

# **The Chhattisgarh High Court Lawyers Chambers (Allotment & Occupancy) Rules, 2011**

CHHATTISGARH

India

## **The Chhattisgarh High Court Lawyers Chambers (Allotment & Occupancy) Rules, 2011**

### **Rule**

### **THE-CHHATTISGARH-HIGH-COURT-LAWYERS-CHAMBERS-ALLOTMENT of 2011**

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The Chhattisgarh High Court Lawyers Chambers (Allotment & Occupancy) Rules, 2011 Published vide Notification No. 2006/R.G./2011, dated 6-4-2011, C.G. Rajpatra, Part 1, dated 6-5-2011 at pp. 717-719 In exercise of the powers conferred by Article 225 of the Constitution of India, the High Court of Chhattisgarh, in relation to allotment & for other matters connected and incidental thereto in respect of Advocate's chambers, hereby makes the following rules, namely :-

#### **1.**

These Rules shall be called "The Chhattisgarh High Court Lawyers Chambers (Allotment & Occupancy) Rules, 2011".

#### **2.**

Allotment of Chambers shall be made by Hon'ble the Chief Justice of the High Court of Chhattisgarh on the receipt of an application in the prescribed format (annexed as Schedule 'A') and on the recommendation of a committee of Judges of the High Court of Chhattisgarh, hereinafter called The Allotment Committee'.

#### **3.**

Only advocates practicing in the High Court of Chhattisgarh and who are the members of the Chhattisgarh High Court Bar Association and are also ordinarily residing in the State of

Chhattisgarh, shall be considered eligible for allotment of Chambers as per criteria laid down by Hon'ble the Chief Justice on the recommendation of the Allotment Committee from time to time, subject to conditions contained in Rule 5.

**4.**

Hon'ble the Chief Justice in consultation with the Allotment Committee, may allot a Chamber to an Advocate who is physically handicapped or is otherwise deserving.

**5.**

(a) Notwithstanding anything contained in Rule 4, out of the eligible advocates, father/mother and son(s)/daughter(s) or spouse would be eligible for allotment of only one Chamber. (b) Where more than one eligible Advocates have formed a partnership firm or an association of Advocates, they may be allotted, only one Chamber as Joint Allottee : Provided that Hon'ble the Chief Justice on the recommendation of the Allotment Committee, may in appropriate cases, release the bar contained in Clauses (a) and (b) above, in case of otherwise eligible Advocates.

**6.**

Two or more eligible Advocates may jointly apply for the allotment of a single Chamber and on each allotment being made, the said allottee(s) shall be jointly and severally liable for the due performance of all the terms and conditions of these Rules : Provided, however, that if the allotment in respect of any one of the joint allottees is to be cancelled or terminated under these rules, the continuing joint allottees may have a preferential right, having regard to his/their standing at the Bar and his/their need for a Chamber, for continuing as an allottee/joint allottee : Provided further that the said continuing allottee(s) shall remain in occupation and shall not be liable for eviction till fresh allotment of the Chamber under his/ their occupancy is made.

**7.**

Where a Chamber has been exclusively allotted to an individual advocate, he/she may, subsequent to such allotment, apply for the re-allotment of the said Chamber to him/her jointly with another eligible advocate(s). Hon'ble the Chief Justice of the High Court of Chhattisgarh may, on the recommendation of the Allotment Committee, order the same to such other Advocate or Advocates, who are otherwise found eligible for allotment, if the request is bonafide.

**8.**

The allotment of accommodation in Lawyer's Chamber Block to counsel representing various agencies of Central Government, State Government, Statutory bodies and other agencies, if not allotted elsewhere, may be considered and made by Hon'ble the Chief Justice of the High Court of Chhattisgarh on the recommendation of the Allotment Committee, on such terms and conditions as

may be prescribed.

**9.**

The licence fee and other charges shall be payable also for the period during which the Court remains closed.

**10.**

The licence fee and charges shall be payable, initially at the rate of 2,000/- (Rupees Two Thousand only) per month per chamber. In case, however, one chamber is allotted to two or more advocates jointly, the said charges shall be shared by all the allottees in equal sum. The aforestated charges may vary from time to time, as determined by the High Court.

**11.**

The allottee shall deposit 12 months license fee and other utility charges in advance for the due fulfilment and performance by him of the terms and conditions herein contained. In the event of the allottees committing any breach of the terms and conditions herein contained and of his part to be observed and performed. Hon'ble the Chief Justice may, without prejudice to other rights and remedies, direct to forfeit the same or any part thereof and on such an event, he shall pay such additional sum immediately as may be called upon by Hon'ble the Chief Justice to pay so that 12 months license fee and utility charges shall at all times be maintained during the continuance of the allotment. On the expiration or earlier determination of the licence, the said amount shall be settled and then, the said amount or part thereof, shall be refunded to the allottee, without interest.

**12.**

The allottee shall have no right to claim suspension of licence fee and utilities charges in whole or in part for any reason whatsoever.

**13.**

The allottee shall use the Chamber only as a Lawyers Office and for no other purpose whatsoever.

**14.**

The Licence Fee and all other charges for each month shall be payable in advance by the Seventh Day of the instant month in Cash or by a cross cheque drawn on a local bank.

