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Regular

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

Date of pronouncement : 27.01.2026

Uploaded on: 31.01.2026

CM No. 39/2026

in CM(M) No. 205/2022

Mtr. Fatima and anr.

..... Petitioner(s)

Through: Mr. P S Ahmad, Advocate
(through VC)

V/s

State of J&K and Ors.

..... Respondent(s)

Through:

Coram:

Hon'ble Mr. Justice Rahul Bharti, Judge

ORDER

27.01.2026

1. Mtr. Fatima and Mtr. Haleema came forward as two petitioners with their petition under Article 227 of the Constitution of India read with Section 104 of the Constitution of Jammu and Kashmir filed on 12.12.2013 thereby challenging orders passed in terms of adjudication done under the Agrarian Reforms Act, 1976 which had culminated with final order dated 24.06.2003 on File No. STS/700/2001 of the Jammu and Kashmir Special Tribunal in a case titled "*Akbar Bhat Vs. Mukthar Ahmad and Others*".

2. Said petition was diarized as OWP No 1842/2013.
3. Thereafter, a Civil Revision CR No. 30/2013 came to be filed by Mukhtar Ahmad and another in which Mtr. Fatima and Mtr Haleema came to be named as two respondents.
4. In this Civil Revision CR No. 30/2013, an order dated 08.05.2013 passed by the court of 3rd Additional Munsiff, Srinagar in a civil suit titled "*Akbar Bhat Vs. Mukthair Ahmad and others*" came to be questioned.
5. The petition OWP No. 1842/2013 came to be connected and tagged with Civil Revision CR No. 30/2013 and that is how two cases came to be accorded common proceedings w.e.f 11.11.2013 onwards as is borne out from the record of Civil Revision CR No. 30/2013
6. OWP No. 1842/2013 along with Civil Revision CR No. 30/2013 came to suffer dismissal for non-prosecution in terms of an order dated 12.05.2015.
7. By virtue of an order dated 27.05.2015, OWP No. 1842/2013 came to be restored to its original number.

8. In terms of order dated 30.07.2015, Civil Revision CR No. 30/2013 also came to be restored to its original number and the two matters got de-tagged only to rejoin on 29.08.2022.
9. Vide Office Noting dated 27.09.2022, the petition's original number OWP No. 1842/2013 came to be renumbered as CM(M) No. 205/2022 as being the petition under Section 227 of the Constitution of India.
10. OWP No. 1842/2013, renumbered as CM(M) No. 205/2022 connected with Civil Revision CR No. 30/2013 came to suffer dismissal for non-persecution in terms of an order dated 15.12.2025.
11. Thus, the two matter i.e, CM(M) No. 205/2022 and Civil Revision CR No. 30/2013 came to suffer dismissal for non-prosecution.
12. It is important to mention here that CM(M) No. 205/2022 was at the instance of Mtr. Fatima and Mtr. Haleema in which the private respondents figure at serial No. 8 to 17 whereas Civil Revision CR No. 30/2013 was at the

- instance of ten (10) petitioners in which Mtr. Fatima and Mtr. Haleema figure as two respondents.
13. The petitioners in Civil Revision CR No. 30/2013 were respondents 8 to 17 in CM(M) No. 205/2022.
14. Now through the medium of application CM No. 31/2026 filed on 29.12.2025, Mtr Fatima and Mtr. Haleema are seeking restoration of CM(M) No. 205/2022 connected with Civil Revision CR No. 30/2013.
15. This Court is at loss to figure out as to how the two applicants Mtr. Fatima and Mtr. Haleema can ask for restoration of Civil Revision No. 30/2013 in which they figure as the respondents and that reflects a sheer ignorance with which 2013 instituted and pending matter is being pursued and therefore the application CM No. 39/2026 is seriously defective and misconceived for which learned counsel for the applicants is to account for.
16. List on 09.02.2026.

(Rahul Bharti)
Judge

SRINAGAR
27.01.2026
Aasif