

(1998) 11 AHC CK 0007
In the Allahabad High Court
Case No : C.M.W.P No. 12872 of 1990

Tahsil Bar Association, Tahsil Sadar, Deoria and another	APPELLANT
Vs	
Inspector General, Registration, Allahabad and others	RESPONDENT

Date of Decision : 17-11-1998

Acts Referred:

Uttar Pradesh Document Writers Licensing Rules, 1977 — Rule 6(2)

Citation : (1998) 4 AWC 305 : (1998) AWC 305 : (1999) RD 44

Hon'ble Judges : R.K. Singh, J;B.K. Roy, J

Bench : Division Bench

Advocate : J.P. Gupta, for the Appellant;

Judgement

B.K. Roy and R.K. Singh, JJ.—The prayer of the petitioner is to quash G.O. dated 20.4.1990 issued by the State Government in its Institutional Finance (Stamp and Registration) Department, Lucknow bearing No. SR- 758/Eleven-90 sent by the Joint Secretary to the Inspector General Registration.

2. Rule 6 (2) of the U. P. Documents Writers Licensing Rules, 1977, reads thus :

"(2) Nothing in sub-rule (1) shall apply where the writer of such document is one of the parties thereto or is a legal practitioner engaged by the parties for drawing up the document".

3. The impugned G. O. clarifies that under Rule 6 (2) of the U. P. Documents Writers Licensing Rules. 1977, lawyers have right to prepare deeds only on behalf of their clients.

4. Having heard Sri J. P. Gupta, learned counsel for the petitioner and Sri S. K. Jaiswal, learned standing counsel appearing on behalf of the State, we do not find any infirmity in this clarification of the Government.

5. It goes without saying that if any counsel prepares a document after having a written authority from his client, in that event Rule 6 (2) of the Rules aforementioned permits preparation of such a document and the Government

never intended to curb any restriction on such a professional right of the counsel throughout the State.

6. Accordingly, it cannot be held that there is any real cause of action for the Petitioner Association to agitate by filing this writ petition.

7. This writ petition is dismissed with aforementioned observation.