

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

Reserved on: 01.09.2026

Pronounced on: 10 .09.2026

Uploaded on: 10.09.2026

*Whether the operative part or
full judgment is pronounced:*

Full

TrP(C) No.08/2026

MOHAMMAD ANWAR LONE & ANR.

...PETITIONER(S)/APPELLANT(S)

Through: - Mr. Manzoor Ahmad Ganai, Advocate.

Vs.

JAN MOHAMMAD LONE AND ORS.

...RESPONDENT(S)

Through: -

CORAM: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

JUDGMENT

1. The petitioners, through the medium of present petition, are seeking transfer of suit titled “**Mohammad Anwar and anr. vs. Jan Mohammad Lone & Ors.**” from the Court of Civil Judge (Senior Division), Bandipora (hereinafter referred to as “the Trial Court”), to any other court of competent jurisdiction, on the grounds, *inter-alia*, that the petitioners had brought to the notice of the learned Trial Court the illegal activities of the non-applicants/defendants in the suit, including the violation of the orders passed by the Court but from the attitude of the learned Trial Court, the petitioners have reasons to believe that the Court is under the influence

of the non-applicants/defendants in the suit and that is why, from the year 2025 till date, the Trial Court has not passed any coercive order against the non-applicants in the suit.

2. In terms of order dated 30th June, 2026, parawise comments were sought from the learned Trial Court. In the parawise comments submitted by the officer concerned, it has been stated that the applicants had filed a contempt petition alleging violation of the status quo order, whereupon notice was issued to the non-applicants, who appeared before the Court but the statement of facts has not been filed by them in the contempt petition. It is further stated that the applicants have also filed an application under Section 151 of the Civil Procedure Code seeking implementation of the status quo order dated 21st July, 2025, whereupon the SHO Police Station, Badugam, Tulail, has been directed to implement the order in its letter and spirit and submit a compliance report. The SHO concerned has submitted a compliance report stating therein that the order has been served upon the non-applicants and they have been informed that any violation of the order of the Court would invite appropriate legal proceedings. It is also stated that several non-bailable warrants were issued against the non-applicants in the contempt proceedings. The exemption application filed by defendant Nos. 2 and 5 was also dismissed.

3. In view of the detailed parawise reply filed by the officer concerned, this Court does not find that the officer concerned is acting under the influence of the non-applicants. The petitioners/applicants have only assumed and presumed, because of the conduct of the non-applicants/defendants, that the officer concerned is under their influence. However, the parawise reply submitted by the officer concerned clearly demonstrates that he has acted in accordance with law.

4. In view of the above, this Court does not find any reason to show indulgence in the matter. The present petition is, accordingly, dismissed. However, this Court is sanguine that the learned Trial Court shall proceed with the matter expeditiously and shall ensure that the orders passed by it are complied with in its letter and spirit.

5. A copy of this order be sent to the learned Trial Court for information.

(Rajnish Oswal)
Judge

Srinagar

10.09.2026

“Bhat Altaf-Shergati”

*Whether the **Judgment** is speaking:*

Yes

*Whether the **judgment** is reportable:*

Yes/No