

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

CJ Court

Case: PIL No. 2 of 2017

Hunar Gupta

.....Appellant/Petitioner(s)

Through :- Sh. Sunil Sethi, Senior Advocate with
Sh. Ankesh Chandel, Advocate.

v/s

State of J&K and Others

.....Respondent(s)

Through :- Sh. D C Raina, Advocate General with
Sh. Raman Sharma, AAG.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

1. Heard Sh. Sunil Sethi, senior counsel on behalf of the petitioner; and Sh. D C Raina, learned Advocate General as well as Sh. Raman Sharma, AAG for the respondents.

2. This public interest litigation seeks some enquiry to be conducted to identify all illegal immigrants from Myanmar and Bangladesh who have migrated from there and settled in the Union Territory of Jammu and Kashmir apart from other reliefs which are not relevant for the time being.

3. One of the orders dated 24.05.2017 passed in the PIL indicates that at that time the Government had constituted a Group of Ministers to examine the various issues relating to illegal migrants from Myanmar and Bangladesh in the State of Jammu and Kashmir. The Group of Ministers was supposed to take up the matter, examine it and to furnish a report thereof. But till date, nothing has come on record. In the meantime, the State of Jammu and Kashmir was bifurcated and the UT of J&K has been created.

4. Sh. Sunil Sethi, senior counsel submits that though it is very easy to identify such illegal migrants but the Government should come up with a

complete mechanism so as to identify them and to submit a list of all such immigrants before the Court.

5. Sh. Raman Sharma, learned AAG accepts that the Government will try to do the identification and for that purpose evolve a robust mechanism.

6. In view of the aforesaid facts and circumstances, we direct the Secretary Home, UT of J&K to consider the matter and to evolve a mechanism for the identification of all illegal immigrants and to prepare a list after identifying them.

7. The said exercise may be carried out, most promptly, within a period of six weeks.

8. List on 15.07.2022.

(MOKSHA KHAJURIA KAZMI)
JUDGE

(PANKAJ MITHAL)
CHIEF JUSTICE

JAMMU
01.04.2022
Abinash

