



In the Court of Additional Commissioner, Jammu  
(With the powers of Divisional Commissioner)  
(Rail Head Complex, Jammu)  
(0191-2478991, 2478999, Fax-2478997, e-mail: [divcomjammu@gmail.com](mailto:divcomjammu@gmail.com))

**File No**  
LRA/000000068/2021

**Date of Institution**  
29.11.2021

**Date of Decision**  
07.12.2022

Lal Hussain son of Kaka resident of village Chhajla, Sinken Tehsil Mankote District Poonch.

.....APPELLANT

**VERSUS**

1. The Deputy Commissioner, Poonch.
2. The Assistant Commissioner (Revenue), Poonch.
3. The Tehsildar Mankote, Poonch.
4. Nazir Hussain son Challa,
5. Mohd. Aslam,
6. Mohd. Shafiq, sons of Nazir Hussain residents of village Chhajla, Sinken Tehsil Mankote District Poonch

....RESPONDENTS

**IN THE MATTER OF:**

Appeal against the impugned order /communication DCP/ASR/2021-190 dated 04-10-2021 passed by the respondent 2 by virtue of which the respondent 2 has directed the respondent 3 to restore land measuring 16 Marlas falling under khasra 621 owned and used by the appellant exclusively as pathway opened for the same for general public i.e., in favour of respondents 4 to 6, illegally and arbitrarily. Prayer for setting aside the same.

**ORDER**

The present appeal came up for hearing today on 07.12.2022. None present for appellant and private respondents. ARA appeared on behalf of the official respondents and stated that the private parties are not attending the court since long and as such the appeal may be dismissed in default for non prosecution on behalf of the appellant. Perusal of order sheet of the case file reveals that neither the appellant / his counsel nor private respondents / their counsel have been attending the court continuously since 11.05.2022, and today i.e. on 07.12.2022 also they have not caused appearance in the court, from which it is inferred that the appellant has lost interest to prosecute this case and further proceedings in the matter would result in wastage of the precious time of Court. In the absence of parties, court is constrained to return findings on merits. Therefore, the present appeal is dismissed in default for non-prosecution on behalf of appellant. The interim order issued by this court, if any, shall stand vacated. The case file be consigned to records after due completion but after waiting for the statutory period of 30 days fixed for restoration. Copy of the order shall go to Assistant Commissioner (Revenue), Poonch and Tehsildar, Mankote after expiry of above said period.

**Announced**  
07.12.2022

Sd/-  
Pawan Kumar Sharma, JKAS  
Additional Commissioner, Jammu  
[with the powers of Divisional Commissioner]

*plc website*

*[Signature]*  
Reader to  
Additional Commissioner