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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 9230/2015

OM PRAKASH

..... Petitioner

Through: Petitioner-in-person.

versus

THE ADVOCATE CHAMBERS ALLOTMENT COMMITTEE,
KKD COURTS, DELHI & ORS

..... Respondents

Through: Mr. Sanjay Dewan, Adv. for R-1 &
R-2.

Mr. Chaitanya Puri, Adv. for
Mr.Rajshekhar Rao, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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13.12.2018

1. The petitioner has preferred this writ petition to seek a writ directing the amendment of Rule 5 of the District Courts Karkardooma Lawyers Chambers (Allotment and Occupancy) Rules, 1995 (Amended) so that out of turn allotment could be considered in respect of the retired Public Prosecutors.

2. The petitioner states that he was enrolled as an Advocate with the Bar Council of Punjab and Haryana on 17.10.1982. On 27.07.1989 he was appointed as a Public Prosecutor in Delhi. He retired from the post of Chief Public Prosecutor, Karkardooma Courts, Delhi on 28.02.2014. He enrolled as a member of the Shahdara Bar Association on 01.06.2014 and got his registration transferred from the Bar Council of Punjab and Haryana to the

Bar Council of Delhi. His new registration number with the Bar Council of Delhi is D-471-C/1982. He then applied for allotment of chamber in August 2014; his application was rejected on the ground of his not being senior enough as a member of the Bar Association to get an allotment of chamber. The submission of the petitioner is that on account of his being appointed as a Public Prosecutor, he could not enter into private practice and in that regard his case is similar to the case of a retired Judicial Officer, who too cannot continue as an active member of the Bar Council where he is registered and cannot seek membership of the Bar Association.

3. Without going into the merit of the petitioner's claim, we are of the view that the Chamber Allotment Committee of the Karkardooma Courts Complex, Delhi and the High Court of Delhi should examine the issue whether any out of turn allotment should be considered in respect of the Public Prosecutors, who retire in Delhi from service, on account of the aspects taken note hereinabove. In case the respondents decide to amend the District Courts Karkardooma Lawyers Chambers (Allotment and Occupancy) Rules, 1995 (Amended), after consideration of the matter, the application of the petitioner be reconsidered.

4. Petition stands disposed of in the above terms.

Order *dasti*.

VIPIN SANGHI, J

A. K. CHAWLA, J

DECEMBER 13, 2018

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