

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

CM(M) 358/2024 CM(5798/2024)

HAROON CEMENT FACTORY PRIVATE LIMITED AND ...Petitioner(s)/Appellant(s)
ORS

Through: Ms. Rehana Fayaz, Advocate

Vs

MOLVI GHULAM RASOOL AND ORS ...Respondent(s)

Through:

CORAM:
HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
19.09.2024

Petitioners have challenged the order dated 08.08.2024, passed by the Court of Munsiff/JMIC, Ganderbal, in a civil suit titled “*Molvi Ghulam Rasool and Others vs Haroon Cement Factory Private Limited and Another*” in case No. 915/2023 whereby the written statement of the petitioners has been disallowed from being placed on record.

Learned counsel for the petitioners submits that the defendants-petitioners herein caused their appearance through counsel but no notice was served upon them to file a written statement, either on 16.12.2023, when the defendants first appeared through their counsel, or on 05.02.2024, when the trial court did not hold the proceedings due to the Presiding Officer being busy at the Bandipora Court.

Notice in the main case as well as in CM returnable within a period of four weeks’.

Steps for service within one week.

List on 20.11.2024.

In the meantime, subject to objections from other side and till next date of hearing, the impugned order dated 08.08.2024 passed by the Court of Munsiff/JMIC, Ganderbal shall remain stayed.

Alteration/modification/vacation on motion.

Registry is directed to summon the digitized record from the court below by or before next date of hearing.

SRINAGAR
19.09.2024
Aamir

