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

CWP No. 3866 of 2022 (O&M)
Date of Decision: 01.06.2022

Vikram Bajaj Advocate

-Petitioner

Versus

Union of India and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. H.C. Arora, Advocate, and
Ms. Sunaina, Advocate,
for the petitioner.

Mr. Sunil Kumar Sharma, Advocate,
for respondents No.1 and 2.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release the balance payment of fee bills for appearing in two cases of the respondent- department in his capacity as Senior Panel Counsel of UOI along with interest.

It appears from the record and stand taken by the respondents that the petitioner being a Senior Panel Counsel for UOI is placed in 'B' category for his fee structure. Petitioner used to appear in the High Court. In the memorandum dated

01.10.2015, there is no provision made to answer the present controversy i.e. to slash down the fee structure of the petitioner for those cases before the Deputy Labour Commissioner (Central) in which he had appeared as Senior Panel Counsel for UOI.

Learned counsel for the petitioner has cited three identical cases in which the Advocates appearing in cases of Joginder Singh, Harbhajan Singh and Harkewal Singh were paid fee at the rates applicable to category 'B' i.e. Senior Panel Counsel. Even in case of Lamber Ram, the petitioner was sanctioned the fee at the rate of empaneled counsels for District Courts i.e. category 'E' but on representation made by the petitioner, his fee structure was revived and thereafter, he was paid the balance fee by treating his entitlement under category 'B'. The entitlement of the petitioner was computed and difference of the amount was paid. Even otherwise, the office of Deputy Labour Commissioner (Central) is a big office and the authority does not hold any regular Court being quasi judicial authority and there is no provision in the memorandum dated 01.10.2015 as regards the fee structure to be paid to the Advocates who are appearing before the said authority.

In view of aforesaid reasons, I deem it appropriate to direct the respondents to pay the legal fee of the petitioner by

treating him to be in category 'B' for those cases in which he had appeared before the Deputy Labour Commissioner (Central), Chandigarh.

Petitioner shall also be entitled to interest @ 6% per annum from the date when the amount became due till final realization of the amount.

Disposed of.

01.06.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No