commencement of J&K Civil Services (Special Provisions) Act, 2010 [“**the Act of 2010**”]. They were, thus, entitled to the benefit of regularisation immediately with the commencement of the Act of 2010, but were regularised subsequently by the appellants vide Government Order No. 19-F of 2015 dated 04.02.2015 prospectively.
3. The respondents challenged the Govt. Order (supra) in SWP No. 407/2015, which was allowed by the Writ Court with a direction to the appellants herein to give effect to the regularisation of the respondents w.e.f. 26.09.2010.
4. The issue, which is sought to be raised in this appeal is no longer *res integra* and is fully covered by a recent Full Bench judgment Court of this Court dated 11.08.2026 passed in LPA No. 70/2022 titled “*UT of Jammu and Kashmir Vs. Neeru Pandita*”. In terms of the Full

Bench judgment, the petitioners, who had completed more than 07 years of service on the appointed date, are entitled to be regularised with effect from the aforesaid date. However, the judgment delivered on 11.08.2026 is prospective in nature and would not reopen the already decided cases.

5. In view of the aforesaid, we do not wish to interfere with the judgment passed by the Writ Court. The respondents have been rightly held entitled to the benefit of regularisation w.e.f. 26.09.2010.
6. For the foregoing reasons, we find no merit in this appeal and the same is, accordingly, ***dismissed.***

(Mohd. Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (A)

Jammu
27.08.2026
Vishal Sharma

Whether the order is speaking?

Yes/No

Whether the order is reportable?

Yes/No