

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

(Through Virtual Mode)

WP(C) PIL 14/2024

CM 6111/2024

Ravinder Kumar Sharma

...Appellant/Petitioner(s)

Through Mr. Abhishek Singhvi, Sr. Advocate (through V.C.)
with, Mr. Muhammad Ali Khan, Advocate
Mr. Omar Hoda, Advocate
Mr. Uday Bhatia, Advocate
Mr. Arjun Sharma, Advocate
Ms. Esha Bakshi, Advocate
Mr. Kamran Khan, Advocate
Mr. Gurbani Bhatia, Advocate
Mr. Ayush Panjotra, Advocate

Vs.

Union Territory of J&K and Ors.

...Respondent(s)

Through: Mr. Tushar Mehta, Solicitor General of India (through V.C.)
Mr. Vishal Sharma, DSGI, (through V.C.)
Mr. Sumant Sudan, Advocate
Mr. Eishaan Dadhichi, CGSC
Mr. Mohsin Qadri, Sr. AAG with
Ms. Maha Majeed, Assisting Counsel
Mr. Ab. Rashid Malik, Sr. AAG with
Mr. Mohd Younis Hafiz, Assisting Counsel
Mr. Shariq J Reyaz, Advocate with
Mr. Wahid Lone, Advocate and
Mr. Humair Sajad, Advocate for the applicants.

CORAM:

HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE.

HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER

21.10.2024

Having heard learned counsel for the parties and perused the material on record, we are of the opinion that the writ petition, *inter-alia*, raises the following debatable question of law:

“Whether Sections 15, 15-A and 15-B of the Jammu & Kashmir Reorganization Act, 2019, making provision for nominating the members of Legislative Assembly over and above the sanctioned strength of the Legislative Assembly,

and which have the potential of converting the minority government into a majority government and vice versa, is ultra vires the Constitution being in violation of basic structure of the Constitution?

Heard. Admit.

Notice. Notice waived by appearing counsel for the respondents.

List for final consideration on **5th December, 2024.**

In view of the fact that the Government has been formed, there is no urgency for grant of interim relief prayed for. The prayer of the petitioners for interim relief at this stage is declined. The parties shall be at liberty to approach this Court for interim relief, should there be a change in the circumstances.

(RAJESH SEKHRI)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

21.10.2024

"Mir Arif"

