

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

(Through Virtual Mode)

RP No. 27/2026

Sudesh Kumar

..... Appellant/petitioner(s)

Through: -
Mr. Rajeev Dubey, Advocate

V/S

Gurwant Singh

..... Respondent(s)

Through: -
Mr. Sunny Mahajan, Advocate

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

(ORDER)

20.07.2026

01. By way of the present petition, filed under Order XLVII Rule 1 read with Sections 114 and 151 of the Code of Civil Procedure, 1908, and Rule 67 of the Jammu and Kashmir High Court Rules, the petitioner seeks review/modification of the order dated 05.05.2026, whereby the interim direction dated 15.01.2026 was not extended. The order dated 05.05.2026 being relevant is reproduced as under:-

"On 15.01.2026, it has been observed that no substantial question of law is apparent on the face of record. However, parties were directed to maintain status quo with regard to the subject matter of the instant appeal. It has been pointed out by the learned counsel for the respondent that appeal was listed on 03.02.2026 and on that date, interim order dated 15.01.2026 has not been extended. Learned counsel for the petitioner has chosen not to appear and assist this court today. However, on his behalf, an adjournment is sought. List on 08.07.2026. It is made clear that, interim direction dated 15.01.2026 has not been extended.

02. On 15.01.2026, this Court passed the following interim order:

"In the meanwhile, subject to objections from the other side and till the next date of hearing before the Bench, the parties are directed to maintain status quo with regard to the subject matter of the appeal."

03. Learned counsel for the respondent has opposed the review petition, contending that the petitioner is attempting to delay the proceedings and prolong the disposal of the appeal. It is further submitted that learned counsel for the petitioner has been deliberately abstaining from appearing in the review petition. Although he appeared in the appeal on the previous date of hearing, but he sought an adjournment.
04. Per contra, learned counsel for the petitioner submits that RSA No. 02/2026, titled *Sudesh Kumar v. Gurwant Singh*, is listed for hearing on 05.08.2026. He undertakes to remain present and to address his arguments before the Court on the said date. He further submits that, in the interest of justice and to safeguard the rights and interests of the parties, the interim protection granted vide order dated 15.01.2026, directing the parties to maintain status quo with respect to the subject matter of the appeal, may be continued till the next date of hearing. He assures the Court that he shall positively appear and assist the Court on the next date of hearing. Learned counsel for the respondent fairly submits that he has no objection if the aforesaid interim arrangement is continued till 05.08.2026.
05. In view of the above, and having regard to the submissions made by learned counsel for the parties, the present review petition is disposed of by directing that the parties shall continue to maintain status quo with regard to the subject matter of the appeal, in terms of the order dated 15.01.2026, till 05.08.2026. It is, however, made clear that in the event learned counsel for the petitioner fails to appear and assist the Court on the next date of hearing, the interim protection granted

vide order dated 15.01.2026, as continued by this order, shall automatically cease to operate and shall not be extended any further.

06. The review petition is, accordingly, disposed of.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
20.07.2026
“Mohammad Yasin Dar”

