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

+ **W.P.(C) 9192/2019 & CM. APPL. 37882/2019**

PARIKSHIT MAHIPAL

..... Petitioner

Through: Petitioner in person

versus

THE LAWYERS CHAMBERS ALLOTMENT

COMMITTEE AND ANR.

..... Respondents

Through: Appearance not given.

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

27.05.2024

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1. The present petition is filed under Article 226/227 of the Constitution to impugn the letter/order dated 22.07.2019. The petitioner has made the following prayers:-

- i) Issue writ in the nature of certiorari to set-aside the impugned Letter/order dated 22.07.2019 issued by the office of Lawyers Chambers Allotment Committee and
- ii) Issue writ in the nature of mandamus to give directions to Lawyers Chambers Allotment Committee to consider the documents i.e Goshwara Register and original files destroy certificates as already on record and chamber be allotted in the name of the petitioner in the fresh list of eligible members.
- iii) Any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case to meet the ends of justice.
- iv) Cost of the proceedings may also be awarded in favor of Petitioner and against the respondents.



2. The petitioner with Enrolment No. D-1770/2007 (Delhi Bar Council) is a practicing lawyer since 27.10.2007. The Lawyers Chambers Allotment Committee of Rohini Courts/respondent no.1 did not allot the chamber to the petitioner in compliance the order dated 24.05.2018. It is further stated that the respondent no.1 had invited the application for the allotment of the chamber from the members of the respondent no.2 and thereafter the respondent no.1 has notified and published a tentative list for allotment of the chambers as per the seniority on 28.10.2013.
3. After being aggrieved, the petitioner filed the present petition.
4. This court vide order dated 20.07.2023 has directed the petitioner to submit the following details:-

2. Learned Counsel for the Petitioner shall file an Affidavit within two weeks containing the following:

- (i) The details of 38 appearances, including the documents evidencing the fact that they have already been accepted by the Committee;
- (ii) The copies of the 4 vakalatnamas which have previously been filed;
- (iii) In addition, the Affidavit shall also contain in tabular form, details of, and any supporting documents including details of Goshwara Register' evidencing the 12 appearances and 6 vakalatnamas by the Petitioner which are required to be eligible for allotment of lawyers chambers in Rohini Courts.

5. This Court vide order dated 20.07.2023 has also directed the respondent no.1 to furnish the additional affidavit containing the following details:-

3. Learned Counsel for Respondent No.1, within four weeks thereafter, shall file an Additional Affidavit containing the following:

- (i) Whether there are any lawyers chambers available for



allotment at present?

(ii) Details qua verification of the Affidavit filed by the Petitioner.

(iii) Verification of documents filed by Petitioner appearing at pages 66 to 117 of the case file.

6. The respondent no.1 has submitted the additional affidavit sworn by the Administrative Civil Judge-ARC, North-West District, Rohini Courts Delhi wherein para no.2.2 it is mentioned as under:-

(i) In this regard, it is submitted that the documents provided by the Petitioner i.e. 10 Vakalatnamas and 48 appearances (Annexure-'B') with his representation were verified by the sub-committee in compliance of meeting dated 29.05.2017 (Annexure-'C') of the LCAC and vide its report dated 07.06.2017 (Annexure-'D'), only 38 appearances and 4 Vakalatnamas were considered by the sub-committee. As per the report, 6 more Vakalatnamas and 10 more appearances that were internet generated copies, had also been filed by the petitioner but they were beyond the period mentioned in the application form for allotment of chamber at Rohini Courts Complex i.e 02.01.2006 till 28.02.2013, as invited vide notification dated 23.03.2013. The Committee also gave remark that *'even the 4 Vakalatnama being considered do not bear the name of the applicant but his signatures only'*. Further, the Committee had also submitted in the said report that *"All the Vakalatnama so filed are copies of CC (certified copy) (OSR) and appearances so filed appear to be self typed copies and the said fact has also been admitted by the applicant during interaction with the Member Secretary, LCAC on 01.06.2017, Further, none of them could be verified through internet either"*.

