

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPIL No. 68 of 2019

Uttam Kumar Pandey (Petitioner in Person) S/o Late Shri B.P. Pandey
Aged About 63 Years, Advocate, R/o Sai Vihar Colony, Behind Sai Temple,
Tifra, Bilaspur -495001, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through The Chief Secretary, Naya Mantralaya, Atal Nagar, Raipur -492002, Chhattisgarh.
2. The Secretary Department of Law, Naya Mantralaya, Atal Nagar Raipur -492002, Chhattisgarh.

-----Respondents

For Petitioner : Petitioner in person.

For State : Shri Sudeep Agrawal, Dy. Advocate General.

Hon'ble Shri PR Ramachandra Menon, Chief Justice &

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

Per PR Ramachandra Menon, CJ
18.02.2020

1. The petitioner, appearing in person, has moved this Court with the following prayers :-

“10.1 That, the Hon'ble Court be pleased to accept the Writ Petition in the interest of justice.

10.2 That, the Hon'ble Court be pleased to Command the respondents by issuing a writ of mandamus commanding them to reform the present system of selection and appointment of Law Officers/Government Advocate, and to frame Rules to provide for Transparent System of Engagement of Law Officers/Government Advocates to represent the State of Chhattisgarh before the Hon'ble High Court, Hon'ble Supreme Court of India, and other Courts of Law and Tribunals as per observation of the Hon'ble Supreme Court in the case of State of Punjab and others V/s Brijeshwar Singh Chahal & Ors reported in SCC 2016 (6) 1 at the earliest in the interest of justice.

10.3 Any other Order or Directions deem fit and proper may also be passed in the facts and situation of the case and in the interest of justice.”

2. Heard the petitioner (appearing in person) as well as the learned counsel representing the State.
3. According to the petitioner, the process of identifying and appointing the Law Officers of the State which is being done absolutely without following any yardstick and contrary to the norms/guidelines pointed out by the Apex Court on many an occasion. Specific reference is made to the judgment passed by the Supreme Court in the case of **State of Punjab and others Vs Brijeshwar Singh Chahal & Ors** reported in **(2016) 6 SCC 1**.
4. It is brought to the notice of this Court that almost similar issue had come-up for consideration before this Court in connection with the appointment of one of a lawyer of this Court as a “Deputy Advocate General” in WA No.357 of 2019 arising from the judgment in WPC No.804/2019. All the relevant aspects were dealt with very elaborately and a judgment was passed on 29.01.2020, giving appropriate direction to the Government.
5. We are of the view that the observations made in the said case and the direction given will take care of the situation as projected by the petitioner in this petition, which has been filed as “Public Interest Litigation”.
6. In the said circumstance, this matter is disposed of in terms of the observations made by this Court in WA No.357 of 2019.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge