Serial No. 56

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

LPA No. 31/2026 in
HCP No. 77/2025
CM No. 962/2026

UT of J&K .....Appellant(s)/Petitioner(s)

Through: Ms. Monika Kohli, Sr. AAG

vs

Totu ..... Respondent(s)

Through:

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
07.10.2026

CM No. 962/2026

1. This intra-Court appeal, directed against an order and judgment dated 06.11.2025 passed by the learned Single Judge of this Court **["the Writ Court"]** in HCP No. 77/2025, is delayed by 27 days and therefore, the instant application for condonation.

2. The application, for the reasons stated therein, coupled with submissions made at Bar, is allowed and delay of 27 days in fling the appeal is condoned.

3. Application **disposed of.**

LPA No. 31/2026 in HCP No. 77/2025

1. After hearing the learned counsel for the appellant, we find that, in the instant case, the respondent was put under preventive detention vide order No. PSA 05 of 2025 dated 16.05.2025 issued by District Magistrate, Udhampur with a view to preventing him from acting in any manner prejudicial to the maintenance of public order. The said

order was executed on 17.05.2025. The detention for public order could be ordered for a maximum period of 01 year and therefore, the maximum period prescribed in the law has expired.

2. The order of detention, which has led to filing of HCP has, thus, outlived its life, rendering this appeal infructuous. ***Dismissed*** as such.

(M A Chowdhary)
Judge

(Sanjeev Kumar)
Judge

Jammu
07.10.2026
Vishal Sharma

HIGH COURT OF JAMMU & KASHMIR AND LADAKH