

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

CM No. 3089/2022

In

OWP No. 901/2011

Bhola Ram and another

....Petitioner (s)

Through :- None.

V/s

Member J&K Spl Tribunal and others

....Applicant(s)/Respondent(s)

Through :- Mr. Rupak Ratta, Advocate.

Coram: HON'BLE MR. JUSTICE MOHAN LAL, JUDGE

**ORDER
01.06.2022**

On 10.05.2022, learned counsel for respondent Nos. 2 & 3 filed an application for early listing of the main petition fixed on 14.07.2022 on the grounds that the private respondent Nos. 2 & 3 moved MP bearing No. 822/2022 titled 'Member Special Tribunal and others V. Bhola Ram and others' seeking permission from this court to sow the crops/vegetables whereby this court allowed the said MP and the permission was granted to respondent Nos. 2 & 3 to sow the crops/vegetables, but when the private respondents tried to cultivate the filed in order to sow the crops the same was not allowed to be done as a result whereof they were unable to sow the crops/vegetables and since it is peak time to cultivate the land and sow the crops by the date so fixed for a longer period, therefore, the private respondents are not in a position to sow the crops. Prayer has been made for early listing of the case.

Notice was issued to the non-applicants/petitioners but on the last date of hearing and even on today, learned counsel for the non-applicants/petitioners has not caused his appearance which clearly means that he is avoiding earlier listing of the case for a shorter date.

From the perusal of previous order dated 24.02.2022 passed by this court in OWP No. 901/2011, CM No. 822/2022 & IA No. 1226/2011, the private

applicants/respondents herein have been permitted to sow/reap/harvest their crops/vegetables grown on the land in question.

Non-filing of objections by the non-applicants/petitioners and absence of counsel for the two dates of hearing clearly shows the intention of the non-applicants is to interfere with the order of this Court dated 24.02.2022 which has permitted the applicants/respondents to sow/reap/harvest their crops/vegetables on the land in question. This being so, the application for preponement showing urgency is allowed. Accordingly, the date fixed in the petition for 14.07.2022 is preponed and the main petition is now fixed for 27.06.2022 for further proceedings.

Application is, accordingly, disposed of.



(Mohan Lal)
Judge

Jammu:
01.06.2022
Pawan Chopra