

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

WP (C) No. 1258/2026

Vijay Kumar

.....Applicant(s)/Petitioner(s)

Through :- Mr. Kamal Mangotra, Advocate

v/s

Union of India & Ors.

.....Respondent(s)

Through :- Ms. Chetna Manhas, Assisting counsel to  
Mrs. Monika Kohli, Sr. AAG

**CORAM: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE**

**ORDER**  
**06.05.2026**

1. The petitioner in this petition, who is also a defendant before the trial Court in a Civil suit, has invoked extraordinary writ jurisdiction of this Court vested under Article 226 of the Constitution of India to issue an appropriate writ, order or direction to declare Jammu & Kashmir Reorganization (Adaptation of Central Laws) Order, 2020 to the extent it has amended Order V Rule-1 and Order-VIII Rules-1 and 10 of the Code of Civil Procedure, 1908 along with corresponding amendments made in Civil Procedure Code, 1908 as applicable to the Union Territory of Jammu & Kashmir as *ultra vires* the Jammu & Kashmir Reorganization Act, 2019 [**“the Act of 2019”**].
2. Learned counsel appearing on behalf of the petitioner, while relying upon the order dated 20.11.2023 passed by this in WP (C) No. 2901/2023, states that the similar relief be granted in favour of the petitioner in this writ petition.
3. Heard.

4. Notice, waived by Ms. Chetna Manhas, Assisting counsel to Mrs. Monika Kohli, learned Sr. AAG, appearing on behalf of Respondent No. 2.
5. Now, notice shall go to rest of the respondents, subject to filing of requisites by the petitioner.
6. Meanwhile, subject to objections and till next date of hearing, proceedings pending before the learned Munsiff/Additional Special Mobile Magistrate, Samba in Case No. 226/2024 titled "*Vijay Kumar Vs. Shakuntla Devi & Ors.*" shall remain stayed.
7. It has been informed to this Court that a number of writ petitions challenging amendment in the Code of Civil Procedure vide SO No. 1123 (E) of 2020 dated 18.03.2020 are being considered by the Division Bench. Therefore, it would be appropriate to list this petition before the Division Bench.
8. Registry to take note of and list this matter before the Division Bench along with similar matters.

**(Moksha Khajuria Kazmi)**  
**Judge**

JAMMU  
06.05.2026  
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