

Serial No. 34
Regular Cause List.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(937/2024) IN RFA 13/2024
C/DELAY CM(938/2024).

MUKHTAR AHMAD GANAI.

Through: Mr. Ah. Javaid, Advocate.

...Appellant (s)

VERSUS

SHABIR AHMAD BHAT.

Through: None.

...Respondent(s)

CORAM:
HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE.

ORDER
04-12-2024

CM No. 938/2024.

This is an application seeking condonation of delay in filing the appeal. Despite service of notice upon the respondents, nobody has appeared on behalf of the respondents.

In the application, it has been submitted that the appellant was not informed by his counsel about the outcome of the proceedings, as a result of which he had lost contact with his counsel on account of COVIC-19 Pandemic.

The application is supported with an affidavit of the appellant and since there is no opposition from the respondents, therefore, the averments made in the application have remained un rebutted. In view of the cause shown in the

application, the delay in filing the appeal is condoned. The main appeal is taken on board for admission.

The application is disposed of.

RFA No. 13/2024

Issue notice to the respondent.

Notice be sent to respondent through Process Serving Agency of the District Court, Srinagar.

In the meanwhile, subject to deposition of the decretal amount with the Registry of this Court within a period of (15) days, the impugned Judgment and Decree shall remain stayed. In case the amount is deposited before the Registrar Judicial, the same shall be kept in FDR initially for a period of six months, to be renewed periodically, thereafter.

Trial Court record be summoned.

Be listed on 25.02.2025.

(Sanjay Dhar)
Judge

SRINAGAR
04-12-2024
Showkat Khan