



In the Court of Additional Commissioner, Jammu
(With the powers of Divisional Commissioner)
(Rail Head Complex, Jammu)
(0191-2478991, 2478999, Fax-2478997, e-mail: divcomjammu@gmail.com)

File No.
15/Transfer app
2019-20

Date of Institution
19.10.2019

Date of Decision
~~19.10.2019~~
10.02.2021

Mohd Bashir S/o Ismail R/o Village Bhatuni Tehsil and District Rajouri

... Petitioner.

Versus

1. Ghulam Abbas
2. Mohd Iqbal

both sons of Ismail R/o Village Bathuni Tehsil and District Rajouri

... Respondents

In the matter of: Petition for transfer of case titled "Ghulam Abbas and Ors V/s Mohd Bashir & Anr. pending in the court of Learned Deputy Commissioner Rajouri before any other court of competent jurisdiction or before this Hon'ble Court.

ORDER

The present case has come up for hearing on 06.01.2021. Nobody appeared from either side.

Perusal of the case file reveals that the present transfer application has been filed for transferring the petition titled Ghulam Abbas and Ors V/s Mohd Bashir & Anr filed by respondents herein pending before the court of Ld. Deputy Commissioner Rajouri to any other court of competent jurisdiction on the apprehension that the Presiding Officer is not hearing the case on merits. During the pendency of this transfer application, the Presiding Officer of the court below against whom the allegation of bias were leveled has been transferred and new incumbent has joined in his place. Therefore, the present transfer application has become infructuous. Otherwise also the parties are not attending the court since filing of the case before this court. Accordingly, this transfer application is dismissed and the case is remitted back to the court below. The court below shall resume the proceedings in the case and decide the same expeditiously after hearing the interested parties.

The stay order issued by this court, if any, shall stand vacated. The record file of the court below be sent back and the case file be consigned to records after due completion.

Pawan Kumar Sharma, KAS
Additional Commissioner, Jammu
[with the powers of Divisional Commissioner]