MINUTES OF THE MEETING OF LAWYER'S CHAMBERS ALLOTMENT COMMITTEE, SAKET COURTS HELD ON 13.11.2019 IN THE CONFERENCE HALL, 3rd FLOOR, SAKET COURT COMPLEX, NEW DELHI.

In Chair:-
Ms. Poonam A. Bamba, District & Sessions Judge (South) /Chairperson
Ms. Neena Bansal Krishna, District & Sessions Judge (South-East)/Co-Chairperson

Quorum:-
Ms. Renu Bhatnager, Addl. Sessions Judge (South-East)/ Member
Sh. Sudhir Kumar Sirohi, Administrative Civil Judge (South-East)/Member
Sh. Sachin Sangwan, Administrative Civil Judge (South)/Member Secretary
Sh. Karnail Singh, President, Saket Bar Association/Member
Sh. Dhir Singh Kasana, Hony. Secretary, Saket Bar Association/Member

1. Order dated 05.08.2019 has been received from Hon'ble High Court of Delhi in the Writ Petition titled as Kiran Dharamwati Vs. LCAC.

Office has placed before the Committee orders of Hon'ble High Court passed in Writ Petition (C) No. 6257/2018 titled as Kiran Dharamwati Vs. LCAC and representation dated 12.08.2019 of Ms. Kiran Dharam Wati, Advocate/Petitioner in said Writ Petition. The petitioner Ms. Kiran Dharamwati was an applicant for allotment of chamber vide her application no. 00308 dated 31.07.2014.

Hon'ble High Court in it's order dated 05.08.2019 directed as under:

> "3. The learned counsel appearing for the respondents states that the matter has been re-examined and the petitioner's grievance that she was not granted an opportunity, is merited. She states that the petitioner's application would be considered afresh on the basis of the documents filed in this Court for allotment of chamber on multiple occupancy basis.
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> 4. In this view, the petitioner is directed to file with the respondents, a certified copy of the documents relied upon by her, which have been filed in this Court. The respondents shall consider the petitioner's representation afresh for allotment of a lawyer's chamber on multiple occupancy basis. This is so, because the chambers on dual occupancy basis are no longer available. In this regard, it is clarified that as and when a chamber on dual occupancy falls vacant, the petitioner's case would be considered for

such allotment on her own seniority.”

Eligibility of applicant Ms. Kiran Dharamwati was denied due to non-submission of certified copies of documents. Considering the above said order of Hon'ble High Court, it is unanimously resolved that the documents filed with the representation dated 12.08.2019 of Ms. Kiran Dharamwati, Advocate be scrutinized by the ACJ (S) in terms of following :

a) Whether the documents whose certified copies are now filed with the representation of applicant lawyer are the same as were filed with her application no. 00308 dated 31.07.2014.

b) Status of documents and eligibility of applicant lawyer in terms of relevant conditions and resolutions of this committee.

Deferred for report of Ld. ACJ (South).

2. Order dated 15.11.2018 has been received from Hon'ble High Court of Delhi in the Writ Petition (C) No. 15253/2018 titled as Babu Malayil Vs. LCAC & Anr. and in pursuance to decision of Hon'ble High Court, petitioner/applicant Sh. Babu Malayil, Advocate has submitted his representation dated 30.11.2018.

Office has placed before the committee an order dated 15.11.2018 of Hon'ble High Court in above noted case and the representation of Sh. Babu Malayil, Advocate dated 30.11.2018. Vide this order dated 15.11.2018, Hon'ble High Court has set aside the Minutes of meeting dated 09.03.2018 of this Committee to the extent they were relevant to the representation of Petitioner Sh. Babu Malayil, Advocate i.e. the applicant lawyer of application no. 00436 dated 06.08.2014 for allotment of chamber in “Subsequent Allotment phase”.

