

## THE HIGH COURT OF JAMMU &amp; KASHMIR AND LADAKH AT SRINAGAR

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## PRONOUNCEMENT OF JUDGEMENT

FOR FRIDAY(12/04/2024 )

BENCH NO.:DB-I

COURT NO. 1

HEARD AND RESERVED BY:

HON'BLE THE CHIEF JUSTICE &amp;

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL

PRONOUNCED BY: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL

TIME: AT 02:15 P.M.

The below mentioned matters were heard and reserved by the Hon'ble Division Bench of Hon'ble the Chief Justice & Hon'ble Mr. Justice Wasim Sadiq Nargal & Judgement/Order shall be pronounced by Hon'ble Mr. Justice Wasim Sadiq Nargal, while sitting Singly, in terms of Rule 138(4) of J&K High Court Rules, 1999.

FOR JUDGMENT/PRONOUNCEMENT OF ORDER

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|---|---|---|---|
| 1 | CM(5737/2023) IN<br>WP(C) 2429/2023<br>INTERIM RELIEF     | M/S HOTEL ALPINE RIDGE AND ORS.<br>Vs UNION OF INDIA AND ORS.<br>(FINANCE)  | M/S ARIF SIKANDER MIR AND<br>LARAIB ANJALEENA FOR PET.<br>MR. T. M. SHAMSI FOR RES.<br><br>MR. PALAV SAXENA FOR RES<br>MR. ARSALAN ABID FOR RES<br>MR. PRATEEK KHAITAN FOR RES<br>MR. ABU BAKAR FOR RES                       |
|   | c/w<br>i)WP(C) 1982/2021<br>CM(457/2024)<br>CM(6583/2021) | M/S WAJAHAT HAMEED AND COMPANY<br>Vs JAMMU AND KASHMIR BANK<br>LIMITED  | MR. HAKIM SAMI YAQOOB FOR PET.<br>MR Z A SHAH FOR RES.<br><br>MS. ASMA RASHID. FOR PET<br>MS. ASMA RASHID FOR PET<br>MR. Z A QURESHI FOR RES<br>M/S ALTAF HAQANI AND SHAKIR<br>HAQANI FOR PET.<br>MR. MUBASHIR MALIK FOR RES. |
|   | ii)WP(C) 168/2022<br>CM(419/2022)                         | SHAMIMA MIR AND ORS.<br>Vs AUTHORISED OFFICER AND ORS.<br>(PUNJAB NATIONAL BANK)                                      | MR. NISSAR A. DENDRU. FOR RES<br>MS. AHRA SYED FOR PET.<br>MR. N. A. DANDROO FOR RES.   |
|   | iii)WP(C) 1173/2022<br>CM(2890/2022)                      | ROUF TRADERS AND ANR.<br>Vs JAMMU AND KASHMIR BANK<br>LIMITED AND ORS.  | MR. SAJAD ASHRAF FOR RES<br>MR. F. A. WANI FOR PET.<br>MR. F.A. WANI. FOR PET   |
|   | iv)WP(C) 3023/2022<br>CM(744/2023)<br>CM(7614/2022)       | M/S KHAWAJA SHAMSDIN MOHAMMAD<br>YOUSUF AND COMPANY<br>Vs UNION TERRITORY OF J AND K<br>AND ORS. (FINANCE DEPARTMENT) | MR. ZAFFAR QADRI FOR PET.<br>MR. WASEEM RASOOL FOR<br>CAVEATOR FOR RES.   |
|   | v)CM(M) 215/2023<br>CM(5467/2023)                         | M/S AZAD ENTERPRISES AND ORS.<br>Vs UNION OF INDIA AND ORS.<br>(MICRO SMALL AND MEDIUM<br>ENTERPRISES)                | MR. N. A. DENDUR FOR RES<br>MR. JEHANGIR AHMAD DAR FOR RES<br>MR. IMTIYAZ AHMAD SOFI FOR<br>PET.<br>MR. YASIR AHMAD MR. SYED<br>ARSALAN ABID MR. ABUBAKR<br>PANDIT FOR RES.   |
|   | vi)WP(C) 1204/2023<br>CM(2853/2023)                       | AJAZ PARVEZ SHAH<br>Vs UNION TERRITORY OF J AND K<br>AND OTHERS. (FINANCE<br>DEPARTMENT)                              | MR. YASIR AHMAD FOR RES<br>MR GULZAR AHMAD BHAT SOPORI<br>FOR PET.<br>MR. ALLAU UD DIN GANAI FOR<br>RES.  |
|   | vii)WP(C) 1351/2023<br>CM(3175/2023)<br>CM(7414/2023)     | MOHD FAROOQ CHECHI<br>Vs BARAMULLA CENTRAL<br>COOPERATIVE BANK LTD THROUGH<br>ITS MANAGING DIRECTOR                   |   |
|   | viii)WP(C) 1514/2023<br>CM(3559/2023)<br>CM(3770/2023)    | DAR TRADERS THROUGH ZAHID<br>SHARIEF DAR<br>Vs UNION TERRITORY OF J AND K<br>AND ORS. (FINANCE DEPARTMENT)            |   |

