

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

**CM No. 3022/2020 in
WP(C) PIL no. 5/2020**
(Through Video Conferencing
in Jammu)

Court on its Own Motion

Ms. Monika Kohli, Amicus
(on Video Conference from her office at
Jammu)

Mr. Sachin Sharma, Advocate in CM No.
3022/2020 (seeking intervention)
(on Video Conference from his office at
Jammu)

v/s

Union Territory of Jammu and Kashmir

.... Respondent(s)

Through:- Mr. D. C. Raina, Advocate General
with Mr. Aseem Sawhney, AAG (on
Video Conference from office at Srinagar)
for Govt. of UT of Jammu & Kashmir

HON'BLE THE CHIEF JUSTICE

(on Video Conference from residence at Srinagar)

Coram:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

(on Video Conference from residence at Srinagar)

ORDER

13.07.2020

XVII. e-Connectivity of Courts

1) Given the sharp rise in the COVID-19 infections, we have been compelled to strictly enforce the lockdown as has been imposed in large parts of Kashmir Province of the Union Territory of Jammu and Kashmir. As a result, virtual hearings have been necessitated.

2) This court is concerned with urgent issues involving rights of the residents of the Union Territories of Jammu & Kashmir and Ladakh. However, we find today that despite best efforts on the part of our IT experts, it has been impossible today to have even a bare semblance of a hearing. We have struggled to have virtual/or audio connectivity with the amicus curiae and the several counsels appearing before us. Even the learned Advocate General has expressed grave difficulty in joining the hearing.

3) Access to justice is a fundamental right and cannot be impeded. It has to be ensured to every citizen and courts are required to remain accessible.

4) By its order dated 11th May 2020 in Writ Petition (Civil) D.No.10817/2020 entitled '*Foundation for Media Professionals v. Union Territory of Jammu and Kashmir and Anr.*' the Supreme Court of India constituted a Committee at the highest level to undertake a review of connectivity restrictions imposed by the authorities.

5) Given the extreme difficulty being faced by us, let Mr. Shaleen Kabra, Home Secretary appear before us through Video Conferencing and apprise this court about the impact of the restrictions on e-connectivity of the courts.

List on 16th July 2020.

CM No. 3022/2020 (filed by Mr. Sachin Sharma, Advocate seeking intervention) in WP(C)PIL No. 5/2020

6) A status report dated 10th July 2020 has been filed by Mr. Aseem Sawhney, AAG. However, we find in the Status Report that we are not given information with regard to the number of yatris who undertake the yatra. We also find that length of the yatra; the elevation of the route; the stoppages on the way and the arrangements should also be informed to us.

7) Mr. Aseem Sawhney, AAG shall apprise this court tomorrow about the rituals which are performed at the close of the Yatra and the Government orders in the matter.

8) On account of connectivity issues, we are finding it extremely difficult to hear counsels today.

List on 14th July 2020 at 11.00 A.M.

(SANJAY DHAR)
JUDGE

(GITA MITTAL)
CHIEF JUSTICE

Jammu
13.07.2020
Raj kumar