Further, the Hon'ble High Court has directed as under:

> “6. It is directed that the Lawyers Chambers Allotment Committee shall specify the deficiencies, if any, found in the documents submitted by the petitioner. It is clarified that if the Committee comes to the conclusion that there is no deficiency in the documents submitted by the petitioner, the Committee shall re-consider its decision for allotting the Chamber to the petitioner in accordance with the policy.”

Pursuant to above orders, the Committee has perused the report of Ld. ACJ (S) in the matter which was presented before this Committee on 09.03.2018. The report of Ld. ACJ transpired that in 12 cases the applicant lawyer has proved himself as “Main Counsel” and in remaining 3 cases the documents were insufficient to establish him as “Main Counsel”. The Committee perused the

documents filed in support of above said 3 cases and found that in case titled as “M/s Art-N-Glass Inc. Vs. M/s M.S. Engineers etc.” the applicant lawyer filed certified copies of heading sheet and order sheet dated 04.07.2014 which do not reflect the name of applicant lawyer in appearance.

In case titled as “Canara Bank Vs. Kamlesh Kumar Tiwari etc.” certified copies of heading sheet along with order sheet and final judgement dated 01.06.2012 was filed, however the order sheet and judgement do not reflect the name of applicant lawyer as Counsel in the said case.

Similarly, in case titled as “Kuldeep Singh Dheeman vs. Mrs. Mathew” applicant lawyer filed certified copies of heading sheet order sheet & judgement dated 16.04.2013 which also do not reflect the name of applicant lawyer as Counsel in the case.

Above findings of Committee reflect that applicant lawyer Sh. Babu Malayil, Advocate does not fulfil the criteria of proving himself as “Main Counsel” in the desired 15 Cases.

In view of above, **Committee unanimously resolves to reject the eligibility of applicant lawyer Sh. Babu Malayil, Advocate for allotment of chamber in “Subsequent Allotment” phase.** Applicant lawyer be informed accordingly.

3. A representation dated 19.12.2018 has been received from Sh. Rajesh Kumar Bidhuri, Advocate for reserving one slot/ space/ chamber till the disposal of W.P.(C) No. 1354/2018 which is pending before Hon'ble High Court of Delhi for adjudication.

Office has informed that the aforementioned Writ Petition has been dismissed by Hon'ble High Court vide its order dated 07.11.2019. Therefore, no action is called for.

Be filed.

4. A note has been received from Genl. Admn. Branch regarding non-compliance of offer of allotment of Ch. no. 242-C (Multiple Occupancy Basis) by Sh. Mansha Ram Singh.

The Genl. Admn. Branch vide its note dated 07.09.2019 has submitted that Sh. Mansha Ram Singh, Advocate has not accepted the offer of allotment of Ch. no. 242-C (Multiple Occupancy Chamber) despite repeated reminders. Offer was made vide letter dated 27.04.2019 which was duly received by Sh. Mansha Ram Singh on 20.05.2019 and even reminder was issued vide letter dated 22.08.2019 which was received by Sh. Mansha Ram Singh, Advocate on 26.08.2019.

In view of above**, the Committee unanimously resolves to cancel the allotment of Chamber No. 242-C in favour of Sh. Mansha Ram Singh, Advocate. It be taken on record as vacant chamber.** Sh. Mansa Ram Singh, Advocate be informed.

5. A representation dated 01.06.2018 has been received from Ms. Anuradha, Advocate with request to consider her submission as considered in the case of Sh. Narender Kumar Verma & Vasundhra vide MoM dated 27.11.2017.

Ms. Anuradha, Advocate/applicant for allotment of chamber in "Subsequent Allotment" process, has in her representation submitted that vakalatnama categorized as "vakalatnama with multiple signatures" were actually signed with her husband and her eligibility may be considered in parity with eligibility defined in case of Narender Kumar Verma, Advocate & Vasundhara, Advocate, (Husband-Wife). It is noticed by the Committee that vide MoM dated 27.11.2017, Committee considered the eligibility of Sh. Narender Kumar Verma, Advocate and his wife Mrs. Vasundhara afresh on their ground that the vakalatnama treated as "vakalatnama with multiple signatures" were actually signed by said husband-wife together.

