

CIVIL APPEAL NO.2867 OF 2008
[Arising out of SLP(C) No. 1603/2005]

:VERSUS:

ORDER

As we thought that this matter may be given a quietus, we directed the appellant – Board to find out some alternative plots so that the respondent may start his business of stone crushing afresh. An allotment was made to the respondent pursuant to the said order. As a grievance was raised that his application for grant of electrical connection was not being proceeded with, by an order dated 15.1.2008 this Court recorded:

In the meantime, the respondent may take possession of the plot allotted in this favour and file an application for grant of electrical connection within four weeks from date.

It is expected that the Power Development Department of the State of Jammu and Kashmir shall issue necessary orders granting electrical connection in favour of the respondent in the meantime.”

Despite the said order, no step appears to have been taken by the respondent to take possession of the alternative plot allotted to him and apply for grant of electrical connection. We have granted an opportunity to the learned counsel to seek instructions from the respondent. Learned counsel for the respondent states that no instruction has been received by her. In this view of the matter, it is not possible for us to grant any further adjournment as it appears that the respondent is not interested in the matter.

For the reasons aforementioned, this appeal is allowed and the impugned judgment is set aside. No costs.

.....J
(S.B. SINHA)

.....J
(LOKESHWAR SINGH PANTA)

NEW DELHI,
APRIL 21, 2008.