

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

CM(493/2026) IN RFA 9/2026

Abdul Rehman Malik

...Appellant(s)

Through: Mr. Mohammad Saleem Mir, Advocate

Firdous Ahmad Dar

...Respondent(s)

Through:



CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

10.02.2026

1. Through filing of present time barred Civil First Appeal under Section 96 of the Code of Civil Procedure, 1908 the appellant/applicant aims to assail a money decree dated 16.07.2025 passed by the Court of learned 1st Additional District Judge, Baramulla in a civil suit on File No. 27/N of 2024 instituted by the respondent/plaintiff for recovery of an amount of Rs. 2, 00,000/- by reference to the dishonoured cheques.

2. The appellant/applicant refers to the averments made in the plaint to highlight that the manner in

which procurement of the cheques from him had taken place is *ex-facie* proving that the same was by resorting to coercive measures, allegedly by indulgence of the Police at the instance of the respondent/plaintiff.

3. For seeking condonation of delay, application CM No. 493/2026 has been filed.

4. However, before that the appellant/applicant is seeking exemption from placing on record certified copy of the judgment and decree, for which purpose CM No. 494/2026 has been preferred, which has taken this Court by sheer disbelief that the decree originally signed by the Judge in its photostat form has come to be on record of this file which could be possible only by the fact that the civil clerk of the concerned Court allowed the access to the person to have photostat copy of the same.

5. This Court directs the Registrar Vigilance, High Court of Jammu & Kashmir and Ladakh, to inquire into the matter as to how come the photostat copy of the original decree has landed out of the Court file.

6. Copy of this order along with this file be forwarded by the Registrar Judicial, Srinagar to

Registrar Vigilance, High Court of Jammu & Kashmir and Ladakh, who shall inquire into the matter to find out the delinquency at the end of the office of the 1st Additional District Judge, Baramulla and submit a report before this Court by or before the next date of hearing.

7. List again on **27.02.2026**.



SRINAGAR:

10.02.2026

"Mir Arif"