Vide MoM dated 03.10.2018 it was resolved to scrutinize the applications of Ms. Anuradha, Advocate by the Ld. Administravtive Civil Judge (South).

The Ld. ACJ has submitted the report in sealed envelop and the same is opened in the meeting. It is observed by the Committee that on re-scrutiny of documents, the Ld. ACJ has submitted as under:-

(a). In one case applicant lawyer's name reflect in the order-sheet but with other lawyer for same client.

(b). In two vakalatnamas, her husband's name i.e. Sh. S.B. Singh (Sh. Shashi Bhushan Singh) has been reflected with her but said vakalatnama also bears signature of other lawyers in addition.

(c). Remaining 12 vakalatnamas bear multiple signatures including that of the applicant lawyer but do not reflect the name of her husband Sh. S.B. Singh (Sh. Shashi Bhushan Singh).

In view of above**, the Committee unanimously resolves to decline the representation of Ms. Anuradha, Advocate for allotment of chamber in "Subsequent Allotment" phase as she is not fulfilling the eligibility criteria.**

6. A representation has been received from Sh. Kausar Akhtar Khan, Advocate for allotment of chamber.

The applicant Sh. Kausar Akhtar Khan, Advocate who was an applicant for allotment of Chamber in Subsequent Phase has submitted in his representation to reconsider his entitlement for allotment of Chamber and for grant of fresh opportunity.

Vide MoM dated 03.10.2018 the office was directed to submit the report with regards to present status of Civil Suit filed before the court of Ld. JSCC/ ASCJ (S), Saket court Complex, by applicant .

The office has informed that the above said Civil Suit has been dismissed vide order dated 17.12.2018 of the Court of Ms. Mona Tardi Kerketta, Ld. JSCC-ASCJ(S). The status of documents filed by applicant with his application was 10 Vakalatnamas with multiple signature. Thus, the applicant is not fulfilling the eligibility criteria. In terms of MoM 27.11.2017, fresh opportunity may not be given to the applicant lawyer.

The Committee unanimously resolves to decline the representation. Be filed.

7. Vide note-sheet dated 30.08.2019, vacation report of Ch. No. 211 & 212 allotted to CBI has been received from Genl. Admn. Branch.

In view of report of Genl. Admn. Branch vacancy of Ch. nos. 211 & 212 be taken on record. The said chambers be sealed by the Caretaker in the presence of In-charge, Security Cell, Saket Court Complex, till the allotment is made to any other Govt. agency.

8. Vide note-sheet dated 30.10.2019, vacation report of 2nd slot of Chamber No. 425 allotted to Ms. Hiteshi Arora has been received from Genl. Admn. Branch.

In view of the report of Genl. Admn. Branch vacancy of 2nd slot in Chamber no. 425 be taken on record. It is informed by the President and Hony. Secretary that the said chamber is out of Patiala House Court Quota i.e. under the Initial Allotment and the same may be allotted as per the seniority of the applicant/advocate drawn in Initial Allotment process.

The Office is directed to verify the same and to take necessary steps as per rules.

9. Representation dated 15.11.2018 of Sh. Amit Swami & Yamini Swami for change of allotment from Double Occupancy Chamber to Single Occupancy Chamber in Chamber No. 666 or any other chamber, has been received from Genl. Admn. Branch vide note dated 19.11.2018.

Taken up with Agenda Item No.20 of these minutes.

10. I) Application dated 02.07.2019 has been received from Sh. Arvind Kumar Sharma, allottee of ch. no. 134 (Single Occupancy Chamber) and Sh. Akshay Kumar Sharma, allottee of ch. no. 871 (Single Occupancy Chamber) for change of Chambers on Mutual Basis.

II) Subsequently, vide letter dated 17.08.2019, Sh. Akshay Kumar Sharma, allottee of Ch. No. 871 (Single Occupancy Chamber) has informed about the demise of his father Sh. Arvind Kumar Sharma, allottee of Ch. No. 134 (Single Occupancy Chamber) and requested to change his chamber from 871 to 134.