ix)WP(C) 1564/2023 CM(3660/2023)	GHULAM MOHAMMAD MIR Vs JAMMU AND KASHMIR BANK AND ORS	MR QAZI RAASHID SHAMAS FOR PET. MR. SHAFQAT NAZIR FOR RES.
x)WP(C) 2232/2023 CM(5215/2023) CM(914/2024)	NAZIM DIN WADERA Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S A. M. DAR AND ASSOCIATES DANISH MAJID AND BHAT SHAFI FOR PET. MR. PALLAV SAXENA FOR RES.
xi)WP(C) 2242/2023 CM(5235/2023)	MOHAMMAD AYOUB GANIE AND ORS. Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. SYED ARSALAN FOR RES MR. PRATEEK KHAITAN FOR RES MR. ABUBAKAR PANDIT FOR RES M/S MALIK MUSHTAQ AND SHOWKAT NAZIR FOR PET. MR. CHETANYA SHARMA FOR RES.
xii)WP(C) 2250/2023 CM(5263/2023)	M/S JUST AWSUM INC. SRINAGAR KASHMIR Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. SHUJA UL HAQ FOR PET.
xiii)WP(C) 2325/2023 CM(5464/2023)	M/S K. B. LABS Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S AHRA SYED AND ASSOCIATES FOR PET.
xiv)WP(C) 2353/2023 CM(5535/2023)	M/S MOHAMMAD YOUSUF AND SONS Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	MS. SABEEN NAVEED FOR PET.
xv)WP(C) 2367/2023 CM(5565/2023)	M/S IQBAL MOTOR TRANSPORT SERVICE Vs UNION TERRITORY OF J AND K AND ORS. (LAW AND JUSTICE / J AND K BANK)	M/S QADRI LAW ASSOCIATES TAYBA GULNAR SYED MANSOOR AND HUZAIF ASHRAF FOR PET.
xvi)WP(C) 2468/2023 CM(5843/2023)	NAZRUL ISLAM AND ANR. Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S A. M. DAR AND ASSOCIATES DANISH MAJID BHAT SHAFI FOR PET. MR. ABU BAKAR PANDITH MR. ARSALAN ABID FOR RES.
xvii)WP(C) 2481/2023 CM(5871/2023)	SAJAD AHMAD BABA Vs UNION BANK OF INDIA AND ORS.	M/S AHMAD JAVID FOR PET. MR. ABRAR HUSSAIN AND ASSOCIATES FOR RES.
xviii)WP(C) 2725/2023 CM(6486/2023) CM(655/2024)	RAMIZ AHMAD GANIE Vs THE JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. TAWHEED AHMAD FOR PET. ABUBAKAR PANDIT FOR RES.
xix)WP(C) 2776/2023 CM(6611/2023)	BASHIR AHMAD DAR Vs THE JAMMU AND KASHMIR BANK LIMITED	M/S TARIQ M. SHAH AND JASIA JEELANI FOR PET. MR. AADIL AASMI FOR RES.
xx)WP(C) 2782/2023 CM(6635/2023)	M/S JK CROCKERY Vs UNION TERRITORY THROUGH DISTRICT MAGISTRATE KUPWARA AND ORS. (J AND K BANK)	MR. ADIL ASIMI. FOR RES MR. F. A. WANI FOR PET. MR. N. A. DENDROO FOR RES.
xxi)WP(C) 2817/2023 CM(6713/2023) CM(929/2024)	IMTIYAZ AHMAD DALKAW AND ANR. Vs THE JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. NISAR AHMAD FOR PET. MR. SYED ARSALAN MR. T. M. SHAMSHI FOR RES.
xxii)WP(C) 2874/2023 CM(6845/2023)	BILAL AHMED CHOPAN Vs UNION TERRITORY OF J AND K AND ORS. (COOPERATIVE DEPARTMENT)	M/S M. A. RATHORE AND ASIF RATHORE FOR PET. M/S M. Y. BHAT AND ASSOCIATES FOR RES.
xxiii)WP(C) 2956/2023 CM(7044/2023)	M/S JAY KAY ELECTRONICS Vs UNION BANK OF INDIA AND ORS.	MR. ALLA UD DIN GANAI FOR RES M/S M. I. DAR AND ASSOCIATES MOHAMMAD YAWAR HUSSAIN FOR PET.
xxiv)WP(C) 3053/2023 CM(7244/2023)	M/S SHAF SONS AND ANR. Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S SHOWKAT AHMAD MAKROO LAW ASSOCIATES M AMIN BHAT DANISH YOUSUF BASHARAT A WANI FOR PET.
xxv)WP(C) 3054/2023 CM(7245/2023)	M/S VALLEY GREEN AND ANR. Vs JAMMU AND KASHMIR BANK LIMITED AND ANR.	M/S SALIM GUPKARI AND GOWHAR JAN FOR PET.

