

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

WLP No. 34/2018

Date of Order: 31.01.2019

Inhabitants of Hameel Panchayat Udhyampur v. State of J&K and others.

Coram:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TASHI RABSTAN, JUDGE

Appearance:

For the Appellant/Applicant (s) : Mr. S.S.Chandel, Advocate,

For the Respondent(s) :

The appellants before us seek leave to assail the interim order dated 17th October, 2018 passed in IA No.1/2018 in SWP No.2132/2018. The grievance of the appellants is that the appellants had filed a caveat with regard to the subject matter of the writ petition, yet interim orders have been passed by the Writ Court without hearing them. The further grievance of the appellants is that they have not been impleaded as party respondents in the writ petition.

In our view, the appellants were better advised to have moved an application for impleadment and have sought vacation of the interim order before the learned Single Judge. Any observation made by this Court on the subject matter of the writ petition would impact adjudication by the learned Single Judge.

In view of the above, learned counsel for the appellants prays for leave to withdraw this application with liberty to invoke appropriate remedy before the learned Single Judge.

This application is dismissed as withdrawn with liberty as prayed for.

(Tashi Rabstan)
Judge

(Gita Mittal)
Chief Justice