(ii) Subsequently, vide minutes of meeting dated 08.06.2017 (Annexure-'E') of LCAC it is resolved that *"Report of subcommittee perused. As per the report the applicant has furnished only 4 vakalatnamas and 38*



appearances in support of his contentions of primarily practicing in the Rohini District Courts. The committee is of the opinion that the documents furnished by the applicant in support of his contentions regarding primarily practicing at Rohini Courts is not enough keeping in view the period for which the documents were required to be filed. As such the applicant is not found to be primarily practicing at Rohini Courts Complex which is one of the condition that has to be satisfied for being considered for allotment of chamber. Accordingly, the application is disposed off as dismissed. Applicant be informed by the office".

7. The respondent no.1 in para no.2.3 of the said affidavit has also submitted as under:-

- i) That the documents annexed as page no. 66 to 117 of the writ petition are the list of vakalatnama / appearances and certified copies of Goshwara registers from the period January 2012 to May 2012 in the court of Sh. R.K. Chauhan, Ld. ASJ, Rohini Courts, Delhi.
- ii) That the petitioner has earlier filed a representation dated 05.06.2018 alongwith the aforesaid documents (enclosed as page nos. 6 to 65 in that representation) for allotment of chamber in compliance of the order dated 24.05.2018 in W.P. (C) No.8265/2017 titled as "Parikshit Mahipal Vs. The Lawyers Chamber Allotment Committee & Ors." (Annexure-'F').
- iii) That the said representation dated 05.06.2018 and its enclosures were considered in the meeting dated 20.05.2019 of LCAC at agenda no. 28. The petitioner was also present in person. The committee unanimously opined that there is nothing on record to prove the practice of the applicant at Rohini Court Complex. Hence, the representation of the applicant was dismissed (Annexure-'G').
- iv) That for compliance of the order dated 07.07.2023 of the present writ petition no. 9192/2019, the aforesaid



pages 66 to 117 were again verified and cross checked and they were found to be the same documents which were submitted by the applicant with his representation dated 05.06.2018. These documents do not reflect the appearance of the petitioner in cases mentioned in the goshwara register or list given by him, which is prerequisite for allotment of chambers.

8. The petitioner who appeared in person stated that the requisite number of appearance and vakalatnama could not be filed as those files have already been destroyed by the office of District Judge and accordingly, the petitioner is entitled for the allotment of the chamber and will fulfil the requisite criteria. The petitioner also stated that as per the notice of the allotment of the chamber, he has furnished all the necessary details as mentioned in the application form. The counsel for the petitioner referred the order dated 24.05.2018 titled as **Parikshit Mahipal V The Lawyers Chambers Allotment & Committee** passed by another Coordinate Bench of this Court in W.P.(C) 8265/2017 and prayed that the present petition be allowed.

9. The counsel for the respondent no.1 has referred the minutes of the meeting of the Lawyer Chambers Allotment Committee, (North West district & North district) held on 20.05.2019. Serial no. 28 of the said minutes of meeting is reproduced as under:-

S. No.	Agenda	Minutes
28)	To consider the representation filed by Sh. Parikshit Mahipal, Advocate (Ref. Delhi High Court order dated 24.05.2018 in WP (C) no. 8265/2018).	Considered. Sh. Prikshit Mahipal is present. His arguments are heard at length by the Committee. After hearing his arguments at length



		Committee is of the unanimous opinion that there is nothing on record to prove the practice of the applicant at Rohini Court complex. Hence, the representation of the applicant cannot be acceded to. Applicant be informed accordingly.
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10. The perusal of the relevant records reflects that the case of the petitioner for allotment of the chamber in Rohini Courts was considered at length by the Lawyer Chambers Allotment Committee, North West comprising of District Judges as well as Senior Judicial Officers along with representatives of the Rohini Courts Bar Association. It is also apparent that the petitioner could not furnish the certified copies of the requisite documents i.e. the 10 vakalatnamas and 48 appearances during the relevant period i.e. from 02.01.2006 till 28.02.2013.

11. In these circumstances, the petitioner is not entitled for allotment of the Chamber. Hence, the present petition along with pending application stands dismissed.

DR. SUDHIR KUMAR JAIN, J

MAY 27, 2024/j/abk