

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

LPA No. 267/2024  
In [WP(C) No. 2543/2024]  
CM NO. 7614/2024  
CAV No. 2394/2024

**Harbans Lal**, age 73 years  
S/O Late Sh. Radha Krishan  
R/O Haripur Brahmana  
Tehsil Hiranagar  
District Kathua, through Power of Attorney  
Holder  
**Sanjeev Mathur**, Age 34 yrs  
S/O Lt. Sh. Kasturi Lal  
R/O Karol Mathrian, Tehsil Hiranagar  
District Kathua, J&K

..... Appellant/Petitioner(s)

Through: Mr. Aseem Sawhney, Advocate.

**Vs**

**1. Satya Paul** S/O Late Sh. Deep Chand  
R/O Village Sanyal, Tehsil Hiranagar  
District Kathua

..... Respondent(s)

**2. Regional Director Survey and Land  
Record Udhampur** (With the Powers of  
Commissioner Agrarian Reforms, Kathua).

**3. Tehsildar Hiranagar**  
Office of Tehsildar Hiranagar

Through: Mr. R K Thakur, Senior Advocate with  
Mr. Vashran Thakur, Advocate.

**Coram: HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE**

**ORDER**

31.12.2024

**CAV No. 2394/2024**

With the appearance of Mr. R K Thakur, learned senior counsel assisted by Mr. Vashran Thakur, learned counsel for the caveator, CAV No. 2394/2024 stands discharged.

**LPA No.267/2024, CM No.7614/2024**

1. The present Letters Patent Appeal is directed against the order dated 25.10.2024 passed by the learned Single Judge in WP(C) No. 2543/2024 titled

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whereby interim order has been passed.

2. It is submitted by Mr. Aseem Sawhney, learned counsel for the appellant that the appellant herein has filed caveat on 18.09.2024 before the High Court which was registered with CNR No.JKHC02C018112024, Caveat filing no. 1811/2024 dated 18.09.2024. It is also submitted that copy of caveat was also sent by a registered post to the non-appellant/respondent namely Sh. Satya Paul.

3. It is submitted by the learned counsel for the appellant that despite filling caveat, the appellant herein had not received any notice and the impugned order has been passed ex parte by the learned Single Judge. Learned counsel for the appellant submits that Section 148-A CPC read with the J&K High Court Rules has been violated in this case.

4. Since the order impugned dated 25.10.2024 directs stay of the order dated 17.09.2024 and also directs parties to maintain status quo, however, the order, which is impugned herein, is till the next date of hearing, that too, subject to any vacation/modification upon consideration of objections/arguments, we without expressing any opinion on the merits of the case, dispose of the appeal by advancing the date of hearing in WP(C) No. 2543/2024. The new date of hearing in WP(C) No. 2543/2024 would be 02.01.2025, instead of already appointed date.

5. Mr. Aseem Sawhney, learned counsel for the appellant submits that he may be allowed to lay motion for modification/recalling of the impugned order before the learned Single Judge.

6. Be that as it may, learned counsel for the appellant may lay motion seeking modification/recalling of the order impugned during the course of day with advance copy to the other side.
7. We request the learned Single Judge to consider motion seeking modification/recalling of the impugned order, if any, accordingly.
8. List WP(C) No. 2543/2024 as above.
9. The appeal along with connected applications stands disposed of.

**( MA Chowdhary )  
Judge**

**(Tashi Rabstan)  
Chief Justice**

**Jammu**  
31.12.2024  
Raj Kumar

