

Serial No. 08
Regular List

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

CM(M) No. 5/2026

Shiv Ram

.....Petitioner

Through: Mr. Mohd. Latif Malik, Advocate

Vs

Amar Nath

.....Respondent

Through:

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
(15.04.2026)**

- 01.** Reading of three and a half pages' order passed by the court of learned Additional District Judge, Samba leaves this Court wondering that if due application of mind on the part of the Presiding Officer of the court of learned Additional District Judge, Samba has suffered miss to the extent of coming up with an incorrect reference of a very crucial date of actual filing of the written statement.
- 02.** Passing of an interim order dated **03.12.2024** stating therein that copy of the written statement handed over to the counsel for the defendant is indicative of lack of due care in text of a judicial order, then surely the quality of application of judicial mind is reflecting itself in bad light by reference to dated 04.10.2025 of filing of written

statement which constrains this Court to send for the original file of civil suit from the court of learned Additional District Judge, Samba **on file No. 440/2024 titled "Shiv Ram Vs. Amar Nath"**.

- 03.** A copy of this order be forwarded by the Registrar Judicial, Jammu to the Presiding Officer of the court of learned Additional District Judge, Samba, to dispatch the original suit file positively by next date of hearing.
- 04.** List this case on **27.04.2026**, in continuation.

JAMMU
15.04.2026
SUNIL

