

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

(Through Video Conferencing at Jammu)

CM(995/2020)
in
APAA 5/2014

State Th. Financial Commissioner

....Applicant/Petitioner(s)

Through:- Mr. S. S. Nanda, Sr.AAG
v/s

M/s Bhatia Builders and another

....Non-applicant/Respondent(s)

Through:- None

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

This is an application for interim relief having been filed by the applicant during the pendency of the time barred restoration application filed for restoration of arbitration appeal being APAA 05/2014.

Mr. Nanda, learned Sr.AAG appearing counsel for the applicant states that taking advantage of the dismissal in default of the arbitration appeal, the non-applicants are vigorously pursuing the execution proceedings before the District Judge, Jammu.

According to Mr. S.S.Nanda, continuation of execution proceedings and likelihood of passing of orders thereon would essentially render the arbitration appeal infructuous. Mr. Nanda, thus, prays for an interim relief.

On 28.02.2020, Mr. Arvind Singh Jalmeria, Advocate appeared on behalf of the non-applicants and sought time to file objections.

Objections have not been filed.

List on 11.02.2021.

In the meanwhile, subject to objections and till next date of hearing, execution proceedings pending before the Court of Principal District Judge, Jammu in case titled M/s Bhatia Builders v/s State of Jammu and Kashmir and others, shall stay.

Modification/alteration and vacation on motion.

(JAVED IQBAL WANI)
JUDGE

Jammu
31.12.2020
BIR