

Serial No. 10
Regular List

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

WP(C) No. 2973/2019

Naresh Kumar & Ors.

.....Petitioners

Through: Mr. Nigam P. Saroop, Advocate vice
Mr. R.P. Sharma, Sr. Advocate

Vs

Kamal Kishore & Anr.

.....Respondent

Through: Mr. Sandeep Singh, Advocate

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

ORDER
(02.12.2025)

- 01.** The sole petitioner-Sohan Lal expired on **27.11.2021**.
Mention to this effect is made in order dated 14.06.2023.
- 02.** For bringing on record the legal representatives of the
deceased writ petitioner-Sohan Lal, application **CM No.**
4152/2023 came to be allowed thereby bringing on
record the named legal representatives as petitioners in
place of the original writ petitioner.
- 03.** One of the legal representatives of the deceased writ
petitioner is Naresh Kumar as being son.
- 04.** Application CM No. 4152/2023 for bringing on record
legal representatives was also supported by an affidavit of
said Naresh Kumar, however, only Naresh Kumar has

executed vakalatnama (Power of Attorney) in favour of learned Senior Advocate Mr. Rameshwar P. Sharma dating back on **12.07.2023** when application was preferred for bringing on record the legal representatives.

- 05.** As on date, there is no vakalatnama on behalf of all the legal representatives of the deceased writ petitioner in favour of any Advocate to pursue the matter.
- 06.** Therefore, this Court calls upon Mr. Pranav Nanda, Associate of Mr. Rameshwar P. Sharma, learned Senior Advocate to get the vakalatnama of all the legal representatives filed positively by or before the next date of hearing failing which this Court shall be constrained to dismiss the writ petition as being pursued by none as without vakalatnama there cannot be an appearance of an Advocate and more particularly when the present petition relates to a proceedings in a civil suit initiated by the deceased-petitioner-Sohan Lal for a permanent prohibitory injunction preferred before the court of Additional Special Mobile Magistrate, Samba on file No. 275/Civil.
- 07.** This Court, in terms of an order dated 19.08.2019, came to order stay of proceedings in the suit before the trial court which means that the legal representatives of the

deceased plaintiff-Sohan Lal are yet to bring themselves on record in the civil suit to carry forward the civil suit towards its logical end.

- 08.** The institution of this petition under article 227 of the Constitution of India came to take place being aggrieved of an order dated **12.07.2019** passed by the trial court dismissing the application filed by the deceased-sole plaintiff/petitioner-Sohan Lal now deceased seeking placement of documents on record when the evidence in the case has been led.
- 09.** Thus, the civil suit which was at the fag end of its trial came to be held up because of intervention of this Court coming in the form of entertainment of this petition which has now lasted for more than six years in running.
- 10.** This Court, therefore, grants a last opportunity for the counsel for the legal representatives to come forward with vakalatnama and arguments in the case on the next date of hearing, failing which, appropriate order shall be passed at the risk and cost of the defaulting counsel for the petitioners.
- 11.** List this case again on **16.12.2025** with liberty to make a mention.

12. In the meantime, Registrar Judicial Jammu is directed to get the scanned copy of the original civil suit from the court of Additional Special Mobile Magistrate, Samba on **file No. 275/Civil** titled as "**Sohan Lal Vs. Kamal Kishore & Ors.**" positively by or before the next date of hearing without any default otherwise, the defaulting official will be put to explanation.
13. Interim directions to continue till next date of hearing only.

JAMMU
02.12.2025
SUNIL