Caveat 2679/2023	JK BANK LTD CORPORATE THROUGH MOHAMMAD YAHYA BANDAY AUTHORIZED OFFICER Vs M/S VALLEY GREENS WASEEM AHMAD BHAT AND OTHERS	MR. WASIM HASSAN ASIMI FOR CAVEAT
xxvi)WP(C) 3063/2023 CM(1803/2024) CM(7277/2023)	ADIL NISAR KHAN AND ANR Vs AUTHORISED OFFICER PUNJAB AND SIND BANK AND ORS	MR M.A.QAYOOM FOR PET. MR. J. J. SINGH FOR RES.
xxvii)WP(C) 3112/2023 CM(7406/2023)	M/S SANJIV SARAF AND ASSOCIATES Vs THE JAMMU AND KASHMIR BANK LIMITED AND ANR.	M/S R. A. JAN AND ASSOCIATES SHARIQ J REYAZ AADIL MUSHTAQ SUHAIL MEHRAJ M SYED BHAT M. SALEEM FOR PET.
xxviii)WP(C) 3143/2023 CM(7505/2023)	M/S IRFAN CARPETS Vs JAMMU AND KASHMIR BANK LIMITED AND ANR.	M/S R. A. JAN AND ASSOCIATES SHARIQ REYAZ SUHAIL MEHRAJ AADIL MUSHTAQ SALEEM AHMAD FOR PET. MR. SHAFQAT NAZIR FOR RES.
xxix)WP(C) 3167/2023 CM(7579/2023)	MOHAMMAD ISHAQ PAMPORI AND ORS. Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. SHAFQAT NAZIR. FOR RES M/S M. M. DAR AND ASSOCIATES FOR PET. MR. WASIM HASSAN ASIMI FOR RES.
xxx)WP(C) 3211/2023 CM(7709/2023)	M/S ABU INDUSTRIES RANGRETH Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S MUZAFFAR HAMID BHAT TOWFEEQA MEHAK SAMEER SABIYA FOR PET.
xxxii)WP(C) 3221/2023 CM(7729/2023)	BARZAM STRUCTURES PRIVATE LIMITED AND ANR. Vs UNION TERRITORY OF J AND K AND ORS. (J AND K BANK LIMITED / REVENUE)	MR. F. A. WANI FOR PET.
xxxiii)WP(C) 3234/2023 CM(7775/2023)	M/S INFABS PRIVATE LIMITED Vs JAMMU AND KASHMIR BANK LIMITED AND ANR.	MR. HILAL AHMAD WANI FOR PET.
xxxiiii)WP(C) 3252/2023 CM(7810/2023)	SHOWKAT HUSSAIN RATHER Vs J ANDK STATE COOPERATIVE BANK LIMITED	M/S HAQANI ASSOCIATES SHAKIR HAQANI FOR PET.
xxxiv)WP(C) 3267/2023 CM(7840/2023)	M/S PUREWEAVE FASHIONS PRIVATE LIMITED Vs MANGING DIRECTOR AND ORS. (JAMMU AND KASHMIR BANK LIMITED)	M/S M. I. DAR AND ASSOCIATES MOHAMMAD YAWAR HUSSAIN FOR PET.
