Serial No. 04
Regular List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CR No. 49/2025
CM No. 8241/2025

Cav. No. 2946/2025

Avatar Singh & Ors.

.....Appellants

Through: Mr. Sachin Gupta, Advocate

Vs

Joginder Kaur & Ors.

..... Respondent

Through: Mr. R.K. Jain, Sr. Advocate with
Mr. Param Veer Singh, Advocate for the Caveator

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

(22.12.2025)

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

Cav. No. 2946/2025

01. With the appearance of learned counsel for the caveator, caveat stands discharged.

CR No. 49/2025

01. After arguing for a while, Mr. Sachin Gupta, learned counsel for the petitioners who are defendants No. 3 to 5 in a civil suit preferred by the respondent No. 1, herein-Joginder Kaur before the court of Sub-Judge (Special Mobile Magistrate), Jammu, seeks withdrawal of the present revision petition meant to be maintained against an order dated 15.12.2025 in terms whereof the petitioners' application under Order 7 Rule 11 of the Code of Civil

Procedure, 1908 seeking rejection of the plaint came to be dismissed.

02. The petitioners, as defendants, have agitated the point that the civil court is lacking jurisdiction to entertain the civil suit in view of the bar created by **The Commercial Courts Act, 2015**.

03. The trial court refused to relieve itself from the civil suit on the plea of the petitioners.

04. Learned counsel for the petitioners seeks withdrawal of the present civil revision petition which is **allowed**.

05. Accordingly, the present revision petition is, ***dismissed as withdrawn***.

06. The court of Sub-Judge (Special Mobile Magistrate), Jammu **is directed** to dispose of pending temporary injunction application within a period of **thirty (30) days** from the date of passing of this Order.

07. A copy of this order be forwarded to the court of **Sub-Judge (Special Mobile Magistrate), Jammu** by the Registrar Judicial, Jammu for the sake of notice and compliance at the end of the above said court.

(RAHUL BHARTI)
JUDGE

JAMMU
22.12.2025
SUNIL

Whether the order is speaking ? : Yes/No
Whether the order is reportable ? : Yes/No