

**IN THE HIGH COURT OF JAMMU AND KASHMIR  
AT SRINAGAR**

(Through Video Conferencing)

**LPA No.28/2020 in [WP (Crl) No.251/2019]  
Alongwith connected CMs**

Mian Abdul Qayoom

..... Appellant(s)

Through: -

Mr Z. A. Shah, Senior Advocate with  
Mr Mian Tufail, Advocate *(On Video Conference from their residences)*

**V/s**

Union Territory of JK & Ors.

..... Respondent(s)

Through: -

Mr B. A. Dar, Sr. AAG *(On Voice Call from his residence)*

Mr T. M. Shamsi, ASGI *(On Voice Call from his residence)*

**CORAM:**

**Hon'ble Mr Justice Ali Mohammad Magrey, Judge** *(On Video Conference from Srinagar wing)*

**Hon'ble Mr Justice Vinod Chatterji Koul, Judge** *(On Video Conference from residence at Jammu)*

**ORDER**

04.05.2020

**01.** This LPA is listed for final hearing today. This Court and hearing is being held in Virtual mode, through Video Conferencing while sitting at two different places, viz. Srinagar and Jammu.

**02.** Mr. Z. A. Shah, learned Senior counsel, appearing for the appellant, who has been provided the link by the High Court, is on VidyoDesktop.

**03.** Mr. Shah advanced his detailed arguments and we have heard him. However, we, while sitting at two different places through Video Conferencing, faced great difficulty in the process of hearing the matter via Video Conferencing. Despite that being the position, we were continuing to

hear the parties, but Mr B. A. Dar, learned Senior Additional Advocate General, got disconnected on account of poor connectivity.

04. Mr. B. A. Dar, learned Sr. AAG, representing the Union Territory respondents, who is on Voice Call from his residence, submits that he has noted the arguments put forth by Mr. Shah, and that, with a view to effectively meeting these arguments, he would need to minutely go through the records of the case, the case law and discuss the matter with the detaining and other concerned authorities on certain points so that he is in a position to properly assist the Court. He prays that he may be given ten days' time for the purpose and to make his submissions in reply.

05. The Court is conscious of the difficulty expressed by Mr Dar as also the difficulty we are faced with on account of non-availability of proper Video Conferencing facility to the learned counsel for the parties, but at the same time the Court is hard pressed to hear this case.

06. Given the fact that the present lockdown has been extended upto 17<sup>th</sup> of May, 2020, by the Government, we are of the view that the matter be again listed on 18<sup>th</sup> of May, 2020, on which date, the learned Registrar (Judicial) of this wing of the High Court shall ensure that all arrangements are put in place in advance with reference to ensuring effective hearing of the case by providing the necessary link to all the appearing counsel so that the submissions made by a particular appearing counsel are clearly recorded not just by the Bench but also by the rest of the appearing counsel. We express our difficulty in intimating effective hearing of the case.

**07.** Registry to send copy of this order to all the learned appearing counsel for the parties through *e-mail*. It shall also ensure that a hard copy of the paper book is made available to both us in advance, alongwith the list of books supplied by the learned counsel for the parties.

**(Vinod Chatterji Koul)**  
**Judge**

**(Ali Mohammad Magrey)**  
**Judge**

**SRINAGAR**  
May 4<sup>th</sup>, 2020  
"TAHIR"

N0:-69-70/C-19/RJS

Dated:-04.05.2020

Copy of Hon'ble Court Order forwarded to learned counsel for the parties for information and compliance.

SD/-

Registrar Judicial

