S. No. 57

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

CM (M) No. 232/2025 CM No. 3729/2025

BASHIR AHMAD SOFI …Petitioner/Appellant(s)

Through: Mr. Moomin Sultan, Advocate.

Vs.

MST. ROOHI AND ANR. ...Respondent(s)

Through:

CORAM:

HON'BLE MR JUSTICE MOHD YOUSUF WANI, JUDGE

O R D E R

18.06.2025

1. Having regard to the nature of relief sought in this petition, the matter in the opinion of the Court can be disposed of at this threshold stage by passing of the appropriate orders which are not likely to prejudice the interests of the respondents.

2. The non-appearance of the petitioner on the execution proceedings initiated against him by the respondents for non-compliance of the compromise judgement dated 05.06.2024 has constrained the learned executing court to issue non-bailable warrant of arrest against him to be executed by the SSP Srinagar with stipulation that in case of the failure of the officer concerned to execute the warrant, he shall remain personally present before the executing court.

3. The endorsement on the non-bailable warrant of arrest also stipulates that in case the petitioner deposits an amount of Rs.38,000/-, he shall in that eventuality be let off from arrest.

4. It is submitted by learned counsel for the petitioner that the petitioner shall voluntarily appear before the executing court on tomorrow being the date of hearing of the case.

5. On the assurance of the learned counsel for the petitioner, SSP Srinagar is directed to send back the warrant un-executed to the executing court.

6. The learned executing court shall be at liberty to pass appropriate orders under law on the execution petition after providing opportunity of being heard to the petitioner and to enable him to file objections, if any needed.

7. A copy of this order be furnished to learned counsel for the petitioner under the seal and signature of Bench Secretary.

8. Disposed of.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
18.06.2025
Ishaq