

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

**FAO 30/2025
CM(5368/2025)**

M/S Ibm Associates Pharmaceutical Distributors Th Managing Partner. ...Appellant(s)

Through: Mr. Vaseem Ashraf, Advocate &
Mr. Huzaif Ashraf, Advocate.

Vs.

Eswar Therapeutics Pvt. Ltd. & Anr. ...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER
26.08.2025

01. The appellant is the plaintiff who has commenced a civil suit bearing on file No. 2754/2025 before the court of learned Additional District Judge, Srinagar thereby seeking a decree of permanent prohibitory injunction with respect to the purported agency held by the appellant/plaintiff from the respondent No. 1/defendant No. 1, as being the principal, relatable to the pharmaceutical business of respondent No. 1/defendant No. 1 for the Kashmir Valley.

02. The appellant/plaintiff claims to have been constituted as an agent of the respondent No.

1/defendant No.1 by virtue of an oral dealing in the month of July, 2017 on the basis of which the appellant/plaintiff is said to have been carrying on the agency till by the purported email attributed to the respondents/defendants, whereby the agency vested in the appellant/plaintiff was meant to be terminated thereby affording a cause of action for the appellant/plaintiff to lay the suit accompanied with an application under Order 39 rule (1) and (2) of the Code of Civil Procedure, 1908 which came to be dismissed by virtue of an order dated **15.07.2025** against which the appellant/plaintiff is in the present civil miscellaneous appeal under Order 43 rule (1) of the Code of Civil Procedure, 1908.

03. Issue notice to the respondents returnable within a period of four weeks.

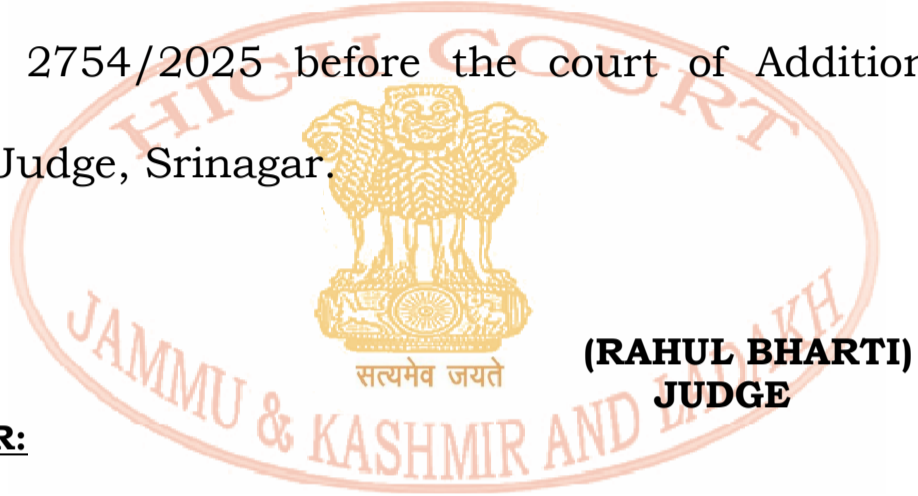
04. Appellant/plaintiff to furnish registered postal covers within a period of seven days, whereupon notices to go to the respondents.

05. Notice in CM No. 5368/2025 also.

06. List again on **29.09.2025**.

07. In the meantime, order dated **15.07.2025** passed by the court of learned Additional District Judge, Srinagar on File No. 2754/2025 is hereby stayed till next date of hearing.

08. Send for the scanned record of the civil suit in File No. 2754/2025 before the court of Additional District Judge, Srinagar.



SRINAGAR:
26.08.2025
"MIR ARIF"