

**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
SRINAGAR**

**ORDER No: 25/PDJS
DATED: 16.4.2021**

WHEREAS a separate Family Court has been established at Srinagar vide Government Order No. 2988-LD(A) of 2019 dated: 4.6.2019 and vide High Court Order No. 10547/GS dated 22.10.2020 it has been directed to withdraw the Civil as well as the Criminal cases triable by Family Court and transfer the same to the Family court as and when the Presiding Officer of the Family Court is posted in the said Court.

WHEREAS pursuant to Transfer Order No. 184 of 2021/RG dated: 30.3.2021 of High court of Jammu & Kashmir Ms. Masarat Shaheen, District Judge, has assumed the charge of Principal Judge, Family Court Srinagar on 6.4.2021.

WHEREAS the Family Court has jurisdiction to try the following matters:

- (i) **A suit or proceeding between the parties to a marriage for a decree of nullity of marriage (declaring the marriage to be null and void or, as the case may be, annulling the marriage) or restitution of conjugal rights or judicial separation or dissolution of marriage;**
- (ii) **A suit or proceeding for declaration as to the validity of a marriage or as to the matrimonial status of any person;**
- (iii) **A suit or proceeding between the parties to a marriage with respect to the property of the parties or of either of them;**
- (iv) **A suit or proceeding for an order or injunction in circumstance arising out of marital relationship.**
- (v) **A suit or proceeding for a declaration as to the legitimacy of any person.**
- (vi) **A suit or proceeding for maintenance.**
- (vii) **A suit or proceeding in relation to the guardianship of the person or the custody of, or access to any minor.**



In this backdrop all the Cases pertaining to the jurisdiction of Family Court are ordered to be withdrawn from all the Civil and Criminal Courts of District Srinagar and transferred to the Family Court, Srinagar in terms of Section 8 of The Family Courts Act 1984, read with the Jammu & Kashmir Family Courts (court) Rules 2019.

All the Courts/Magistrates having Civil/Criminal Cases relating to the Family matters shall forward the cases to the Family court, Srinagar and a date shall be fixed in each of the case, with a direction to the litigants concerned to appear before the Family Court.



16.4.21
(M.A. Chowdhary)

Pr. District & Sessions Judge,
Srinagar

No: 408-523/PDJS/Ad-2021 Dated: 16/4/2021

Copy to:

1. Registrar General. High court of Jammu and Kashmir, Jammu.
2. Principal Secretary to Hon'ble Chief Justice, High court of J&K, Jammu.
- For information
3. Secretary to Hon'ble Mr. Justice Ali Mohammad Magrey (Administrative Judge for District Srinagar) High Court of J&K for information of His Lordship.
4. Secretary to Hon'ble Mr. Justice Tashi Rabstan (Chairman) Committee for all matters relating to creation and working of Family Courts, High court of J&K for information of His Lordship.
5. Principal Judge, Family Court, Srinagar.
6. All Presiding officers, Civil/Criminal Courts of District Srinagar for information and compliance.
7. System officer (e-courts) to upload the Circular on the official website of District Court Srinagar.
8. Notice Board.
9. Office File No. 250.


16.04.21
**Pr. District & Sessions Judge,
Srinagar**