

Website: www.J&Khighcourtbarassociationjammu.com

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Utkarsh Pathania Advocate Treasurer 97964-36978 Ref. No KUCBAJ/23/2501

Dated: 26 - 6 - 23

PRESS-NOTE

J&K HIGH COURT BAR ASSOCIATION JAMMU DEMANDS SHIFTING OF DISTRICT COURTS AND OTHER FORUMS TO RAIKA ALONG WITH HIGH COURT

A meeting of the Advisory Committee of Jammu & Kashmir High Court Bar Association Jammu was held today on 26th June 2023 in the A.S.Anand Library Hall, High Court Complex, Jammu, which was presided over by Sh. Vikram Sharma Sr. Advocate, President of J&K High Court Bar Association Jammu and was attended by the members of the Advisory Committee including Senior Advocates and Former Bar Presidents/office-bearers. The members of the Advisory Committee who could not attend the meeting, on account of summer vacations in the Courts, were contacted telephonically and their views on the issues were also placed before the members present.

The meeting was primarily convened to deliberate upon the issue of shifting of courts to Raika and also the issue of an attempt to create a Parallel Bar by a group of members. The members present in the meeting thoroughly deliberated upon the issues and after detailed discussions, all the members came to a unanimous decision that the J&K High Court Bar Association, Jammu, is not opposed to

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the form of in infrastructural development construction of the courts at Raika. The members were unanimous that the Association owes a responsibility towards the new entrants and those aspiring to ensure a better state-of-the-art working environ for them. It was stressed by all the members that with the legal profession now being one of the most sought-after professions across the globe, the average annual law graduates in Jammu itself crosses several hundreds, and, therefore makes it imperative for a proportionate regular infrastructural growth. While further discussing the issue about forest land and standing trees, the members of the Advisory Committee read out the Orders dated 23.11.2019 and 28.01.2020 passed by the National Green Tribunal. Principal Bench, New Delhi, in petition titled 'Aavin Kumar Chadgal & Anr. Vs. U.T of J&K' (O.A No. 1011/2019). whereby the National Green Tribunal, which was seized of the controversy with regard to the construction of High Court and other Complexes on a Forest land in Raika, has after perusal of the Action Taken Report filed by the Forest Department and satisfying itself about the compliance of law in diverting the Forest land for a different use, disposed of the petition. Not only this, an Appeal that came to be filed in the Hon'ble Supreme Court (Civil Appeal Nos. 2789-2790/2020) also came to be dismissed by order

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dated 11.09.2020 with an observation by the Hon'ble Supreme Court that there was no merit in the appeals. In the wake of satisfaction so arrived by the Courts w.r.t felling of trees and compensatory afforestation, the members were of the unanimous view that a decision by NGT or for that matter any court of law can not be protested on roads and that those dissenting shall not instigate the vulnerables to come on roads to protest against these orders. However, most of the members were also of the view and stresses that the Distt/Subordinate Courts, CAT, the Tribunals, and the Sub-Registrars under the Registration Act, should also be accommodated in Raika and in this regard asked the elected team headed by President to persuade those at the helm to redress such genuine demand of the member Advocates.

The members also considered the issue coming to light with the publication of a news-item in a local news-paper falsely reporting an objection to shifting of Court by quoting J&K High Court Bar Association Jammu. It was stressed that the media houses should not misquote J&K High Court Bar Association Jammu considering the seriousness of the issue and also the stature and dignity attached with the Association. The media houses, print/online, were urged to confirm from the Bar Association before attributing any version to it.

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With respect to the attempt by some members to create a parallel body of member Advocates and wrongfully involving the names of senior members of the Bar, the Advisory committee took serious view of the matter and resolved that members are governed by the constitution of the Association and any deviance touching indiscipline shall be viewed seriously and dealt with accordingly.

The meeting thus ended with a resolution to take up the matter of shifting of Distt. Courts/ Subordinate Courts, CAT, Sub-Registrars, Tribunals to Raika too in approachable locations so that the lawyers and litigants could have an access to the justice dispensation system in an era of justice-at-doorsteps and further resolved that the same should be followed vigorously by submitting a memorandum in the regard.

Those who attended the meeting physically and expressed their views telephonically include Mr. Ved Raj Wazir (Sr. Adv.& Former President), Mr. D.K Khajuria (Former President), S. D.S. Saini (Former President), Mr. Sunil Sethi (Sr. Adv.& Former President, S. Surinder Singh (Former Bar President) Mr. L.K Sharma (Sr. Advocate), Smt. Surinder Kour (Sr. Advocate), Mr. U.K Jalali (Sr. Advocate), S. K. S Johal (Sr. Advocate), Mr. R.K Jain (Sr. Advocate), Mr. Pranav Kohli (Sr. Advocate), Mr. C.S Gupta, Mr. D.S Chouhan, Mr. Rajesh Kotwal, Mr. Ajay Sharma, Mr. Kishore Kumar, Mr. Ravinder Sharma, Mr. Sanjay Kakkar, Mr. Sudershan Sharma, S. Rupinder

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Singh, Choudhary Mohd. Anwar,Mr. Sheikh Shakeel Ahmed, Mr. Ajay Singh Manhas, Mr. Anil Kumar Bargotra, Mrs. Mandeep Reen, Mrs. Deepika Mahajan, Mrs. Rozina Afzal, S. Baldev Singh (Jr.), S. Meharban Singh, Mr. Amit Chopra, Mr. Rohit Sharma (President YLA Ex-officio Member). The office-bearers were present in the meeting.

The other Advocates who were present are Ved Bharat, Daljeet Singh Manhas, Sushant Sharma, parvez Choudhary, Aditya Chopra, Goutam Gambhir, Supriya Chouhan.

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