

**HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU**

**LPA No. 236/2020
CM No.2441/2020
CM No. 2443/2020
(Through Video Conference)**

Avtar Singh and another

..Applicant/Appellant(s)

Through:- Mr. Pranav Kohli, Advocate.
(on Video Conference from his office
at Jammu)

v/s

State and others

....Respondent(s)

Through:-

HON'BLE THE CHIEF JUSTICE

(on Video Conference from High Court at Jammu)

Coram:

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

(on Video Conference from High Court at Jammu)

ORDER
10.06.2020

CM No.2443/2020 (seeking extension of time)

Let the deficiencies be made good as per Circular No.16/GS
dated 29th March 2020 upon removal of the current lockdown.

This application is allowed.

LPA No. 236/2020

1. This appeal was directed to the listed on 28th December 2019
when it was not so listed.
2. Let an explanation be called as to why the case was not listed on
the date fixed.

3. A report dated 3rd February 2020 filed on 5th February 2020(with the date wrongly mentioned as 31st December 2019 at Page 5) has been filed by the Local Commissioner with 85 photographs and pendrive of video-graphy.
4. It is submitted by Mr. Pranav Kohi, Advocate that copy thereof has not been received by him.
5. Let copy of the report be made available to counsel for the all parties.
6. List on 19th June 2020.

CM No.2441/2020 (for seeking directions)

7. This application seeks impleadment of one of the tenants in Shop No.9 in House No.1, Pacca Danga, Jammu who was not a party in the writ petition from which the present appeal arises.
8. In our view, the applicant-landlord has an independent cause of action against the persons sought to be impleaded. In this view of the matter, this application is not maintainable.
9. In view thereof, Mr. Pranav Kohli, Advocate seeks leave of this court to withdraw this application with liberty to invoke an appropriate remedy in accordance with law.
10. This application is dismissed as withdrawn with liberty as prayed.
11. We make it clear that we have not expressed any opinion on the merits of the case.

(RAJNESH OSWAL)
JUDGE

(GITA MITTAL)
CHIEF JUSTICE

Jammu
10.06.2020
Raj kumar