



2021:JKLHC-JMU:12246

Suppl List no. 1  
S.No. 01

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

(Through Video Conference)

CM No. 89727/2021 in

RP No. 56/2019

Rakesh Nanda and Anr.

... Petitioner(s)

Through: Mr. P.S.Pawar, Advocate

V/s

Chaman Lal and Ors.

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**

**06.12.2021**

Notice to the respondents returnable within four weeks.

Requisite steps for service within one week.

List on 9<sup>th</sup> February, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 132

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

CM No. 7908/2021 in  
OWP No. 34/2018

Ali Mohammad Dar

... Petitioner(s)

Through: Mr. S.R.Hussain, Adv.

V/s

State of JK

Through: Mr. Z.Qureshi, Sr. Adv, with Ms.  
Rehana Qayoom, Adv.

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Mr. S.R.Hussain, learned counsel for the non-applicant, submits that the parties have amicably settled the issue.

Mr. Z.A. Qureshi, learned senior counsel, seeks some time to have fresh instructions in the matter. May do so by the next date of hearing.

List on 24.12.2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 133

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

CM(M) No. 193/2021  
CM No.7980/2021

Mehraj-ud-Din Mehrab & Another

... Petitioner(s)

Through: Mr. P.S.Ahmad, Adv.

V/s

Registrar and others

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Notice to the respondents returnable within two weeks.

Dasti service also permitted.

List on 30<sup>th</sup> December, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



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

CM (M) No. 194/2021  
CM No. 7997/2021

Safia Jeelani and Another

... Petitioner(s)

Through: Mr. G.A.Lone, Advocate

V/s

Saira Jeelani

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Impugned in this petition is Order dated 30<sup>th</sup> October, 2021, whereby the application of the petitioners-defendants for setting aside the ex-parte proceedings initiated on 29<sup>th</sup> May, 2019, has been rejected on the ground that it was not accompanied by an application for condonation of delay and also that the power of attorney appended with the application was not free from suspicious.

Learned counsel for the petitioners submits that, so far as, the application for setting aside the ex-parte proceedings is concerned, the same can be filed at any time before the matter is taken up for hearing and, therefore, he had approached the court well before the date fixed for hearing, as such, the application was not belated.

Heard Mr. G.A.Lone, learned counsel for the petitioners and perused the material on record.

Notice in the main as well as in CM, returnable within four weeks.

Requisite steps for service within one week.

List on 3<sup>rd</sup> March, 2022.

In the meanwhile, subject to objections and till next date of hearing, there shall be no further proceedings in the suit.

**(SANJEEV KUMAR)**  
**JUDGE**



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 135

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

WP (C) No. 439/2021  
CM No. 1381/2021  
CM No. 5363/2021  
CM No. 5693/2021

Badri Nath

... Petitioner(s)

Through: Mr. G.A.Lone, Adv.

V/s

UT of JK and others

Through: Mr. Areeb Kawoosa, Adv.  
Mr. Irfan Andleeb, Dy.AG.

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

From the Order dated 29<sup>th</sup> November, 2021, it transpires that the matter has been heard in part by the Coordinate Bench of this Court.

Registry shall list this case before the same Bench after obtaining necessary orders from Hon'ble the Chief Justice, preferably, in the course of this week.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 136

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

CCP (S) No. 566/2021

Ghulam Mohi-ud-Din Sheikh and Another

... Petitioner(s)

Through: Mr. Hilal A.Wani, Adv.

V/s

Fayaz Ahmad Banday and Another

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Notice to the respondents returnable within four weeks.

Requisite steps for service within one week.

Dasti service also permitted.

List on 4<sup>th</sup> March, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 137

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

Farooq Ahmad Chesti

CCP (S) No. 567/2021

... Petitioner(s)

Through: Mr. Parveez Wani, Adv.

V/s

Aijaz Ahmad Dar and others

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Notice to the respondents returnable within four weeks.

Requisite steps for service within one week.

Dasti service also permitted.

List on 4<sup>th</sup> March, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 138

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

WP (C ) No. 935/2021  
CM No. 2996/2021  
CM No. 5678/2021  
CM No. 7004/2021  
Caveat No. 375/2021

Owais Adil Parray

... Petitioner(s)

Through: Mr. Aswad Attar, Adv, vice Mr.  
R.A.Jan, Sr. Adv.

