

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

WP(C) No. 1739/2022  
CM Nos. 4836/2022,  
5804/2025 &  
5805/2025  
Cav No. 864/2022

Ravi Magotra

.....Petitioner(s)

Through: Mr. S. M. Chowdhary, Sr. Advocate with  
Mr. Aman Bhagotra, Advocate.

**Vs**

UT of J&K & Ors.

..... Respondent(s)

Through: Ms. Chetna Manhas, Advocate vice  
Mrs. Monika Kohli, Sr. AAG  
Mr. G. S. Thakur, Advocate.

**CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**ORDER**  
**30.09.2025**

1. The petitioner has challenged order dated 22.06.2022 passed by the Commissioner, Agrarian Reforms (Additional Deputy Commissioner) Jammu, whereby in an appeal filed by the private respondents against mutation No. 528 of village Sidhra, Jammu pertaining to the land measuring 04 kanals 10 marlas falling in khasra No. 152 and land measuring 04 kanals falling in khasra No. 153 min, the delay in filing the appeal has been condoned.
2. Heard and considered.
3. Learned Senior Counsel for the petitioner has submitted that the impugned order dated 22.06.2022 is cryptic in nature

inasmuch as, it does not assign any reason for condoning the huge delay of 32 years in filing the appeal.

**4.** In order to test the merits of the contention raised by learned Senior Counsel for the petitioner, it would be apt to take notice of the contents of the impugned order dated 22.06.2022, which is reproduced as under:-

*“Appellant and counsel & Respondent and Counsel both appeared. Written arguments & Objections for condonation of delay received. As directed commission headed by Tehsildar Jammu (K) that of the appellant. Land is in cultivating possession of the appellant while some portions have eroded being river bank. Condonation of delay is granted as matter is needed to be heard on merit. Records may be called from Record room. Matter may be listed on Arguments on main merits on 30.07.2022”*

**5.** From a perusal of the aforesaid order, it is manifest that the appellate authority has with one sentence condoned the delay of 32 years in filing the appeal by simply observing that the matter needs to be heard on merits. A judicial or a quasi judicial authority is duty bound to record reasons for its conclusion. In the absence of the reasons, an order of judicial/quasi judicial authority becomes arbitrary in nature. In this view of the matter, the impugned order cannot be sustained in law.

**6.** For the foregoing reasons, the petition is allowed and order dated 22.06.2022 passed by the appellate authority is set aside and the matter is remanded to the said authority with a direction to

decide the issue relating to the condonation of delay afresh after hearing the parties and after assigning reasons in support of the conclusion that may be drawn by the appellate authority upon consideration of the matter afresh. The appellate authority shall consider the appeal on merits only if it decides to condone the delay in filing the appeal.

7. Copy of this order be sent to the Commissioner, Agrarian Reforms (Additional Deputy Commissioner) Jammu for information.

8. Disposed of, accordingly.

**JAMMU**  
**30.09.2025**  
*Shivalee*

**(SANJAY DHAR)**  
**JUDGE**

Whether the order is speaking: Yes/No  
Whether the order is reportable: Yes/No

सत्यमेव जयते