xxxv)WP(C) 3310/2023 CM(7942/2023)	M/S VASCULAR DEVICES AND IMPLANTS AND ANR. Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. AIJAZ A. BHAT FOR PET.
Caveat 2888/2023	JK BANK THROUGH MOHAMMAD YAHYA BANDAY Vs M/S VASCULAR DEVICES AND IMPLANTS PROP. AJAZ AHMAD BUCH	MR. WASIM ASIMI FOR CAVEAT
xxxvi)WP(C) 3353/2023 CM(8047/2023)	M/S ABDUL REHMAN WANI Vs UNION OF INDIA AND ORS. (FINANCE)	MR. ARIF SIKANDER MIR FOR PET.
xxxvii)WP(C) 3381/2023 CM(8145/2023)	M/S DURRANI ENCLAVE Vs UNION OF INDIA AND ORS. (FINANCE / J AND K BANK)	MR. ARIF SIKANDAR MIR FOR PET.
Caveat 2738/2023	JK BANK LTD THROUGH MOHAMMAD YAHYA BANDAY Vs M/S DURRANI ENCLAVE SAADAT MAND DURRANI	MR. WASIM ASIMI FOR CAVEAT
xxxviii)WP(C) 184/2024 CM(337/2024)	GHULAM MOHAMMAD MIR Vs THE JAMMU AND KASHMIR BANK LIMITED AND ORS.	MR. SHEIKH MUSHTAQ FOR PET.
Caveat 68/2024	JK BANK LTD Vs GHULAM MOHAMMAD MIR PROP. M/S MADINA ORNAMENTS	MR. M. ABUBAKR PANDIT FOR CAVEAT
xxxix)WP(C) 185/2024 CM(339/2024)	HAJRA BANO Vs JAMMU AND KASHMIR BANK LIMITED AND ORS.	M/S SHABIR AHMAD NAIK AND ASSOCIATES FOR PET.
Caveat 63/2024	JK BANK THROUGH ZAHOOOR AHMAD KHAN Vs HAJRA BANO	MR. NISAR A. DENDRU FOR CAVEAT

x1)WP(C) 286/2024  
CM(645/2024)  
CM(996/2024)

M/S FAIZ SHAWLS AND ANR.  
Vs JAMMU AND KASHMIR BANK  
LIMITED AND ORS.

M/S M. I. DAR AND ASSOCIATES  
MOHAMMAD YAWAR HUSSAIN FOR  
PET.

xli)WP(C) 338/2024  
CM(793/2024)

SYED MOHAMMAD IQBAL AND ORS.  
Vs THE JAMMU AND KASHMIR BANK  
LIMITED AND ANR.

M/S SIKANDER HYAAT KHAN AND  
WAHEED AHMAD DAR FOR PET.  
MR. SHAFQAT NAZIR FOR RES.

xlii)WP(C) 473/2024  
CM(1268/2024)

BILAL AHMAD DAR  
Vs JAMMU AND KASHMIR BANK  
LIMITED

M/S TARIQ M. SHAH AND JASIA  
JEELANI LANKER FOR PET.

Registrar Judicial