

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CM(M) No. 27/2026

CM No. 849/2026

Cav No.117/2026

Date of order:- 18.02.2026

Uploaded on:- 18.02.2026

Pawan Kumar, Age 41 years
S/O Baru Ram
R/O Village Haripur Manhasan,
Tehsil Mandal, District Jammu

....Petitioners

Through :- Mr. Sarfraz Ahmed Rather, Advocate.

Versus

1. Madan Lal S/O Hari Ram
R/O Village Allora, Tehsil Mandal,
District Jammu.
2. Nimo Devi W/O Hans Raj
R/O Village Haripur Manhasan,
Tehsil Mandal, District Jammu

....Respondent(s)

Through :- Mr. Narinder Kr. Attri, Adv.

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

ORDER
18.02.2026

With the appearance of Mr. Narinder Kr. Attri, Adv., **Cav**
No.117/2026 stands discharged.

CM(M) No. 27/2026 & CM No. 849/2026

1. Petitioner, through the medium of this petition, has challenged order dated 08.01.2026 passed by the Court of learned Additional District Judge, Jammu in Civil Appeal No.211/2025, whereby the order dated 30.10.2025 passed by the Court of learned Sub-Judge (Special Railway Magistrate), Jammu, in the civil suit filed by petitioner has been affirmed, whereby one sided temporary injunction was granted, resulting allegedly in disturbance of possession and failure to preserve the subject matter of the suit.

2. After arguing for a while, learned counsel for the petitioner submits that petitioner shall be satisfied, in case this court passes some directions for the protection of the suit property, so that no further complicacies are created by the other side with regard to the suit land.

3. Learned counsel for respondent No.1, did not raise any serious objection to this plea raised by the learned counsel for the petitioner, in case the petition is disposed of.

4. With the consensus of the parties, the petition is taken up for final disposal. On a consideration of the matter, it is found that though the courts' below, the trial court as well as appellate court had declined the temporary injunction in favour of the petitioner who was plaintiff/appellant before the courts below, however, since the parties have been litigating in the suit over the suit property, as such, it will be in the interest of justice that some order is passed with regard to the protection of the property.

5. In view of the pleadings, submissions made by learned counsel for both the sides, the petition is disposed of, at this motion stage, with a direction that no third party interest shall be created in the suit property, till disposal of the main suit by the trial court. A copy of this order shall be forwarded to trial court for record.

6. The writ petition is **disposed of**, accordingly along with connected application.

Jammu:
18.02.2026
Raj Kumar

(M.A. Chowdhary)
Judge