



2018:JKLHC-JMU:1859

Sr. No.201-203

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

**CJ Court**

Case : **APAA No. 6 of 2014**

State th. Relief Commissioner

...Applicant(s)/Petitioner(s)

Through: Sh. Vishal Bharti, Dy. AG.

v/s

M/s Bhatia Builders and another

.... Respondent(s)

Through: Sh. R K Bhatia, Advocate.  
Sh. H. C. Jalmeria, Advocate.

**CORAM: HON'BLE THE CHIEF JUSTICE**

**ORDER**

A petition filed under Section 34 of the Arbitration and Conciliation Act by the State of Jammu and Kashmir was dismissed for want of prosecution vide order dated 26.11.2018. The State of Jammu and Kashmir has applied for the recall of the said order along with an application for condoning the delay in filing the restoration application. The affidavit in support of the delay condonation application is clearly defective. The restoration application contains no reason for the absence of the petitioner or the counsel on the date when the case was taken up and was dismissed for want of prosecution.

Sh. Vishal Bharti, learned counsel for the petitioner –State of Jammu and Kashmir prays for and is allowed a month's time to file a better affidavit explaining the absence and in support of the delay condonation application.



On the next occasion, the name of Sh. R. K. Bhatia, counsel may be printed from the respondent side and he may file objections to the fresh affidavit that may be filed on behalf of the petitioner. Name of Sh. Vishal Bharti may also be printed from the petitioner side.

List on 15<sup>th</sup> March 2021 along with APAA No. 5/2014.

**(PANKAJ MITHAL)**  
**CHIEF JUSTICE**

Jammu  
18.02.2021  
Raj Kumar

