



\$~43

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

+ **W.P.(C) 10518/2024 and CM APPL. 43233/2024**

SURENDER KUMAR

.....Petitioner

Through: Mr. R K Saini and Mr. Abhishek,
Advocates.

versus

PRINCIPAL DISTRICT AND SESSIONS JUDGE EAST & ORS.

.....Respondents

Through: Mr. Tushar Sannu, Mr. Praveen
Bhardwaj and Ms. Payal Rajput,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **08.04.2026**

1. The petition is for the following reliefs:

"a) A writ of Certiorari calling for the records of the case and peruse the same.

b) A writ of Certiorari quashing the rejection letter dated 04-05.07.2024 (Annexure P-1) being illegal, arbitrary, and unjust and in violation of the Rules, Regulations, Policy and the principles of equity, justice and good conscience;

c) A writ of mandamus consequently directing the respondents to forfeit allot half portion of the chamber No.G-426 (which was earlier allotted to his wife) in chamber blocks complex at Karkardooma courts to the petitioner, as a case of re-allotment/in substitution of the name of his wife. Or in the alternative

Directing the respondent no.1 to exercise his power/discretion under 2nd proviso to rule S(b) and allot to the petitioner half portion of chamber No.G426 lawyer chamber block Karkardooma court, Delhi which was earlier allotted to his wife and surrendered on account of her having ceased to be an advocate.

d) A writ of mandamus commanding the respondent to pay the costs of this



petition to the petitioner”

2. The petitioner is right in contending that the application in question would not fall under the purview of transfer of chamber on the ground of legal heirs as referred in Rule 5 of District Court Karkadooma Lawyers’ Chamber (Allotment & Occupancy) Rules,(1995), *hereinafter referred to as the ‘Chamber Allotment Rules’*.

3. Nevertheless, no vested right can be claimed by the petitioner *de hors* the governing rules. The petitioner has been unable to point out any right based on the Chamber Allotment Rules, which confer a right to seek transfer of chamber on the ground of the spouse joining government service.

4. Mr. R K Saini, learned counsel for the petitioner, seeks to draw an analogy from the discretionary power vested in the allotment committee, under exceptional circumstances, to allot the chamber to any other person in exception to Rule 3 of the Chamber Allotment Rules.

5. However, this Court finds that if the original allottee joins government service, the same would not be an exceptional circumstance, since the Chamber Allotment Rules do not envisage such an allotment to be permissible. In the absence thereof, the Writ of *Mandamus* cannot be issued against the respondents.

6. The Court generally, while exercising Article 226 of the Constitution of India, can only enforce existing rights of the parties and cannot create additional rights.

7. So far as the rules applicable to High Court or any other Court complexes are concerned, they certainly would have no application for the allotment of the chamber in the present case is specifically governed by the District Courts Karkardooma Lawyers' Chamber (Allotment & Occupancy)



Rules, 1995.

8. For all those aforementioned reasons, finding no justification to interfere with the order. The petition stands dismissed.

PURUSHAINdra KUMAR KAURAV, J

APRIL 8, 2026/AR