

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

Case:- CrIM No. 2079/2023 In
CRM(M) No. 973/2022

Shiv DayalAppellant(s)/Petitioner(s)

Through: Mr. Vinod Kotwal, Advocate.

Vs

Kewal Krishan and Ors.

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(27.12.2023)

CrIM No. 2079/2023

- 01.** Application CrIM no. 2079/2023 is for seeking restoration of the petition which came to suffer *dismissal* for non-prosecution in terms of an order dated 20.11.2023. The said application has been filed on 07.12.2023 that is within a period of limitation prescribed for seeking restoration of the proceeding *dismissed* for non-prosecution.
- 02.** The reason cited in the application for non-appearance on behalf of the petitioner is the fact that the counsel for the petitioner was not well and, as such, was not able to attend the proceedings in the case.

- 03.** Since, the *dismissal* of the proceedings had taken place in presence of the respondent/non-applicant nos. 1 to 3, as such, notice is warranted to the respondent/non-applicant nos. 1 to 3 through their said counsel Mr. P. S. Parmar, Advocate. Accordingly, the Registrar Judicial, Jammu to issue notice to Mr. P. S. Parmar, Advocate for his appearance in the application.
- 04.** List on 14.02.2024.

**(RAHUL BHARTI)
JUDGE**

**JAMMU
27.12.2023**
Bunty