Information with regards to demise of Sh. Arvind Kumar Sharma, Advocate/ Allottee of Ch. No. 134 (Single Occupancy Chamber) be taken on record. The request of Sh. Akshay Kumar Sharma, Advocate, Allottee of Ch. No. 871 is unanimously accepted. Ch. No. 134 (Single Occupancy Chamber) be allotted to him. Vacant possession of Ch. No. 871 (Single Occupancy Chamber) be taken. The Office is directed to take immediate steps.

11. Letter dated 11.10.2019 of Sh. Arjun Malik, Advocate intimating death of his father Shri Baldev Malik, Adv, Allottee of chamber no. 114 (Single Occupancy Chamber) with the request to transfer the chamber in his name.

Information with regards to demise of Sh. Baldev Malik, Advocate/ Allottee of Ch. No. 114 (Single Occupancy Chamber) be taken on record. The Members of the Committee unanimously resolved that before consideration of the representation of his son Sh. Arjun Malik, Advocate, it be ensured if any other member in his family has entitlement for allotment of chamber and has no objection to the abovesaid representation.

The Office is directed to seek clarification from the applicant.

12. I) Vacation Report of 1st slot of Ch. No. 301 (due to demise of it's allottee Sh. Iqbal Ashraf Rahmani) has been received from Genl. Admn. Branch vide note dated 11.09.2019.

A) Representation dated 25.06.2019 of Sh. Iftikhar Ahmad, Advocate D-986/95 allottee of 2nd slot in Chamber no. 225 for change of chamber to 1st slot of chamber no. 301.

B) Representation dated 06.09.2019 of Sh. Devendra

Kumar Sharma, Advocate D-232-II-C/86 allottee of 1st slot in Chamber no. 870 for change of chamber to 1st slot of chamber no. 301.

C) Representation dated 23.05..2019 of Sh. Arzoo Kamal, Advocate D-501/2003 allottee of 1st slot in Chamber no. 850 for change of chamber to 1st slot of chamber no. 301.

D) Representation dated 17.07..2019 of Sh. Mashi Alam, Advocate D-515/90 allottee of 1st slot in Chamber no. 639 for change of chamber to 2nd slot of chamber no. 225.

Vacancy of 1st slot in chamber no. 301 be taken on record.

Sh. Iftikhar Ahmad, Advocate, Sh. Devendra Kumar Sharma, Advocate and Sh. Arzoo Kamal, Advocate have requested for change of their existing slots in respective chambers to 1st slot in chamber no. 301.

Sh. Iftikhar Ahmad, Advocate has also submitted written consent letter from Sh. Ayub Khan, Advocate who is allottee of 2nd slot in chamber no. 301. Considering the facts, Committee unanimously resolved to allot 1st slot of chamber no. 301 to Sh. Iftikhar Ahmad, Advocate on surrendering his 2nd slot in chamber no. 225. The vacant possession of 2nd slot in chamber no. 225 be taken immediately.

Sh. Mashi Alam, Advocate has submitted consent letter from Sh. M. Naushad Siddiqui, advocate/allottee no.1 of chamber no. 225. The request of Sh. Mashi Alam, Advocate is considered by the Committee.

It is resolved that since the request of present occupant of 2nd Slot in Chamber No.225 Sh. Iftikhar Ahmad has been allowed for change of his chamber to first slot in Chamber No.301, the request of Sh. Mashi Alam for change of chamber is allowed subject to vacancy in second slot of Chamber No.225.

12 (II). Note dated 13.09.2019 has been received from Genl. Admn. Branch along with request letter of Mrs. Zeba Iqbal, W/o Lt. Sh. Iqbal Ashraf Rahmani, Advocate, 1st Allottee of Ch. No. 301 to surrender the chamber and waive off the due of chamber w.e.f. April, 2019 to till date.

