

**HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR
(Through Video Conferencing)**

CM No. 3112/2021 in
CR No. 12/2021

Mohammad Qasim Malik

.....Appellant/Petitioner(s)

Through :- Mr. Q. R. Shamas, Advocate

v/s

Neelofar Begum and others

.....Respondent(s)

Through :- None.

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER

CM No. 3112/2021

The instant application has been filed by the petitioner seeking extension of time for filing the affidavit, stamp and court fee etc in support of the bail application.

For the reasons stated in the application, the same is allowed. The petitioner shall do the needful immediately after the normal functioning of the Courts begins.

Application is, accordingly, **disposed of**.

CR No. 12/2021

Learned counsel for the petitioner prays that the present petition be treated under Article 227 of the Constitution of India.

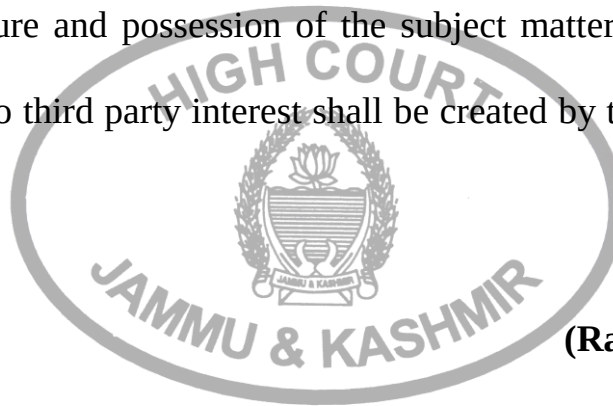
Prayer is accepted. The present petition be treated as petition under Article 227 of the Constitution of India.

It is contended that the issue in the subsequent suit was substantially different to that of earlier suit, as such, the trial court could not have stayed the subsequent suit. It is further submitted that the trial court has also vacated the interim order passed in an application for grant of interim relief.

Notice to the respondents. Steps for service within 15 days.

List on 08.07.2021.

Meanwhile, till next date before the Bench, status quo on spot with regard to the nature and possession of the subject matter of the suit shall be maintained and no third party interest shall be created by the respondents vis a vis suit property.



(Rajnish Oswal)
Judge

SRINAGAR
12.05.2021
Rakesh