

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

**CM(2118/2026) IN
CM(M) 127/2026 CM(2119/2026)**

**Ishfaq Ahmad Mir
S/O Ab Gani Mir,
R/O Kathipora Yaripora,
District Kulgam.**

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

**Through: -
Mr. Sajad Ashraf, Advocate.**

V/s

**Nazir Ahmad Wagay,
S/O Mohd Shaban Wagay,
R/O Hiller Shahabad,
Tehsil Dooru, District Anantnag.**

... Respondent(s)

Through:-

CORAM:

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

(ORDER)

21.04.2026

CM No. 2118/2026:-

01. This is an application moved by the petitioner seeking dispensing of requirement of placing on record the certified copy of Order dated 11th of April, 2026, along with copy of execution petition.

02. The application, for the reasons stated therein and those urged at the Bar, is allowed and petitioner is dispensed with the requirement of placing on record, the certified copy of Order dated 11th of April, 2026 along with copy of execution petition.

03. **Disposed of.**

CM(M) No. 127/2026:

04. Petitioner, through the medium of this petition, invoking supervisory jurisdiction of this Court, asserts that in a case under Section 138 of Negotiable Instruments Act between the parties, the parties had reached a compromise and on entering the compromise, the Lok Adalat had made an

award in terms of the compromise stipulating that the total amount of Rs. 3,42,000/- (rupees three lakh, forty-two thousand only) shall be paid in monthly instalments on or before every 10th day of the month starting from 10th of October, 2025.

05. Learned counsel for the petitioner submits that the petitioner, as an accused before the Court below, had paid more than Rs. 60,000/- (rupees sixty thousand only) and, thus, has not defaulted in making payment, however, the Trial Court has been taking up the execution petition every now and then and has finally issued warrant of arrest against the petitioner herein on 11th of April, 2026 and the matter has been next listed for 23rd of April, 2026.

06. In view of the pleadings and submissions urged at the Bar, this Court is of the opinion that the matter does not require any detailed adjudication and this petition can be disposed of at this stage with directions to the Execution Court to enforce the order in terms of the Lok Adalat Award. Ordered accordingly. Needless to state that the Executing Court is under an obligation to list the matter in terms of the conditions of the Lok Adalat Award, so as to ensure that the petitioner pays the monthly instalment by 10th day of every month and the Executing Court shall ensure that no inconvenience is caused to any of the party as per terms of the award. The impugned non-bailable warrant issued against the petitioner is hereby quashed, with direction to the petitioner to appear before the Executing Court on the next date fixed.

07. This petition is, thus, **disposed** of, in the above terms along with all pending application(s).

(M. A. CHOWDHARY)
JUDGE

SRINAGAR
April 21st, 2026
"Shoaib javid"