

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(M) 399/2026 CM(5861/2026).

1. Ghulam Rasool Mir, 74 Years
 S/o Ghulam Ahmad Mir
 R/o Lasjan District Srinagar
2. Mohammad Altaf Mir, 40 Years
 S/o Ghulam Rasool Mir
 R/o Lasjan District Srinagar
3. Tariq Ahmad Mir, 37 Years
 S/o Ghulam Rasool Mir
 R/o Lasjan, District Srinagar
4. Arif Mir Age, 35 Years
 S/o Ghulam Rasool Mir
 R/o Lasjan, District Srinagar
5. Riyaz Mir, 34 Years
 S/o Ghulam Rasool Mir
 R/o Lasjan, District Srinagar

...Petitioner(s)

Through: Mr. Mir Manzoor, Advocate.

VERSUS

1. Fayaz Ahmad Reshi, 38 Years
 S/o Late Abdul Qayoom Reshi
 R/o Lasjan, District Srinagar
2. Shahnawaz Ahmad Reshi, 35 Years
 S/o Late Abdul Qayoom reshi
 R/o Lasjan, District Srinagar.
3. Mst. Afeeqa , 62 Years

W/o Late Abdul Qayoom Reshi

R/o Lasjan, District Srinagar.

4. Kaiser Qayoom, 37 Years

D/o Late Abdul Qayoom Reshi

R/o Lasjan, District Srinagar

Through:

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE M. A. CHOWDHARY, JUDGE.

ORDER
02.09.2026

1. The petitioners, through the medium of this petition, seek the setting aside of the order dated 18th of May, 2026, passed by the learned Additional District Judge, Srinagar, in the suit titled "*Fayaz Ahmad Reshi & Ors. Vs. Ghulam Rasool Mir & Ors.*", whereby an ex-parte temporary injunction was granted in favor of the respondents, as well as the consequential orders dated 20th of May, 2026, and 24th of June, 2026, directing the implementation of the aforesaid order through the police.
2. Learned counsel for the petitioners submits that the petitioners are aggrieved of the order passed by the trial court granting relief without hearing them as defendants in the case and that the ex-parte order dated 18th of May, 2026, was directed to be implemented through the police agency without putting the petitioners to notice, on the applications seeking such implementation.

3. Since the petitioners have impugned the ex-parte order dated 18th of May, 2026, passed by the trial court, and having regard to the submission of the learned counsel that the petitioners/defendants have filed their written statement to the suit as well as objections to the application before the trial court, which have not been heard and stand deferred till the month of October, this Court, in the facts and circumstances of the case, deems it proper to dispose of this petition at this stage.
4. Accordingly, this petition is disposed of at this motion stage. The trial court is directed to consider the matter with regard to the interim direction finally after hearing the parties on the merits of the case and is also impressed upon not to involve the police in the implementation of the *ex-parte* order, unnecessarily, prejudicial to the interests of either of the parties.
5. The petitioners shall also be at liberty to seek preponement of the case before the trial court, for early hearing.
6. ***Disposed of*** alongwith interim application(s).

(M. A. CHOWDHARY)
JUDGE

SRINAGAR
02.09.2026
Bisma Jan.