

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 718/2024
CM(1910/2024)

WASEEM SHAFI LONE ...Petitioner(s)

Through: Mr. Mohammad Altaf Khan, Advocate with
Ms. Bushra, Advocate

Vs.

JAMMU AND KASHMIR BANK LIMITED ...Respondent(s)
AND ORS.

Through: Mr. Shafqat Nazir, Advocate with
Ms. Heena Baqal, Advocate
Ms. Rehana, Advocate vice
Mr. T.M. Shamsi, DSGI
Mr. Rabinder Singh, Advocate

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

ORDER
10.12.2025

01.On 04.11.2025, learned counsel appearing for the petitioner on instructions submitted before this Court that the petitioner was neither a borrower nor the owner of property which was the subject matter of the impugned notices issued by the Respondent-Bank. She even prayed for deletion of his name from the array of notices.

02. Taking note of the aforesaid statement made by the learned counsel and with a view to verify, we directed the Manager/Incharge J&K Bank, Rangreth Branch

Srinagar to appear in person along with loan file to explain the position.

03. On the last date of hearing i.e 11.11.2025, Mr. Andleeb Khursheed, Manager (Advances), J&K Bank, Rangreth Branch Srinagar appeared in person along with the loan file before us, a perusal whereof clearly indicated that not only the petitioner was a borrower but he was also a signatory to many loan documents including the Mortgage Deed with regard to the secured assets. The statement made by the learned counsel was thus found false and misleading.

04. Taking serious view of the matter, we called upon Mr. Mohammad Altaf Khan, learned counsel representing the petitioner to appear before us and explain his position.

05. Today, he has come present and submits that whatever he is stated in the petition or before this Court was on instructions and that he has no personal knowledge. Though we cannot countenance the position that learned counsel had not gone through the documents before he took a stand on behalf of petitioner in the Court, may be on the instructions of his client, yet having regard to the fact that the petitioner has tried to mislead the Court and obtain favourable orders by misrepresenting the facts, we are not inclined to exercise our extraordinary

jurisdiction vested in us under Article 226 of the Constitution of India.

06. Needless to say that a person who seeks equity must do equity.

07. In the instant case there is ample evidence to show that the petitioner has approached this Court with unclean hands in an attempt to hoodwink the Court, such litigants are required to be discouraged and treated with iron hands so that others do not follow suit.

08. Having regard to the facts and circumstances of the case and the observations made above, we find no merit in this petition and the same is accordingly **dismissed** along with exemplary costs of Rs. 1.00 lac to be deposited by the petitioner before the Registry of this Court within a period of four weeks, failing which the Registry shall frame a Robkar and place the matter before us.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

10.12.2025

"S. Nuzhatí"

Whether the order is reportable?

Yes/No