

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

RSA No.3662 of 2013 (O&M)

Date of decision:15.01.2016

Jit Singh

...Appellant

Vs.

Mahant Gurcharan Dass and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. B.S.Jaswal, Advocate
for the appellant.

AMIT RAWAL J. (Oral)

The appellant-plaintiff is in Regular Second Appeal against the judgment and decree of the Lower Appellate Court vide which the suit for rendition of account in respect of legal fee payable to the plaintiff, decreed by the trial Court, has been dismissed.

Mr. B.S.Jaswal, learned counsel appearing on behalf of the appellant-plaintiff submits that the Lower Appellate Court has committed illegality and perversity in dismissing the suit by holding that suit for recovery was maintainable and not for rendition account, therefore, the substantial question of law arises for adjudication of the present appeal.

I have heard learned counsel for the appellant and appraised the judgments and decrees of the Courts below.

As and when the lawyer is engaged on behalf of the client, it appears that he has to submit the bill and is required to maintain the same. Once he knew that he had appeared in number of cases on behalf of his client and there is nothing due towards him, though fees of the Advocate may vary from case to case depending upon the nature of the cases, it is always fixed as per the labour involved in each case. Thus, in my view, suit for rendition of account was not maintainable. I am in agreement with the findings rendered by the lower Appellate Court in holding that the suit for recovery was required to be filed and not for rendition of account.

In view of the aforementioned observations, no substantial question of law arises for determination.

Accordingly, the appeal is dismissed.

(AMIT RAWAL)
JUDGE

January 15, 2016
savita