

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

WP(C)PIL No.11/2020
(Through Video Conference)

Court on its own motion

..Applicant Appellant(s)

Through:- Ms. Monika Kohli, Amicus curiae.
(on Video Conferencing from her office at
Jammu)

v/s

Union Territory of J&K and Ladakh

....Respondent(s)

Through:- Mr. Tahir Shamsi, ASGI
(On Video Conferencing from his residence
at Srinagar)

Mr. Aseem Sawhney, AAG
(On Video Conferencing from his residence
at Jammu)

Mr. M. K. Sharma, Member Secretary,
JKSLSA
(on video conferencing from High Court at
Jammu)

HON'BLE THE CHIEF JUSTICE

(on Video Conference from residence at Jammu)

Coram:

HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE

(on Video Conference from High Court at Jammu)

ORDER
16.06.2020

01. A report dated 15th June 2020 filed by Mr. M. K. Sharma,
Member Secretary, JKSLSA giving details of the several measures taken by

the Secretaries of the District Legal Services Authorities and the para legal volunteers.

02. Information which has been collected with regard to the status of the petitioners in whose favour orders of maintenance have been passed by the courts has been given.

03. We are informed by Mr. M. K. Sharma, Member Secretary, JKSLSA in this report that the list of all the persons on whose favour maintenance orders stood passed but not been complied with (on account of inability of the respondents to pay the maintenance either on account of loss of employment or on account of COVID-19 restrictions), stands furnished to the Government of Union Territory of Jammu and Kashmir. This list contains full particulars including the addresses as well as phone whereso available.

Let a copy of this report be furnished to Mr. Aseem Sawhney, AAG who shall ensure that the matter is immediately addressed in right earnest.

03. The Union Territory Government would examine the possibility of providing assistance to these persons, financial as well as material, to enable the survival and sustenance of the persons in whose favour the courts have passed the maintenance orders.

04. Mr. M. K. Sharma, Member Secretary, JKSLSA shall within one week file a report regarding all those petitions where maintenance has been sought under any law, however no interim or final orders have been so far passed. The action of verification of the welfare of petitioners in whose favour

orders have been passed, would be taken by Mr. Sharma in respect of the petitioners in these cases as well.

05. Subject to the verification of the condition of the petitioners being effect, the list and details of these petitioners shall also be sent to the Union Territory Government by Mr. M. K. Sharma duly certified that a preliminary enquiry regarding the condition of the petitioners has been effected.

06. It is made clear that the above certification by Member Secretary, JKSLSA and / or payment of any amount by the Government is only a temporary measure pending restoration of normal functioning of all systems. The same shall not create any rights in favour of the petitioner.

07. We are informed by Mr. M. K. Sharma, Member Secretary, JKSLSA that pursuant to the last order passed by this Court, he has contacted Ms. Veena Ralli, Organizing Secretary, Samadhan Mediation and Conciliation Centre, Delhi High Court to intervene and facilitate mediation in the case of Master Shine Choudhary vs. Sh. Pawan Kumar. It is stated that Ms Ralli has agreed to do so and that the mediation is slated for the 17th of June 2020.

08. Mr. M. K. Sharma, Member Secretary, JKSLSA shall ensure that the parties and counsels are duly informed of the date and time so that effective proceedings take place on the day and time scheduled by Ms. Ralli.

09. The parties and counsels shall fully cooperate and facilitate the mediation process. It shall be open for the mediator to fix the matters on further dates, as may be required.

10. List this petition for report in terms of the above on 7th July 2020.

(VINOD CHATTERJI KOUL)
JUDGE

(GITA MITTAL)
CHIEF JUSTICE

Jammu
16.06.2020
Raj Kumar

