Serial No. 206
and 313

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

(Through Video Conferencing at Jammu)

CM No. 4736/2020 In
OWP No. 805/2016
RP No. 30/2020
CM No. 5172/2020
CM No. 5173/2020
Cav 1454/2020

Dev Raj and others …Petitioner(s)

Through:- Mr. Sunil Sethi, Sr. Advocate with
Mr. Waheed Choudhary, Advocate.

v/s

State of J and K and others ….Respondent(s)

Through:-Mr. R.K.S. Thakur, Advocate for R-4.

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

CM No. 4736/2020
RP No. 30/2020

1. This is an application seeking modification/ clarification of the order passed by this Court on 24.07.2020 in terms whereof it is recorded as under:-

> "Petitioner has filed an application seeking withdrawal of the writ petition.
>
> Mr. Sunil Sethi, Sr. Advocate appearing for the respondents concedes to the withdrawal of the writ petition.
>
> Application is allowed. Writ petition bearing OWP No. 805/2016 is dismissed as withdrawn along with connected IAs.
>
> Interim direction, if any, shall stand vacated."

2. According to Mr. Sunil Sethi, Sr. Advocate, appearing counsel for the petitioners, this Court had recorded inadvertently him to be as appearing counsel for the respondents when in fact he is appearing counsel for the petitioners and had filed an application seeking withdrawal of writ petition against the respondent No. 3, 5, 6 and 7 with whom the petitioner Nos. 1 to 8 have entered into a compromise on 17.03.2020.

3. Mr. Thakur, appearing counsel for the respondent No. 4 admits the above position. Perusal of the application demonstrates that there is substance in the submission made by the learned counsel for the parties and that the order passed by this Court wrongly reflected Mr. Sunil Sethi, Sr. Advocate appearing counsel for respondents conceding to the withdrawal of the writ petition.

4. Having regard to the contents of the application coupled with submissions made by learned appearing counsel for the parties, application is allowed and the order dated 24.07.2020, is recast as follows:-

> "Mr. Sunil Sethi, Sr. Advocate with
> Mr. Waheed Choudhary for petitioners/
> applicants.
> Mr. R.K.S. Thakur for respondent No. 4.
>
> Petitioners have filed an application for withdrawal of the writ petition against respondent Nos. 3, 5, 6 and 7 on account of having entered into a compromise qua the subject matter of the writ petition.
>
> Having regard to the contents of the application coupled with the submissions of Mr. Sunil Sethi, counsel for petitioners/applicants, writ petition shall stand dismissed as withdrawn in respect of respondent Nos. 3, 5, 6 and 7.
>
> Interim direction in respect of respondent Nos. 3, 5, 6, and 7 shall stand vacated."

5. In view of the aforesaid order, nothing remains to be adjudicated upon in the review petition bearing No.30/2020, which accordingly shall stands settled and disposed of.

(JAVED IQBAL WANI)
JUDGE

Jammu
14.12.2020
Renu

HIGH COURT
JAMMU & KASHMIR

RENU BALA
2020.12.16 17:01
I attest to the accuracy and
integrity of this document