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IN THE COURT OF THE FINANCIAL COMMISSIONER

Case No. 423/2011

Sh. Dinesh K. Sharma Vs. Sh. Sudhir Kumar & Anr.

Case No. 07/2012

Sh. Dinesh K. Sharma Vs. Naib Tehsildar (Narela) & Ors.

20.03.2014

Present: Sh. Dinesh K. Sharma, Appellant in person.

Ms. Rashmi Sharma, Counsel for respondent, Sh. Sudhir Kumar in both the cases.

Sh. S.P. Chaudhary, Counsel for respondent, Sh. Kapil @ Kapil Gaur in both the cases.

1. The limited issue before this Court is that the Deputy Commissioner (North-West) vide his order dated September 07, 2011 has simply adjourned the proceedings with regard to appeals of the appellant, Sh. Dinesh Kumar Sharma pending before him for adjudication, sine-die on the ground that the matter is *subjudice* in a Civil Court for cancellation of certain registered documents etc. in respect of the land in question, and the appellant is aggrieved with the same.
2. This order passed by the Deputy Commissioner (North-West) dated September 07, 2011, on the face of it, is simply an interim order and not an order of disposal. Accordingly a specific query was made by the Court to the appellant, Sh. Dinesh Kumar Sharma who was present in person as to what is the status of the case before the Civil Court at present due to which his appeals before Deputy Commissioner (North-West) were adjourned sine-die. In response, Sh. Dinesh Kumar Sharma informed the Court that the said case in Civil Court has been disposed of by the Ld. ADJ vide his judgment dated December 13, 2012. Now in the light of this candid submission of the appellant, since the restriction on which the lower Court relied upon for adjourning the appeals before it sine-die, is no more in operation, it would be in the fitness of things if the appellant reverts to the Deputy Commissioner (North-West) for redress of his grievances. Accordingly the appeal is dismissed with liberty to the appellant to approach the Deputy Commissioner (North-West) for hearing of his pending appeals on merit.
3. File be consigned to record room after completion.

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