

## ANNEXURE 'A'

## THE AZAD JAMMU AND KASHMIR WAQF PROPERTIES

## (LITIGATION) RULES, 1961

In exercise of the power conferred under Section 19 of the Azad

Jammu and Kashmir Waqf Properties Act, 1950, the Azad Jammu and Kashmir Government is pleased to make the following rules :

1.

Short title and commencement:- (1) These rules may be called the Azad Jammu and Kashmir Waqf Properties (Litigation) Rules, 1961.

(2) They shall come into force at once.

Where the Administrator, after taking into consideration the facts of the case and after obtaining such legal advice as may be considered necessary, is of the opinion that a suit, application or other legal proceedings should be instituted, made or taken, he shall take steps accordingly.

(1) Where a suit is instituted or a petition under Section 7 or an appeal under Section 8 of the Azad Jammu and Kashmir Waqf Properties Act, 1960, or any other application for revision or review, is filed against the Administrator he shall call for a copy of the complaint, petition, memorandum of appeal or application, as the case may be, unless he has received such copy alongwith the summons or notice in that case.

(2) After examining the copy of such plaint, petition, memorandum of appeal or application and any relevant material before him, and after obtaining such legal opinion as he considers necessary, the Administrator shall decide whether the suit, petition, appeal or application, as the case may be, should be admitted, compromised or defended.

Where any suit, petition, appeal or application instituted or made or defended has been decided wholly or partly against the Administrator and the Administrator, after obtaining such legal opinion, as may be necessary, is of the opinion that an appeal or in non-appealable cases an application for revision or review of judgment, if competent, should be filed, he shall take step accordingly.

The Administrator may engage a counsel to conduct or defend

suit, petition, appeal or application filed by or against him in a Court of Law, on payment of such fee as he thinks fit in each case.

