

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 522 of 2018

Atul Singh Chandel S/o Late Shri G.S. Chandel Aged About 56
Years R/o House No. B/267, Pragati Nagar, S E C L Dipika Post
Office Gevra District Korba Chhattisgarh

---- Petitioner

Versus

1. Smt. Pratibha Chandel W/o Shri Atul Singh Chandel Aged About 52 Years,
2. Ku. Ananya Chandel D/o Atul Singh Chandel Aged About 21 Years,
3. Ku. Shrijal Chandel D/o Atul Singh Chandel Aged About 18 Years,
4. Jyesh Raj S/o Atul Singh Chandel Aged About 23 Years,
All R/o Near Shiv Temple, Tilak Nagar, Bilaspur, Tahsil And District
Bilaspur Chhattisgarh.

---- Respondents

For petitioner -Shri Ravindra Sharma, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/06/2018

Heard.

1. This instant petition is against the order dated 18/04/2018 whereby right to appoint an advocate was dismissed by the court below moved on behalf of the petitioner.
2. As per the record would show that proceeding before the Family Court under section 125 (3) of Cr.P.C. is pending adjudication.
3. Section 13 of the Family Courts Act, 1984 reads as under:-
“13. Right to legal representation.-Notwithstanding anything contained in any law, no party to a suit or proceeding before a Family Court shall be entitled, as of right, to be represented by a legal practitioner:
Provided that if the Family Court considers it necessary in the

interest of justice, it may seek the assistance of a legal expert as amicus curiae.”

4. Since section do not puts bar for appointment of counsel, therefore as per proviso to section 13 the petitioner may file an application before the court to seek assistance of legal expert as amicus curiae.

5. Accordingly, the petition is disposed of with a liberty to the petitioner to move suitable application for appointment of any advocate as amicus curiae to assist the court.

Sd/-

(Goutam Bhaduri)

JUDGE