

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

CRM(M) 311/2024

CrIM(1548/2024) CrIM(757/2024) CrIM(758/2024)

PARVAIZ AHMAD WAGAY

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

Through: Mr. Mir Umar, Advocate

Vs

MOHAMMAD ALTAF WANI

...Respondent(s)

Through: Ms. Masooda Jan, Advocate

**CORAM:****HON'BLE MR JUSTICE RAHUL BHARTI, JUDGE****ORDER****25.02.2025**

1. In terms of an order dated 04-06-2024, this court came to relax the situation for the petitioner to come out of the civil imprisonment to which he was subjected to pursuant to the execution taken out by the respondent qua the lok adalat award dated 08-12-2018 passed on File No. 35-A which warranted payment of Rs. 27,37,000/- by the petitioner to the respondent within a period of six months starting from 08-12-2018 on monthly installment basis of Rs. 4,56,166/-.
2. The lok adalat award dated 08.12.2018 has remained unquestioned and as such the petitioner cannot expect and escape from the liability self-invited by him, that too, by mode of settlement in a lok adalat.

3. It is reported that the petitioner did not pay even a single penny against the liability to be cleared in terms of the award. The petitioner is obviously playing a time gaining game against the respondent and the present litigation is also an exploit in that regard by the petitioner.
4. This court got the petitioner released from the civil imprisonment in terms of the directions as given in an order dated 04-06-2024. In case the petitioner is having bonafide at his end and disposal then petitioner must come forward with an affidavit declaring his movable as well as immovable property owned and possessed by him in his own name and right by next date of hearing failing which this court shall be constrained to pass appropriate orders with respect to the disposal of the present petition which may not entail any positive outcome for the petitioner to cherish.
5. In the event of default on the part of the petitioner to come up with the requisite affidavit by the next date of hearing, the petitioner may suffer risk of recalling of direction as given in the order dated 04-06-2024.
6. Heard in part.
7. List on 17-03-2025.

**(RAHUL BHARTI)**  
**JUDGE**

**SRINAGAR**  
**25.02.2025**  
AAMIR