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

JWP No. 1986/2013  
CMP Nos. 01/2016 & 01/2015

Date of Order: 31/05/2016

Kashmiri Pandit Sangrash Samiti Vs. Union of India & Ors.

**Coram:**

**Hon'ble Mr. Justice Ramalingam Sudhakar, Judge.**

**Appearing counsel:**

For Petitioner(s): Mr. Saleem Gupkari, Adv.  
For Respondent(s): Mr. N. H. Shah, AAG.  
Mr. Bilal Ahmad, Adv. vice Mr. S. A Makroo, ASGL.

The instant writ petition is filed challenging provision of Clause 2(d) of SRO 412 read with Section 5 of SRO 412 dated 30-12-2009. The following relief has been sought by the petitioners:

- i) That on the basis of the ground which have been taken up and reflected herein above, it would manifest that Clause 2(d) of SRO 412 dated 30-12-2009 read with Section 5 of SRO 412 are unconstitutional and therefore be declared ultra virus to the Constitution of India read with the Constitution of State of Jammu and Kashmir are being based on religion, place of residence and treating people un-equality without applying the test of intellectual differential.
- ii) That a mandamus be also issued directing the respondent state to allow the petitioners along with other 561 aspirants from the Non-migrant Kashmiri Pandit Community to apply in respect of the Hon'ble Prime Ministers' Package.

The writ petition has been filed in the year 2013.

Learned counsel for the petitioners states that a new