Serial No. 38
SUPPL. CAUSE LIST-I

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

RP No. 44/2026 In LPA 168/2026

Abdul Majid Khan **…Petitioner(s)**

Through: Mr. A.M. Khan, Advocate

Vs.

Divisional Manager (Oriental Insurance Company) **...Respondent(s)**

Through: None

CORAM:

HON'BLE THE CHIEF JUSTICE (ACTING)
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER
08.09.2026

01. The petitioner seeks review of the judgment dated 03.08.2026, passed by this Court in LPA No. 168/2026, primarily on the ground that the judgment suffers from an error apparent on face of record, inasmuch as the law laid down by the Hon'ble Supreme Court in the case titled *"State of Gujarat and Another v. Raman Lal Keshav Lal Soni and Others"* reported as AIR 1984 SC 161 was overlooked.

02. Having heard the petitioner in person, we are of the considered opinion that the reliance placed by the petitioner on the judgment of the Hon'ble Supreme Court (supra), is totally misplaced. We have dealt with the issue of maintainability of the appeal arising from an order passed by the learned Single Judge in the exercise of appellate jurisdiction against the original order passed by the trial Court.

MIR ARIF MANZOOR
I attest to the accuracy and
authenticity of this document
10.09.26

03. It is well settled and has been consistently held by this Court that, in view of the clear and unambiguous provisions of Section 100-A of the Code of Civil Procedure, 1908, an intra-Court appeal is not maintainable when the order impugned has been passed by the learned Single Judge in the exercise of the appellate jurisdiction against the original order passed by the trial court.

04. The petitioner could not demonstrate before us as to how the law laid down by this Court in so many judgments interpreting the provisions of Section100-A of the Code of Civil Procedure, 1908, is not attracted to the case in hand. The petitioner has though referred to the judgment passed by the five Judge Bench of the Hon'ble Supreme Court (supra), but has not explained as to how this case is covered by the said judgment. He has not even produced the said judgment for perusal of this Court.

05. Be that as it may, the instant review petition is grossly misconceived and utterly frivolous and, therefore, deserved to be dismissed out rightly.

06. ***Ordered accordingly.***

(Mohd Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (Acting)

SRINAGAR:
08.09.2026
"Mir Arif"

(i) Whether the order is reportable? Yes/No.
(ii) Whether the order is speaking? Yes/No.

MIR ARIF MANZOOR
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