



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)

File No
LRA/0000000417/2022

Date of Institution
15.10.2022

Date of Decision
15.10.2022

1. Vikrant Sharma S/o Late Sh. Suresh Kumar, R/o Ward No. 01, Sunderbani District
Rajouri.Appellant

Versus

1. Ramesh Chander S/o Sh. Durga Dass R/o Ward No. 01, Sunderbani District
Rajouri.
2. Additional Deputy Commissioner, Sunderbani District Rajouri
.....Respondents

In the matter of:-

Appeal against order dated 09.09.2022 bearing No.
ADC/SB/2022-23/295-99 passed by ADC
Sunderbani by virtue of which stay order dated
30.08.2022 has been vacated on the basis of
impugned report dated 03.09.2022 bearing No.
TSB/SB/2022-23/416.

With Prayer for setting aside the same.

ORDER

The present appeal has been transferred to this court by the Learned Divisional Commissioner Jammu vide No. 801/Reader/DivCom/661-62 dated 13.10.2022. Ld. Counsel for the petitioner appeared and argued the matter. The appeal is against the order dated 09.09.2022 bearing No. ADC/SB/2022-23/295-99 passed by ADC Sunderbani by virtue of which stay order dated 30.08.2022 has been vacated on the basis of impugned report dated 03.09.2022 bearing No. TSB/SB/2022-23/416.

Ld. Counsel for the appellant stated that he has not been provided opportunity of being heard by the Additional Deputy Commissioner, Sunderbani and the stay has been vacated without hearing the appellant (applicant in the court below) Further the impugned report dated 03.09.2022 on the basis of which stay has been vacated has not been verified and signed by the Tehsildar concerned and submitted that at this stage he will be satisfied if the court below passes order after examining the record and providing an opportunity of being heard to the petitioner.

In view of the submissions of Ld. Counsel for the appellant, the instant appeal is disposed of with the remarks that the court below shall provide an opportunity of being heard to both the parties and thereafter pass an appropriate order strictly in accordance with the law. Copy of the order as well as paperbook of this file be sent to Additional Deputy Commissioner, Sunderbani for compliance. Parties shall appear before the

sd/-
Addl Commissioner
Jammu

Additional Deputy Commissioner, Sunderbani on 27.10.2022 and till then status quo shall be maintained by both the parties and thereafter Additional Deputy Commissioner, Sunderbani shall pass order strictly in accordance with the law after providing opportunity of being heard to both the parties.

Announced
15.10.2022

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

3/c website

Anupam
Reader to
Additional Commissioner
Jammu