

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

(Office of the Registrar General at Jammu)

Subject: Amendment to the Jammu and Kashmir Writ Proceedings Rules, 1997.

NOTIFICATION

No: 1248 of 2021/Reg

Dated: 15/11/2021.

In exercise of its powers under Articles 225 of the Constitution of India, the High Court of Jammu & Kashmir and Ladakh, with prior approval of the Lieutenant Governor of the Union Territory of Jammu and Kashmir amend "The Jammu and Kashmir Writ Proceeding Rules, 1997", as follows:

In the preamble, words "and section 102 of the Constitution of Jammu and Kashmir" are omitted and the words "Governor" is replaced with "Lieutenant Governor of the Union Territory of" and the words "and Section 103 of the Constitution of Jammu and Kashmir" are omitted.

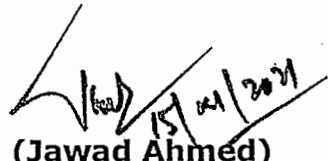
1. In Rule 2(a), the symbol "/" and words "Section 103" are omitted, and words "State Constitution" are replaced with words "the Constitution of India".
2. In Rule 3, words "Section 103" are omitted, and the words "State Constitution" are replaced with words "the Constitution of India".
3. In Rule 5, at the end following Explanation is added:

"Explanation: Where a petition is filed through Electronic Filing System, Rules relating to signature and affidavit as prescribed under the Electronic Filing (e-Filing) in the High Court of Jammu & Kashmir and Ladakh and Subordinate Courts and Tribunals in Jammu & Kashmir, and Ladakh Rules, 2021 shall apply."
4. In Rule 6, the words "three copies of the petition" are omitted. Words "any gazetted officer" are replaced with words "self-attested by the party/parties)".
5. In Rule 7, after the words "serve notice of motion" words "either physically or virtually" are added.
6. In Rule 8, figure "6" is replaced with figure "7".
7. In Rule 9(a), the expressions "in the alphabetical order, namely, as Annexure 'A' Annexure 'B' and so on (omitting alphabet 'I') are substituted by "Annexure I, Annexure II and so on".



8. In Rule 9(b), the expressions "in the numerical order, namely, as Annexure '1' Annexure '2' and so on" are substituted by "Annexure R-I, Annexure R-II and so on".
9. In Rule 15(2), after the expressions "at the expenses of the petitioner" expressions "or through email or any other" are added.
10. In Rule 15(3), the following sentence is added at the end:
"Where the reply is e-filed, a copy of the same shall be served upon the opposite party(ies) or upon his counsel through e-mail and a proof of such service shall be filed along with the reply."
11. In Rule 15(5), the expression "and Section 103 of the Constitution of Jammu and Kashmir" is omitted.
12. In Rule 19(1), after the expressions "Advocate of the parties" symbol ",", is added followed by words "either through regular or virtual mode."
13. In Rule 24 (4) (iii), the words and figures "Jammu and Kashmir Registration Act, 1988" are substituted with the words and figures "Societies Registration Act, 1860".
14. In Rule 24 (12), the word "State" is substituted by the words "Jammu and Kashmir".
15. In Schedule-II Clause-5, the symbol and the words "/ Section 103 of the State Constitution" are deleted.
16. In Schedule-II Clause-(17)(b), the word "by" is substituted with the word "from".
17. In Schedule-II Clause-(20), in the report of Assistant Registrar, the words "two weeks" are substituted with the words "ten days".
18. In form No. I, the symbol and words "/ Section 103 of the State Constitution" are deleted.


By Order.


(Jawad Ahmed)
Registrar General

No: 47317-61/RG/LS
Copy of above forwarded to the:

Dated: 15/11/2021

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K and Ladakh,
2. Secretary to Hon'ble Mr/Mrs Justice _____
..... for Information of their Lordships.
3. Secretary to Government, Department of Law, Justice and Parliamentary Affairs, UTs of J&K and Ladakh,
4. Registrar Vigilance, High Court of J&K and Ladakh, Jammu
5. Registrar Rules, High Court of J&K and Ladakh, Jammu
6. Member Secretary, J&K Legal Services Authority, Jammu
7. Registrars Judicial, High Court of J&K and Ladakh, Jammu/Srinagar,
8. All Principal District & Sessions Judges, UT of J&K and UT of Ladakh,
..... for information.

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9. CPC, e-Courts, High Court of J&K and Ladakh, Srinagar for information and with the request to get the same uploaded on the official website of the High Court.
 10. Manager, Government Press, Jammu for publication in the next issue of the Government Gazette.
 11. In-charge Library, High Court Wing Jammu/Srinagar for information and keeping the record.


Registrar General