

Serial No. 03

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

Case:- CM No. 3204/2025 In
CM(M) No. 275/2024

Samitri Devi Alias Mohini Devi

.....Applicant(s)/Petitioner(s)

Through: Mr. Himanshu Beotra, Advocate

Vs

Bhuvnesh & Ors.

.....Respondent(s)

Through: Mr. Ravinder Sharma, Advocate.

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

ORDER
(04.06.2025)

01. CM(M) No. 89 of 2024 preferred by the petitioner herein - Samitri Devi came to be *disposed of* by this Court in terms of an order dated 13.05.2024, thereby directing the trial court of learned 2nd Additional Munsiff, Jammu to *dispose of* a pending temporary injunction application in a civil suit preferred by the petitioner – Samitri Devi, within a period of 30 days, and in case an extension of time was so required then to seek the said extension from the court of the learned Principal District Judge, Jammu, by showing reasons for default on the part of the court in not *disposing of* the temporary injunction application within the time given by this Court.

02. It seems that the extension of time came to be availed from the learned Principal District Judge, Jammu, but still the temporary injunction application remained un-adjudicated.

03. CM(M) No. 275/2024 came to be preferred again by the petitioner - Samitri Devi which came to be *disposed of* by this Court in terms of an order dated 20.12.2024 with a direction unto the learned 2nd Additional Munsiff, Jammu to *dispose of* the pending temporary injunction application on merits by or before 31.12.2024.

04. The Registrar Judicial, Jammu was directed to forward copy of the order dated 20.12.2024 to the learned 2nd Additional Munsiff, Jammu.

05. If learned 2nd Additional Munsiff, Jammu is to be believed as per her communication No. 197/SAMJ dated 18.01.2025 then copy of said order dated 20.12.2024 of this Court remained unforwarded to her till 18.01.2025 but nevertheless she came to seek extension of time from this Court.

06. In her communication No. 197/SAMJ dated 18.01.2025, the learned 2nd Additional Munsiff, Jammu has put herself on record to say that when the case was posted for hearing on 18.01.2025, it is the counsel for the defendant who produced photocopy of order dated 20.12.2024 of this Court which led to the notice of the learned 2nd Additional Munsiff,

Jammu that she was supposed to *dispose of* temporary injunction application by or before 31.12.2024.

07. Understood simply, the learned 2nd Additional Munsiff, Jammu intends to say that the Registrar Judicial, Jammu had not forwarded the copy of order dated 20.12.2024 to the court of learned 2nd Additional Munsiff, Jammu till 18.01.2025. If that is so, then there is also serious dereliction of duty on the part of office of the Registrar Judicial, Jammu.

08. The Registrar Judicial, Jammu needs to set the office to order with the matter as to why the copy of order dated 20.12.2024 in CM(M) No. 275/2024 came to be forwarded late to the learned 2nd Additional Munsiff, Jammu.

09. The learned 2nd Additional Munsiff, Jammu has now come forward with supplementary communication No. 262/SAMJ dated 24.05.2025 reiterating her request for extension of time by saying that the extension of time was solicited in terms of communication No. 197/SAMJ dated 18.01.2025 has not come forth from the end of High Court.

10. This Court, therefore, extends time in favour of the court of learned 2nd Additional Munsiff, Jammu to *dispose of* the pending temporary injunction application in the suit by or before 15.07.2025 without fail, be it with or without the assistance from the respective counsel for the two sides to the litigation by

carrying out perusal of the pleadings and the documents therewith and to come forward with a final order bearing reasons.

11. The Registrar Judicial, Jammu is directed to forward a copy of this order to reach the court of learned 2nd Additional Munsiff, Jammu by or before coming **Friday i.e., 06.06.2025**.

12. CM No. 3204/2025 is, accordingly, ***disposed of***.

(RAHUL BHARTI)
JUDGE

JAMMU
04.06.2025

Bunty

