

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

**CM(M) 115/2026
CM(1957/2026)**

**Ghulam Hassain Ashraf
S/O Mohammad Bakir Ashraf
R/O Botakadal Srinagar.**

...Appellant(s)/Petitioner(s)

**Through: -
Mr. Farooq Ahmad Paul, Advocate.**

V/s

**Bilal Ahmad Baba
Prop: of Baba Carpets
S/O Ghulam Qadir Baba
R/O Pazwalpora, Shalimar, Srinagar.**

... Respondent(s)

Through:-

CORAM:

HON'BLE MR JUSTICE M. A. CHOWDHARY, JUDGE.

(ORDER)

17.04.2026

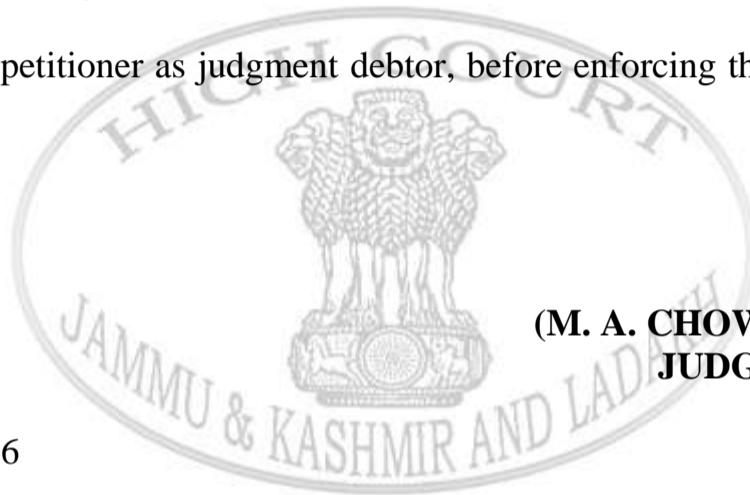
01. Petitioner, through the medium of this petition invoking the supervisory jurisdiction of this Court vested under Article 227 of the Constitution of India, seeks intervention/indulgence against order dated 23rd of August, 2024 passed by the Court of learned 2nd Additional District Judge, Srinagar as Executing Court in an execution petition titled "*Bilal Ahmad Baba vs. Ghulam Hussain Ashraf & Anr.*"

02. The learned counsel for the petitioner argued that the petitioner as judgment debtor, has moved an application to the Executing Court under Section 47 of the CPC to seek adjudication of the questions arising out of the alleged ambiguity of judgement and decree passed by the Court, sought

to be enforced in the writ petition and that the Executing Court directed the deposit of the decreed amount without first adjudicating this application.

03. Since there is no order passed on the application so as to be detrimental to the interest of the petitioner herein, the petition seems to be premature and is, as such, **dismissed *in limine*** along with pending application(s).

04. The Executing Court, however, is directed to consider the application moved by the petitioner as judgment debtor, before enforcing the decree in question.



(M. A. CHOWDHARY)
JUDGE

SRINAGAR
April 17th, 2026
"Shoaib javid"