



Sr. No. 103 2023:JKLHC-JMU:2677

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

RFA No. 14/2020
CM No. 4772/2020
CM No. 5464/2021

Union of India

....Petitioner(s)/Appellant(s)

Through :- None.

V/s

Zamindaran Khari and others

....Respondent(s)

Through :- Mr. Bari Abdullah, Advocate.

Coram: HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE

ORDER

13.04.2023

1. On mention, this matter was taken up. The respondents were given liberty for such mention on 16.03.2023.
2. When on mention, the case was taken up and called, no one appeared on behalf of the appellant and the matter was passed over. When the matter was again taken up at about 12.30 P.M., no one appeared for the appellant.
3. Learned counsel for the respondents submits that the matter relates to land acquisition and payment of compensation and is pending since 2020. He submits that appellant is intentionally remaining absent as after obtaining the interim order, they in order to prolong have remained absent on most of the dates.
4. Perusal of the record would reveal that the appellant had remained absent continuously since 09.03.2022. None appeared on 09.03.2022, 18.03.2022, 18.08.2022, 28.11.2022, 16.03.2023 and even today nobody appeared.
5. The continued absence of the appellant makes it clear that it has lost interest to prosecute this matter.



6. Learned counsel for the respondents further submits that there is no merit in this appeal and the order impugned is well reasoned. He has referred to orders passed by this court in **J&K State Power Development Corporation & Ors. v. Mohd. Basharat & Ors., 2017 (3) JKJ 101; Union of India v. Ghansham & Ors., 2008 (1) JKJ 261; and Trishala Jain and Anr. v. State of Uttaranchal & Anr., 2011 (6) SCC 47.**

7. Since there is no representation on behalf of the appellant, therefore, I would not enter into the merits of the case but due to the absence of the appellant, this appeal is dismissed for default and for non prosecution.

8. Interim direction if any granted shall stand vacated.

9. The claimants may lay motion before the Registrar Judicial, Jammu for release who after satisfying himself about their claims may release the same in accordance with law.

(VINOD CHATTERJI KOUL)
JUDGE

Jammu:
13.04.2023
Raj Kumar