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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11154/2024 & CM APPLs. 46097/2024, 46098/2024**
DINMANI SHARMAPetitioner

Through: Mr. Ajayinder Sangwan, Mr. Summinder, Mr. Pradeep Kr. Sharma, Mr. Siddharth Gill, Mr. Smit Singh Kuru, Mr. Achyut Dwivedi, Mr. Deepak Sherawat, Ms. Pinki Kumari and Mr. Kunal Chopra, Advocates with Petitioner (in-Person).

versus

PRINCIPAL DISTRICT AND SESSIONS JUDGE & ORS.

.....Respondents
Through: Mr. Udit Malik, ASC (Civil) with Mr. Vishal Chanda, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
% **12.09.2024**

1. On 12th August, 2024, the Court had noted the background of the case which is as follows:

1. *At the outset, counsel for Petitioner states that no relief is being sought against Respondent No. 4, Bar Council of Delhi. Accordingly, on his oral request, Respondent No. 4 is deleted from the array of parties. Let amended memo of parties be filed within one week from today.*

2. *Chamber No. G-711, Karkardooma Court Complex¹, was allotted to one Mr. Dharam Diwakar², who unfortunately deceased on 05th February, 2022. The Petitioner, who is the sister of the Allottee, also a*

¹ "the Chamber"

² "the Allottee"



practising advocate, has also been using the Chamber. She contends the wife of the Allottee has already re-married, and the Petitioner has adopted the only son of her deceased brother. In such circumstances, the Petitioner asserts that she is the surviving heir of the Allottee, being his only unmarried sister, and accordingly has sought transfer of the Chamber in her name through an application filed on 28th April, 2022. The said application has been rejected vide impugned order dated 4th July, 2024, and the Petitioner has been directed to vacate the Chamber.

3. *Apart from asserting her right as the sister of the Allottee, Petitioner urges that she has a right to retain the Chamber on the ground of her being a person with disability. She submits that she is having 40% locomotive disability, and had submitted a disability certificate along with her application on 22nd August, 2023. Thus, she contends that her application for allotment should have been considered under the physical disability quota. In this regard, reliance is also placed on order dated 07th October, 2021 in W.P.(C) 11018/2021 and other connected matters³, wherein this Court, while considering a batch of petitions, took note of the fact that there are chambers which are specifically earmarked for advocates who are 'physically handicapped'. Counsel for Petitioner states that under the reserved category for 'physically handicapped', there are still certain vacant chambers.*

4. *Let a copy of the petition be served to Respondents.*

5. *Re-notify on 30th August, 2024."*

2. The challenge in the present matter is to the order dated 4th July, 2024 deciding the Petitioner's request for allotment of chambers, as a legal representative of Late Sh. Mr. Dharam Diwakar. Now, at this stage, the Petitioner has given up her right to claim the chamber as a legal representative of Late Sh. Mr. Dharam Diwakar and is only pressing the relief as a person with disability. This claim has been presented by way of a representation dated 22nd August, 2023 and 27th April, 2024 and 19th July, 2024.

3. On the last date, as the Court had called upon the Respondents to



confirm if there are any vacant chamber under the reserved category. Today, Mr. Udit Malik, ASC for Respondents, on instructions, states that there are 648 chambers of which 5% are reserved for persons with disability which translates to 32.5 chambers (Approx). As against this, 25.5 (Approx) chambers have already been allotted. It is further stated that the Petitioner's representation and request for allotment under the reserved category of persons with disability, shall be considered in the next meeting.

4. In light of the above, the present petition is disposed of with a direction that the Petitioner's representation noted above, be considered by the Respondents, in accordance with law and a decision shall be conveyed to the Petitioner thereafter.

5. With the above directions, the present petition, along with pending applications, is disposed of.

SANJEEV NARULA, J

SEPTEMBER 12, 2024

as

³ W.P.(C) 11018/2021 and other connected matters