

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

CM(M) No. 299/2026
CM No. 4482/2026 c/w
CR No. 93/2026

MD Trading Company

...Appellant(s)/Petitioner(s)

Through: Mr. Mir Umar, Advocate

Vs.

Mohammad Azeem Wani

...Respondent(s)

Through: Mr. Sajad Ahmad, Advocate

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
05.08.2026

CR No. 93/2026
CM No.510/2026

1. At the very time of institution of this civil revision on **06.02.2026**, the civil suit preferred by the respondent against the petitioner herein on **File No. 893/2024** before the court of 3rd Additional District Judge, Srinagar for recovery of Rs. **26,50,000/-** under **Order 37 of the Code of Civil Procedure, 1908** had already been decreed in terms of judgment dated **14.10.2024** and as such, the institution of the present revision petition by the petitioner /judgment debtor to

assail an order dated **31.12.2025** passed by the court of **3rd Additional District Judge, Srinagar**, rejecting the application made by the petitioner/judgement debtor under **Order 37 rule 4 of the Code of Civil Procedure, 1908** was of no purpose and therefore, this Court allows withdrawal of this revision petition.

2. The time spent during the pendency of this petition from **06.02.2026** till passing of this order shall not be counted in period of limitation against the petitioner in the event of a civil first appeal under **section 96 of the Code of Civil Procedure, 1908** being preferred by the petitioner against the judgment/decreed dated **14.10.2024** of the court of **3rd Additional District Judge, Srinagar** in a civil suit on **File No. 893/2024**.

3. Dismissed as withdrawn along with the connected CM.

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4. At the very time of institution of this petition on **21.07.2026**, the civil suit preferred by the

respondent against the petitioner herein on File No. **893/2024** before the court of 3rd Additional District Judge, Srinagar for recovery of **Rs. 26,50,000/-** under **Order 37 of the Code of Civil Procedure, 1908** had already been decreed in terms of judgment dated **14.10.2024** and as such, the institution of the present petition by the petitioner /judgment debtor to assail an order dated **31.12.2025** passed by the court of 3rd Additional District Judge, Srinagar, rejecting the application made by the petitioner/judgement debtor under **Order 37 rule 4 of the Code of Civil Procedure, 1908** was of no purpose and therefore, this Court allows to withdraw this revision petition.

5. The time spent during the pendency of this petition from **21.07.2026** till passing of this order shall not be counted in period of limitation against the petitioner in the event of the Civil First Appeal under **section 96 of the Code of Civil Procedure, 1908** being preferred by the petitioner against the judgment/decreed dated

14.10.2024 of the court of 3rd Additional District Judge, Srinagar in a civil suit on File No. **893/2024.**

6. **Dismissed** as withdrawn along with the connected CM.

(RAHUL BHARTI)
JUDGE

Srinagar
05.08.2026
“Imtiyaz”