V/s

UT of J&K and others

Through: Mr. B.A.Dar. Sr.AAG.  
Ms. Saima Mehboob, Adv.  
Mr. A.H.Naik, Sr. Adv, with Athar  
Hussain, Adv.

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Adjournment is sought on behalf of Mr. R.A. Jan, learned senior counsel on the ground that he is not available today due to his personal reasons.

Adjourned.

List on 17<sup>th</sup> December, 2021, higher up.

Interim direction, if any, shall continue till next date of hearing.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 140

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

WP (C) No. 2428/2021  
CM No. 7750/2021  
Caveat No. 1815/2021

Arif Jan Qadri

... Petitioner(s)

Through: Mr. Mohammad Ashraf Bhat, Adv.

V/s

J&K Special Tribunal Srinagar and others

Through: Mr. Sajad Geelani, Adv.

Mr. Aqib vice Mr. Sajad Mir, Adv.

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

List day after tomorrow i.e., 8<sup>th</sup> December, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 141

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

WP (C) No. 2435/2021  
CM No. 7773/2021

Abdul Qayoom Dar

... Petitioner(s)

Through: Mr. M.M.Dar, Adv.

V/s

UT of J&K and others

Through: Mr. Momin Khan, Adv.  
Mr. A.Chesti, Adv.

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

Learned counsel for the petitioner submits that in view of the Judgment rendered by the Division Bench on 01.12.2021 in LPA No. 76/2020, the impugned order is liable to be assailed by way of revision before the Tribunal. He, therefore, seeks leave of this Court to withdraw this petition with liberty to approach the Jammu and Kashmir Special Tribunal. Statement of Mr. Dar is taken on record.

**Dismissed** as withdrawn.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



2021:JKLHC-JMU:12246

Suppl. List 1  
Serial No. 142

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

WP (C ) No. 2472/2021  
CM No. 7877/2021  
Caveat No. 1782/2021

Rubeena Begum

... Petitioner(s)

Through: Mr. Sheikh Manzoor, Adv.

V/s

UT of J&K and others

Through: Mr. Mir Suhail, AAG.

Mr. Sajad Geelani, Adv, for Caveator

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**  
**06.12.2021**

**Caveat No. 1782/2021**

Since the caveator is not a party in this petition and, therefore, the caveat petition is not maintainable and is, accordingly, **dismissed**. The caveator is free to lay an appropriate motion for being impleaded as party-respondent in the main petition.

**WP(C) 2472/2021**

Mr. Mir Suhail, learned AAG, seeks and is granted two weeks' time to file objections. He shall also keep the original record available pertaining to no confidence motion, if any moved, for perusal of this Court.

List on 30<sup>th</sup> December, 2021.

**(SANJEEV KUMAR)**  
**JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"



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

WP (C ) No. 2478/2021  
CM No. 7889/2021

Abdul Gani Ganie and Another

... Petitioner(s)

Through: Mr. Sheikh Manzoor, Adv.

V/s

UT of J&K and others

Through:

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE**

**ORDER**

**06.12.2021**

Through the medium of this petition, a notice of appearance issued by the Naib Tehsildar, Handwara, is assailed on the ground that the Naib Tehsildar does not have jurisdiction to initiate any proceedings under Jammu and Kashmir Migrant Immovable Property (preservation, Protection and Restraint on Distress Sales) Act, 1997.

Learned counsel for the petitioners submits that the petitioners have already appeared before the Naib Tehsildar concerned and have urged the plea that the Naib Tehsildar under the Act does not possess the requisite jurisdiction.

Be that as it may, since the Naib Tehsildar has only issued notice for appearance of the petitioners and, therefore, it is open to the petitioners to object to the jurisdiction of Naib Tehsildar by filing an appropriate application.

This petition is, accordingly, disposed of by providing that in case the petitioners move formal application before the Naib Tehsildar, who has issued the notice, and raise the plea of jurisdiction, the same shall be decided by the Naib Tehsildar in the first instance before proceeding further in the matter.

**Disposed of** along with connected CM(s) in the aforesaid terms.

**(SANJEEV KUMAR)  
JUDGE**

Srinagar  
06.12.2021  
"Shamim Dar"