

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

CM(M) No. 83/2026 CM No. 1286/2026

ABDUL JABAR DAR AND ANOTHER

..... Petitioner(s)

Through: Mr. Aftab Ahmad, Advocate.

V/s

ZEBA AND ANOTHER

..... Respondent(s)

Through:

Coram:

Hon'ble Mr. Justice Rahul Bharti, Judge

ORDER

25.03.2026

1. The two respondents have initiated a civil suit against two petitioners herein before the court of Munsiff, Sumbal wherein the two respondents are asking for a decree of permanent prohibitory injunction for restraining the petitioners herein from interfering, directly or indirectly, in any manner or mode into the possession, use and enjoyment of the suit property which is measuring **09 Kanals, 8 Marlas and 180 Feet** along with Shamilat Deh and Nambal land comprising of **08 Kanals and 06 marlas** under Khasra Nos. **990/937, 938, 1138/975/947, 878, 880, 880/1 and 963/937.**

2. Alongside the civil suit, the respondents filed an application for grant of temporary injunction wherein, by virtue of order dated **16.10.2024**, the trial court of learned Munsiff, Sumbal came to restrain the petitioners from causing any sort of interference in any manner with respect to the suit property comprising **Khasra No. 938, 1138/975/947, 878, 850, 589/1, 963/957** till further orders and disposed of the application for grant of temporary injunction.
3. The order dated **16.10.2024** has not been assailed by the petitioners herein in an appeal under **Order 43** and as such, the interim injunction is operating against the petitioners in terms whereof they are restrained from causing any sort of interference in any manner with respect to the suit property.
4. In furtherance of said operating interim direction, the court of Munsiff, Sumbal, by virtue of **order dated 31.12.2025**, has now directed the SHO Police Station, Sumbal to provide adequate police assistance and protection to the respondents to enable them to erect

fencing by affixing barbed wire around their respective share of the suit land strictly in accordance with the demarcation conducted by the Tehsildar Sumbal and in consonance with the order dated **16.10.2024** so as to ward off any breach of peace taking place at the site particularly from the end of the petitioners.

5. The learned Munsiff Sumbal has, made it clear that fencing is to be raised only to the extent of the demarcated share of the respondents and the arrangement would be purely interim in nature and to remain subject to final outcome of the suit.
6. The learned Munsiff Sumbal has taken due care of ensuring that no prejudice is caused to the parties to the suit by directing the Police Station Sumbal to provide adequate police assistance and protection to the respondents in carrying out fencing of the demarcated portion as the arrangement is meant to be only interim in nature and that too subject to final outcome of the suit.
7. If the petitioners have any grievance with respect to indulgence so shown, then the same can only be agitated

before the court below which then can dispose of the concern of the petitioners on the merits of the facts and circumstances of the case.

8. Accordingly, this Court is not inclined to grant any indulgence and the petition is **dismissed** accordingly.

SRINAGAR

25.03.2026

Aasif



(Rahul Bharti)
Judge