

## HIGH COURT OF JAMMU & KASHMIR AT SRINAGAR

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OWP NO. 799/17  
MP NO. 01/2017

Date of Order: 08/06/2017

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Mohd. Maqbool Wani v. Farooq Ahmed Wani & Ors.

Coram:

**Hon'ble Mr. Justice Tashi Rabstan, Judge**

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Appearing counsel:

For the petitioner (s): Mr. Sheikh Mushtaq Advocate

For the respondents:

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1. Respondent No. 1 filed a suit on 17.10.2007 before Sub Judge Kulgam wherein seeking relief of permanent prohibitory injunction against the petitioner and proforma respondent. The Petitioner as also proforma respondent has filed their written statement in a suit before the court on 22.11.2007. The issues were framed and after considering the issues the learned Sub Judge dismissed the suit vide order dated 9.12.2015.

2. Respondent No. 1 aggrieved of the said order filed an appeal before Learned Principal District Judge, Kulgam alongwith application seeking interim relief on 6.2.2016. The Learned Principal District Judge instead of concluding the proceedings have granted adjournments on the asking of respondent no. 1 on flimsy grounds to substantiate his arguments. He has placed on record some of the order sheets ( annexures C & D) to the present petition . Perusal of the annexures reveals that the appeal was frequently adjourned on one or the other pretext.

3. Petitioner filed present petition seeking direction to Principal District Judge Judge, Kulgam to dispose of

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the appeal within specific period of time without granting any further adjournments to respondent No.1.

4. In view of the relief sought coupled with the submissions of learned counsel made at bar the writ petition is disposed of at its threshold without issuing notice to the otherside with a direction to the Principal District Judge, Kulgam to dispose of the appeal titled ***Farooq Ahmed Wani v. Mohd. Maqbool Wani & Ors.*** File No. 20/Civil expeditiously. **Disposed of.**

**Srinagar**  
**08/06 /2017**  
Mujtaba

**(Tashi Rabstan)**  
**Judge**