

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

WP(C) No. 1614/2026
CM No. 3595/2026

Sudesh Kumar and others

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

Through :- Mr. Gagan Oswal, Advocate.

v/s

UOI and Others

.....Respondent(s)

Through :- Mr. Vishal Sharma, DSGI with
Mr. Karan Sharma, Advocate.

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

ORDER
03.06.2026

1. The petitioners in this petition, who are also defendants before the trial Court in a Civil Suit, have 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 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 petitioners, while relying upon an order dated 20.11.2023 passed by this Court in WP(C) No. 2901/2023, states that similar relief be granted in favour of the petitioners in this writ petition.

3. Heard.

4. Notice. Notice is waived by Mr. Karan Sharma, learned CGSC on behalf of respondent No.1.

5. Let notice go to respondents 2 and 3.

6. Meanwhile, subject to objections and till next date of hearing, proceedings pending before the learned City Judge, Jammu in Civil Suit File No.7570/2024 titled '*Ashok Kumar Bhagat & Ors. V. Sudesh Kumar & 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, with lead case WP(C) No.1307/2023.

8. Registry to list this writ petition along with WP(C) No. 1307/2023 titled '*Anoop Dutta V. UT of J&K and Ors.*' before the Division Bench.

JAMMU
03.06.2026
Raj Kumar

