A petition has been filed in the Supreme Court, seeking early hearing of application challenging the constitutional validity of the Presidential order, which amended and rendered the provisions of Article 370 inoperative, stripping off the special status of Jammu and Kashmir.

The early hearing petition, filed by CPI (M) leader MY Tarigami, sought to assail the said presidential order by praying the court to declare the said amendment unconstitutional as it has an infringing effect on the fundamental rights, more specifically, Articles 21 and 14 of the Indian Constitution.

Mr Tarigami said despite the fact that the challenge to the constitutional validity of orders by the Centre on August 5, 2019 as well as the J&K (Reorganisation) Act, is pending before the Supreme Court, the Central Government had taken some “irreversible actions”. He said the Centre had constituted a Delimitation Commission to mark boundaries in the territory for all the constituencies before an Assembly election can be held.

“Amendment to the J&K Development Act allows persons who are not permanent residents to buy land in UT,” the petition said, listing out the Centre’s decisions.

The Spokesperson of the People’s Alliance for Gupkar Declaration said several petitions have been waiting in the Supreme Court for nearly two years.

The petitions were referred to a five-judge Bench in August, 2019 by the then Chief Justice of India, Ranjan Gogoi. The case was last listed before a Constitution Bench led by the then Chief Justice S.A. Bobde on March 2, 2020.

The other four judges on the Constitution Bench include Justices Sanjay Kishan Kaul, R. Subhash Reddy, B.R. Gavai and Surya Kant.