



In the Court of Additional Commissioner, Jammu
(With the powers of Divisional Commissioner)
(Rail Head Complex, Jammu)
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File No
LRA/0000000419/2022

Date of Institution
15.10.2022

Date of Decision
18/10/2022

1. Randhir Singh, Age 49 years S/o Karan Singh R/o Village Wand Manhas, Tehsil Marheen, District Kathua.

.....Appellant

V/s

1. Deputy Commissioner, Kathua
2. Sub Divisional Magistrate, Hiranagar
3. Karan Singh S/o Bakha Singh R/o village Wand Manhas, Tehsil Marheen, District Kathua

.....Respondents

In the matter of:

Appeal against order dated 22.07.2022 passed by the Deputy Commissioner Kathua being arbitrary and not sustainable in eyes of law.

ORDER

The present appeal against the order dated 22.07.2022 passed by the Deputy Commissioner, Kathua has been transferred to this court by the Ld. Divisional Commissioner, Jammu. Ld. Counsel for the appellant appeared and argued that the order passed by the Deputy Commissioner, Kathua is arbitrary as he has dismissed the appeal merely by mentioning that the appeal is not maintainable in the court of Deputy Commissioner, Kathua and the appellant was condemned unheard and the order has been passed without assigning any reason. Perusal of the case file reveals that the basic order under challenge in appeal before the Deputy Commissioner, Kathua was passed by Sub Divisional Magistrate, Hiranagar on an application requesting for initiation of the criminal proceeding against Manohar Lal S/o Nago Ram alias Nagar Mal R/o Marheen, Tehsil Hiranagar, District Kathua. Since proceedings taken in the court of Sub Divisional Magistrate, Hiranagar were pertaining to the initiation of criminal proceedings, for which this court lacks jurisdiction to adjudicate the same. As such, the appeal is hereby dismissed for lack of jurisdiction. The appellant is at liberty to challenge the same before the competent forum if he chooses so. Case file be consigned to records after due completion.

Sd/-

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

Announced
18.10.2022

Di website
Reader to
Additional Commissioner