

**HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU**

EMG-WP(C) PIL No. 3/2020
EMG-CM No. 28/2020
(Through Video Conferencing)

Aditya Sharma and another

...Petitioner(s)

Through:- Mr. Gagan Basotra, Advocate
Mr. Abhinav Sharma, President J&K
Bar Association, Jammu

v/s

Union of India and others

... Respondent(s)

Through:- Mr. D. C. Raina, AG with
Mr. Aseem Sawhney, AAG
Mr. Vishal Sharma, ASGI

**Coram: HON'BLE MR. JUSTICE RAJESH BINDAL, JUDGE
HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

ORDER

1. We have heard learned counsels for the parties.
2. Mr. Vishal Sharma, learned ASGI submitted that immediate steps are being taken to constitute bench of CAT in Union Territory of Jammu and Kashmir and it has been decided to station a bench here. But for the purpose proper infrastructure will be required, such as court rooms and the residential accommodation for the members of the bench. Number of members of bench will be decided by the Chairman of CAT considering the requirement as per the cases filed and transferred from High Court. He further submitted that, the moment

appropriate accommodation is provided to CAT, required staff shall be deputed to take charge of files of the pending cases from the High Court.

3. Mr. Raina, learned Advocate General suggested one complex for using as court by CAT at Jammu. It is the building where earlier Accountability Commission was functional. He submitted that some other suitable vacant government building can also be short listed. He further apprised the court that one building was short listed at Srinagar also but the same having been declared as heritage building another one is being located. The needful shall be done in a couple of days. As far as residential accommodation for the members of CAT is concerned, he submitted that there are number of Government houses lying vacant at Jammu as well as Srinagar, allotment shall be made befitting the status of the members of CAT. He further suggested that some officer from CAT may inspect the premises regarding their suitability so that further steps could be taken.

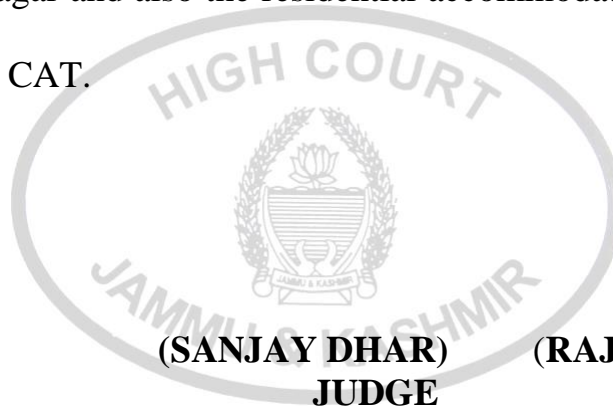
4. Mr. Gagan Basotra, learned counsel for the petitioner submitted that accommodation in the building suggested by the learned Advocate General may not be sufficient especially the parking and the court rooms. He submitted that there may be other government buildings available.

5. Mr. Abhinav Sharma, learned counsel and President of the Bar Association, who was assisting the court submitted that considering that on an average 25-30 cases are filed daily before both the benches of the High Court pertaining to service matters, one bench in the UT of Jammu and Kashmir may not be sufficient. There should be at least be one bench each at Jammu and Srinagar, to start with.

6. None of the counsels was averse to the suggestion made by the learned Advocate General about inspection of the proposed buildings by the officer of CAT.

7. Adjourned to May 29, 2020.

8. In the meantime, let Mr. Sharma, learned ASGI seek instructions from the competent authority about the suggestion made by Mr. Abhinav Sharma, about one bench each at Jammu and Srinagar to start with. He will also coordinate with Mr Aseem Sawhney, learned AAG for inspection of the buildings for the benches at Jammu and Srinagar and also the residential accommodation, to be provided to the members of the CAT.



(SANJAY DHAR)
JUDGE

(RAJESH BINDAL)
JUDGE

Jammu
19.05.2020
Paramjeet