

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

CJ Court

Case: AA No. 23/2017

Shamusdin Bhat alias S. BhatAppellant/Petitioner(s)

Through :- Mr. R P Sharma, Advocate.

v/s

The Managing Director and anr.Respondent(s)

Through :-

CORAM: HON'BLE THE CHIEF JUSTICE

ORDER(ORAL)

04.08.2023

CM No. 7551/2023

01. Heard Mr. R P Sharma, learned counsel for the applicant.
02. The present application has been filed for restoring the petition being AA No.23/2017, which was dismissed for default on 21.10.2020.
03. I have gone through the application and perused the materials on record.
04. It has been submitted that the said matter was dismissed during the COVID period when it was taken up through virtual mode. It has also been submitted that the counsel who was engaged by the petitioner did not appear because of which the petition came to be dismissed. Thus, if the petition is not restored, same would cause immense prejudice to the petitioner, for no fault of the petitioner.
05. None appears for respondents despite appropriate service.
06. For the reasons stated in the application coupled with the submissions made today, I am satisfied that the present restoration application being CM No. 7551/2023 should be allowed. Allowed accordingly.



07. Resultantly, the arbitration application being AA No. 23/2017, '*Shamusdin Bhat alias S. Bhat vs. The Managing Director Gammon India and anr.*' is restored to its original number.

08. Registry to list AA No. 23/2017 on 1st September 2023.

(N. KOTISWAR SINGH)
CHIEF JUSTICE

JAMMU
04.08.2023
SUNITA/PS