As per the death certificate annexed with the request, Sh. Iqbal Ashraf Rahmani, Advocate, 1st Allottee of Ch. No. 301, has died on 25.03.2019 and the dues of licence fee & maintenance charges has been reported to be paid up to the month of March, 2019.

The Committee unanimously resolves to allow the application of Ms. Zeba Iqbal. The dues of the said slot be waived off w.e.f. April, 2019.

13. Fresh application for allotment of Chamber of Sh. Harnam Singh Sharma, Adv. under Rule 8 (ii) (Category Reserved for Retired Judicial Officer)

The applicant Mr. Harnam Singh Sharma, Advocate has not submitted copy of BCD certificate and certificate of being Member of SBA so far.

The Committee unanimously resolves that fresh notice be issued to the applicant Lawyer to submit copy of BCD certificate along with fresh certificate of being Member of SBA, failing which it will be presumed that he is not willing for allotment.

14. An application has been received on 28.11.2018 from Sh. Rakesh Garg, Adv. for allotment of chamber under category reserved for Retired Judicial Officer.

The applicant Sh. Rakesh Garg, Advocate has not submitted Retirement Certificate issued from Hon'ble High Court.

The Committee unanimously resolves that notice be issued to Sh. Rakesh Garg, Advocate to submit the copy of Retirement Certificate, failing which it will be presumed that he is not willing for allotment.

15. An application has been received on 17.08.2018 from Sh. Bhupendra Chaturvedi, Advocate for allotment of chamber under category reserved for Physically Challenged Persons.

In the meeting held on 04.04.2019, it was reported by the Office that Sh. Bhupendra Chaturvedi, Advocate has not submitted the requisite certificate till 04.04.2019 despite letter dated 01.11.2018 sent to him by the Office.

It was unanimously resolved in the meeting dated 04.04.2019 that Sh. Bhupendra Chaturvedi be given one more chance to submit requisite Disability Certificate. Office has informed that despite issuance of fresh letter dated 16.04.2019, requisite certificate has not been received.

It is unanimously resolved that fresh notice by both ways (Process Server and Regd. Cover) be issued to Sh. Bhupendra Chaturvedi, Advocate to submit the Disability Certificate as a last opportunity.

16. An application has been received on 26.10.2018 from Sh. Sanjay Kumar, Advocate for allotment of chamber under category reserved for Physically Challenged Persons.

It is noticed that only one slot on double occupancy basis is vacant for allotment under the category of Physically Challenged Persons.

Considering resolution of above agenda item no. 15, matter is deferred.

17. Note dtd. 05.03.2018 has been received from Genl. Admn. Branch regarding complaint against Sh. Kuldeep Singh Tomar, Advocate (Allottee No. 2) of Ch. No. 447, Saket Court Complex, New Delhi.

The complaint of Sh. Sanjiv Kumar Vashist, Advocate has been considered by the Committee and the same was discussed with the President and Hony. Secretary of SBA.

Both the representatives of the SBA have assured to take up the matter with the concerned advocates and to resolve the matter at the earliest.

18. Request of Sh. Sajjad Adil, Advocate and Sh. Mohd. Zubair, Advocate to provide true copy of their application form vide letter dated 30.09.2019.

19. Representation dated 05.11.2018 of Sh. Surat Singh Yadav for supply of documents filed by him along with application for allotment of chamber vide application no. 150/2014.

The Committee unanimously resolves to allow the representations mentioned at item no. 18 & 19. Almirah be de-sealed as per past practice and copies be provided to the applicant lawyers.

20. Request of Sh. Naresh Kumar, Advocate to allot Chamber no. 871 (of 8th floor) lying vacant or any other chamber if lying vacant on any floor vide letter dated 11.09.2019.

Agenda Item No.09 is taken up with this agenda item. Sh. Amit Swami, Advocate and Sh. Naresh Kumar, Advocate are allottees of Chambers on Double Occupancy basis. Up-gradation from double occupancy chamber to single occupancy chamber will be as per the seniority of allottees. Applicants may apply, if an offer is given to them. **Be filed.**

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