

(2013) 07 JH CK 0209

In the Jharkhand High Court

Case No : Writ Petition (PIL) No. 2211 of 2010

Advocate Association

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 30-07-2013

Acts Referred:

Citation : (2013) 4 AJR 290

Hon'ble Judges : Prakash Tatia, C.J.;Jaya Roy, J

Bench : Division Bench

Advocate : Anil Kumar Sinha, H.K. Shikarwah, for the Appellant;

Final Decision : Disposed Off

Judgement

1. One application being I.A. No. 5297 of 2013 has been filed by Advocates' Association Lawyer's Chamber Building Committee through its elected Secretary. Learned Senior Counsel, Mr. Anil Kumar Sinha, submitted that a new High Court building is going to be constructed with 500 chambers for advocates. However, what is heard by the advocates, it appears that in the new High Court building, 500 advocates' chamber are to be allotted to the advocates practicing in the High Court. According to the applicant, in the present High Court building, 116 chambers for advocates have been constructed in view of the judicial order passed in another petition and these 116 chambers have been constructed by the advocates by incurring the cost of the construction of the chambers of different size. Learned counsel for the applicant also submitted that as per the proposed scheme, as they heard, there is possibility of allotment of chamber in the new High Court premises in a way that the chamber will be allotted in the name of one advocate according to merit decided by the High Court with accommodation to four advocates, whose names will be given by the applicant advocate and four advocates will be occupying the chamber with the consent of that applicant advocate having the merit for allotment of the chamber. It is submitted that the applicant's members advocate be put to disadvantage if chambers will not be given to them in the new High Court premises in spite of

the new big and appropriate size building. They are already occupying chamber in present building. It is submitted that in the new building, they are expecting if not more beneficial position then at least, not lower than the position they are having in this building because of their investment in the construction of chamber.

2. The issue is of importance looking to the facts of the case that in the present premises, the advocates have invested their own money in construction of their chamber. The issue is certainly required to be considered by the High Court at the time of allotment of chamber in the new High Court building and we hope that in the administrative side, due respect will be given to the advocates' apprehension and High Court will take into account the facts that the eligibility of these advocates have already been considered by the High Court and the Government and they were permitted to construct the chamber by investing their own money and, therefore, their right to have their chamber is required to be duly recognized. In view of the above reasons, this application being I.A. No. 5297 of 2013 is disposed of.