

**THE AZAD GOVERNMENT OF THE STATE OF JAMMU &  
KASHMIR LAW AND PARLTAMENTARY AFFAIRS  
SECRETARIAT, MUZAFFARABAD.**

Dated the 2<sup>nd</sup> January, 1981

No. 21/LD/81. The following Ordinance made by the President on the 2<sup>nd</sup> day of January, 1981, is hereby published for general information:-

**(ORDINANCE I OF 1981)**

**AN**

**ORDINANCE**

further to amend the Azad Kashmir Courts and Law Code, 1949.

WHEREAS it is expedient to amend the Azad Kashmir Courts and Law Code, 1949, for the purpose hereinafter appearing;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following Ordinance:-

1. **Short Title and Commencement.** - (1) This Ordinance may be called the Azad Kashmir Courts and Law Code (Amendment) Ordinance, 1981.
  - (2) It shall come into force at once.
2. **Amendment of Section 5, Azad Kashmir Courts and Laws Code, 1949.-** In the Azad Kashmir Courts and Laws Code, 1949, hereinafter referred as the said Code, in Section 5, in sub-section (1):-
  - (a) for the word 'two or three other' the words 'three or more' shall be substituted; and
  - (b) after sub-section (1) the following new sub-section (1-A) shall be inserted and shall be deemed always to have been so inserted, namely:-

“(1-A) At any time when:-

    - (a) the office of the Chief Justice of the High Court is vacant; or
    - (b) the Chief Justice of the High Court is absent or is unable to perform the functions of his office due to any other cause;

the President shall appoint the most senior of the other Judges of the High Court to act as Chief Justice.”

**(3) Insertion of Section 26-A, Azad Kashmir Courts and Laws Codes, 1949.-** In the said Code, after Section 26, the following new section shall be inserted, namely as:-

“26-A **General provisions relating to the Judicature.-**

A person who has been office as a permanent Judge:-

- (a) of the Azad Jammu and Kashmir Judicial Board or Supreme Court of Azad Jammu and Kashmir, shall not plead or act in any court or before any authority in Azad Jammu and Kashmir; and
- (b) of the High Court, shall not plead or act in any Court or before any authority within its jurisdiction.

(Mohammad Hayat Khan)  
President  
Azad Jammu and Kashmir  
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Sd/- (Khalil Ahmed Qureshi)  
Secretary Law