



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))

| <u>File No</u>     | <u>Date of Institution</u> | <u>Date of Decision</u> |
|--------------------|----------------------------|-------------------------|
| LA/0000000280/2022 | 09.05.2022                 | 25.05.2023              |

Khadim Hussain S/o Sattar Mohd R/o Village Dangri Tehsil Mandi District Poonch  
....Appellant

Versus

1. Jamal Din S/o Ghulam Din R/o Dangri Tehsil Mandi District Poonch
2. Deputy Commissioner, Poonch
3. Tehsildar, Mandi District Poonch

....Respondents

In the matter of :-

Appeal against order dated 21.11.2019 passed by respondent No. 2 in File No. 52 date of institution 31.12.2016 titled Jamal Din Vs Khadim Hussain and another. Prayer for setting aside the same.

And

Application seeking Restoration of Appeal by setting aside order dated 04.03.2021 passed in Appeal titled "Khadim Hussain Vs Jamal Din & Ors" by virtue of which the Appeal filed by the Applicant against order dated 21.11.2019 passed by the Deputy Commissioner, Poonch has been dismissed in default for non-prosecution.

**ORDER**

The present application for restoration of appeal which has been dismissed in default for non prosecution on behalf of appellant came up for hearing today on 25.05.2023. None present from either side. Perusal of order sheet of the case file reveals that neither appellant / his counsel nor private respondent / his counsel have been attending the court continuously for last three consecutive hearings and today i.e. on 25.05.2023 also they have not caused appearance in the court, from which it is inferred that the appellant has lost interest to prosecute his application for restoration of above said appeal and further proceedings in the matter would result in wastage of the precious time of Court. In the absence of parties, this court is constrained to return findings on merits. Therefore, the present restoration application is dismissed in default for non-prosecution on behalf of the 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.

**Announced**  
25.05.2023

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

*De voh side*

*[Signature]*  
Reader to  
Additional Commissioner  
Jammu