

## FORM D

### **FORM OF AGREEMENT TO BE EXECUTED BY THE APPLICANT FOR - GRANT OF LEGAL AID**

**[See regulation 41 (2)]**

This Agreement made on this.....the day of..... in the year Two Thousand ..... between..... son/ daughter/ wife of..... aged ..... years, residing at Village / Town..... Mauza..... P.S..... District..... (hereinafter referred to as "the Applicant", which expression shall mean and include his heirs, successor, assigns, legal representatives or a lawyer) one Part and the Assam State Legal Services Authority / High Court Legal Services Committee / .....District Legal Services Authority / .....Taluq Legal Services Committee (hereinafter referred to as "the Authority / Committee") on the Other Part; and

Whereas in pursuance of section 6 of the Legal Services Authorities Act, 1987, the Government of Assam have constituted a body called "The Assam State Legal Services Authority" (hereinafter referred to as the "State Authority") for the State of Assam vide the Notification No. LGL. 176/94 / Pt. II / 47 dtd. 7.4.98 published in the Extra-Ordinary issue No. 68 of 1998 of the Assam Gazette to exercise the Powers and to perform the functions conferred on or assigned to a State Authority under the said Act; and

Whereas the State Authority, in exercise of the powers conferred on it by section 29-A of the said Act, has made the regulations called "The Assam State Legal Services Authorities Regulations, 1998" (hereinafter referred to as "the regulations") for the purposes of giving effect to the provisions of the said Act; and

Whereas the applicant has, under the regulations, applied on..... for legal aid in connection with the (hereinafter referred to as "the proceeding"); and

Whereas the Authority / Committee, having regard to the informations and particulars furnished and the circumstances stated by the Applicant, has considered him to be entitled to the legal aid and has agreed to grant the legal aid under the regulations; and

Whereas under the provisions of the regulations, the Applicant has, under the circumstances mentioned herein, to repay to the.....Authority / Committee as and by way of reimbursement the amount of costs, charges and expenses incurred in connection with the said proceeding by the said..... Authority / Committee for and on behalf of the Applicant as and by way of legal aid under the regulations and the Applicant is required to execute an agreement for the purpose in the prescribed form in fact this present;

Now this Agreement witness that and it is hereby agreed and declared by and between the parties hereto as follows:-

1. In consideration of the legal aid being granted to the Applicant as aforesaid, under the regulations, in connection with the said proceeding, the Applicant doth hereby covenant and agree as follows :-

- (i) In the event of the Applicant succeeding in the said proceeding and the Court passing any decree or order awarding costs in favour of the Applicant or the Court Passing any decree or order for payment to the Applicant of any amount, whatsoever, the Applicant shall

repay to the..... Authority / Committee as and by way of reimbursement, all costs, charges and expenses incurred by the..... Authority / Committee for and on behalf of the Applicant in connection with the said proceeding as and by way of legal aid under the regulations.

(ii) The .....Authority / Committee may take such action or proceeding, as it thinks fit, for executing any decree or order passed by the Court in the said proceeding in favour of the Applicant and recovering the amount decreed or ordered in the said proceeding to be paid to the Applicant and appropriate there from the amount of costs, charges and expenses incurred in connection with the said proceeding by the..... Authority / Committee and the Applicant doth hereby authorize the .....Authority / committee to do so. The Applicant shall render to the..... Authority / Committee all such assistance as may be required by it for the purpose.

(iii) If the Applicant fails to repay to the..... Authority / Committee the amount as aforesaid or any part thereof, the same shall be deemed to be arrear of land revenue and the..... Authority / Committee, may without prejudice to any other right and remedies, recover the same from the Applicant as arrear of land revenue.

2. The..... Authority / Committee shall bear and pay the stamp duty on this agreement.

In witness whereof the Applicant has hereto set his hand and the..... Authority / Committee through its Member-Secretary / Secretary set its hand and affixed its Official Seal hereto on the day and year first hereinabove written.

Signed and delivered by..... the Applicant above named in the presence of the witnesses,-

1.

2.

Signed, sealed and delivered by Shri.....  
Member-

Secretary / Secretary for and on behalf of the....., Authority / Committee in presence of the witnesses.-

1.

2.