

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

CM(M) No. 153/2025

CM No. 3342/2025

CM No. 3343/2025

**Rajneesh, aged 53 years,
S/o Om Parkash,
R/o Purani Mandi, Jammu
At present Lane No. 01,
Near Samta Rising School,
Suraksha Vihar, Paloura Top,
Jammu**

.....Appellant(s)/Petitioner(s)

Through: Mr. Koshal Parihar, Advocate

Vs

- 1. Parul Sharma
D/o Late Sh. Anil Kumar,
R/o Ward No. 3, Udhampur**
- 2. Sunil Abrol,
S/o Tara Chand,
R/o Village Kot,
Tehsil Bhalwal, District Jammu
Attorney holder of respondent No. 1**

.....Respondent(s)

- 3. Asha Kumari,
W/o Sh. Ramesh Chander,
R/o Village Kot, Tehsil Bhalwal,
District Jammu.**

.....Proforma Respondent(s)

Through:

**CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(02.06.2025)**

- 01.** Upon examination of the matter, this Court has come across with a situation which is as under:-

- i. On 04.04.2025, the respondent No. 1-Parul Sharma, purportedly acting through the respondent No. 2-Sunil Abrol as his attorney, files a civil suit against the respondent No. 3-Smt. Asha Kumari on file No. 337/2025 before the court of **1st Additional Munsiff (Forest Magistrate), Jammu** thereby seeking a decree of permanent prohibitory injunction with mandatory injunction with respect to suit property comprised of 15 marlas of land in khasra No. 2845 min of village Kote tehsil Bhalwal and district Jammu.
- ii. Following the institution of the aforesaid suit, comes a civil suit filed by the petitioner-Rajneesh herein on file No. 3763/2025 on 29.04.2025 before the court of **3rd Additional Munsiff, Jammu**. The institution of the suit before the court of **3rd Additional Munsiff, Jammu** is against the respondent No. 1-Parul Sharma and respondent No. 2-Sunil Abrol.
- iii. The respondent No. 3-Asha Kumari is the sister of petitioner-Rajneesh.
- iv. The suit filed by the petitioner-Rajneesh before the court of **3rd Additional Munsiff, Jammu** on 29.04.2025 is also for permanent prohibitory injunction with respect to land measuring 1 kanal comprised in khasra No. 2845 min of village Kot, tehsil Bhalwal.

v. While these two suits are said to be pending in different courts quo same subject property, it has come to be apprised to this Court that the respondent No. 1-Parul Sharma has also filed a suit against respondent No. 2 with respect to revocation of attorney granted to him. This suit is also reported to be pending before the court of **3rd Additional Munsiff, Jammu**

02. The petitioner-Rajneesh is aggrieved of the manner in which the court of **1st Additional Munsiff (Forest Magistrate), Jammu** has come to exercise the jurisdiction in the matter of carrying out correction of order dated 04.04.2025 read with impugned order dated 14.05.2025 and for that purpose is invoking the supervisory jurisdiction of this Court under article 227 of the Constitution of India.

03. Without delving into the merits of the case, this Court deems it appropriate to direct the learned Principal District Judge, Jammu to transfer all the three civil suits above referred to the court of any of Sub-Judge/s so as to facilitate the trial of the matter by the same court. The Sub-Judge to whom all these three civil suits may come to be assigned for adjudication, to hear the petitioner-Rajneesh with respect to his grievance related to the issuance of order dated 14.05.2025 passed by the court of **1st**

Additional Munsiff, Jammu and then to pass fresh order thereupon.

- 04.** In the meantime, order dated 14.05.2025 passed by the court of **1st Additional Munsiff, Jammu** to stay in abeyance.
- 05.** A copy of this order be given to Mr. Koshal Parihar, learned counsel for the petitioner-Rajneesh under the seal and signature of Bench Secretary of this Court for the purpose of providing it to the learned Principal District Judge, Jammu for enabling him to withdraw the three cases from the two courts and transfer the same to the court of Sub-Judge, Jammu to be listed before vacation for considering the matter afresh in the context of the application filed by respondent No. 1 seeking the implementation of order dated 04.04.2025 through Police.
- 06.** The writ petition is accordingly, ***disposed of*** along with connected application(s).

(RAHUL BHARTI)
JUDGE

JAMMU
02.06.2025
SUNIL