

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

CM No. 4250/2026 in
CM(M) No. 275/2026

Abid Hussain Kapra

..... Appellant/petitioner(s)

Through: -
Ms. Asma Rashid, Advocate

V/S

Ashiq Hussain Dar

..... Respondent(s)

Through: -

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

(ORDER)

14.07.2026

CM No. 4250/2026

01. For the reasons stated in the application, same is allowed and the requirement of filing a certified copy of impugned award with the appeal is dispensed with. The same shall be filed by or before the next date of hearing.
02. CM is disposed of.

CM(M) No. 275/2026

01. By this petition, petitioner has challenged the order dated 06.07.2026, passed by the Court of 2nd Additional District Judge, Srinagar in Execution Petition No. 264/2024, whereby the petitioner has been ordered to be sent to civil prison. The petitioner has also challenged the order dated 01.09.2025, passed by the learned Principal District and Sessions Judge, Srinagar along with execution proceedings.

02. It is stated by learned counsel for the petitioner that the respondent herein, had preferred an execution petition for execution of award passed by the arbitral Tribunal dated 24.03.2022, to the tune of Rs. 9,71,200/- along with interest @ 6% from the date of award till its realization. The said Execution petition bearing File No. 05/Execution was withdrawn by the respondent herein on 08.05.2023, on the basis of the compromise arrived at between the parties. However, the respondent has later preferred other execution petition before the Court of 2nd Additional District Judge, Srinagar.
03. It is stated by learned counsel for the petitioner that she has specifically stated in the objections that the compromise was made between the parties and the first execution petition filed by the respondent earlier in time was settled on the basis of compromise, however the same has not been considered by the learned 2nd Additional District Judge, Srinagar.
04. Notice to the respondents returnable by or before the next date of hearing.
05. Registry is directed to summon the digitized record from the Court of 2nd Additional District Judge, Srinagar of both the execution petitions.
06. List on 20.07.2026.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
14.07.2026
"Mohammad Yasin Dar"