**15.**

The allottee shall not part with, in any manner, the user and consequent occupation or possession of the premises to any other person or grant any special user or licence etc. to any person or to transfer or assign the whole or any part of Chamber in favour of any other person. It is expressly intended and meant that the permission given hereunder shall in no event be assignable, or transferable in any form, device, method or arrangement.

**16.**

The allottee shall not make any structural additions or alterations in the Chamber without the consent in writing of Hon'ble the Chief Justice of the High Court of Chhattisgarh or his nominee.

**17.**

The allottee shall, during the currency of the allotment, be responsible for the proper up-keep and maintenance of the Chamber in accordance with the Municipal and Sanitary regulations, which may be applicable and such directions as may be issued by Hon'ble the Chief Justice or his nominee, time to time.

**18.**

The allottee shall, during the currency of the allotment, be responsible for any damage caused to the Chamber or to the service provided therein beyond fair wear and tear and Act of God.

**19.**

No such allottee may use his Chamber before 7.30 a.m. and/or after 6.30 p.m. on any day. The timing may be changed by Hon'ble the Chief Justice on the recommendation of the Allotment Committee.

**20.**

The allottee shall indemnify Hon'ble the Chief Justice/the High Court of Chhattisgarh against any loss or claim preferred against him/it by third parties as a result of act/omissions by the allottee or his agents.

**21.**

The allottee shall not cause or permit to be caused any damage to the Chamber or to the main Building or any part thereof.

**22.**

The allottee shall not conduct himself in a manner which causes nuisance and annoyance to any adjoining neighbouring allottee, or otherwise.

**23.**

If the allottee at any time, fails or neglects to perform and observe any of the terms and conditions of the Rules herein contained, and on his part to be observed and performed, then in any such case, or for any reason whatsoever, Hon'ble the Chief Justice, may in consultation with the Allotment Committee, without prejudice to other rights and remedies, by giving fifteen days notice in writing to him, determine the licence and the allottee shall, upon such determination, make/ hand over vacant possession of the Chamber forthwith, without any right to refund of the advance license fee or a part thereof whatsoever.

**24.**

The allottee shall not impede, in any way, the officers, servants or agents of the High Court in the exercise by them of High Courts' rights of possession and control of the Chamber and in particular, shall give reasonable assistance and facility to such officers, servants or agents for the general up-keep and maintenance of the layout decorations, fittings and fixtures of the Chambers.

**25.**

The allotment shall, in no event operate, nor shall be construed so to create, confer or grant any lease or sub-lease, tenancy or sub-tenancy or any right, title or interest into or upon the Chamber in favour of the allottee. The allottee shall, in no circumstances, claim or plead any right to tenancy or subtenancy, lease or sub-lease into or upon the chamber or any right in the nature or any right other than that of bare-user.

**26.**

The allotment shall be effective from the date on which the chamber is made available for occupation, In pursuance of an order of allotment. If the Chamber is not occupied within a week of the availability, the allotment, shall be deemed to be cancelled.

**27.**

The allotment shall terminate:- (a) on its cancellation by Hon'ble the Chief Justice; or (b) on its surrender by the allottee concerned; or (c) on the allottee's ceasing to be a member of the High Court Bar Association; or (d) on the allottee's name being removed from the roll of Bar Council; or (e) on death.

**28.**

The allottee shall not install in the Chamber any additional electric appliance without the prior permission in writing of Hon'ble the Chief Justice or his nominee.

**29.**

Hon'ble the Chief Justice of the High Court of Chhattisgarh or his nominee may grant permission to an allottee to install and use in the Chamber any additional electric appliances additionally on such conditions and on payment of additional charges as may be determined by him.

**30.**

Hon'ble the Chief Justice of the High Court of Chhattisgarh may, from time to time and on the advice of the Allotment Committee, make such amendments and additions to these Rules even with retrospective effect, as may be necessary and expedient.

**31.**

If any question arises as to the interpretation of these Rules, the decision of Hon'ble the Chief Justice shall be final and shall not be called in question.

**32.**

Arrears of licence fee etc. may entail cancellation of allotment of Chamber, as determined by Hon'ble the Chief Justice.

**33.**

The Chamber shall be completely under control of the High Court of Chhattisgarh.[Schedule-A]  
[Added by C.G. Notification No. 2880/R.G./2011, dated 13-5-2011; published in C.G. Rajpatra (Asadharan), dated 27-5-2011 at pp. 371-372.][As per Rule 2 of the Chhattisgarh High Court Lawyers Chambers (Allotment & Occupancy) Rules, 2011]Application For Allotment Of Advocate's Chamber

1. Name of Advocate .....
2. Father's/Husband's Name .....
3. Address :(a) Present Address .....
- (b) PermanentAddress .....
- (c) ContactNumber .....
4. Whether the applicant(s) is/are .....  
ordinarily resident ofChhattisgarh

State (if yes, please enclose appropriate certificate issued by competent authority)

5. Enrolment number and date as an advocate in State Bar Council .....

6. Membership No. & Date of Registration in High Court Bar Association, Bilaspur (Please enclose the documentary proof) .....

7. Name of the father/mother/son(s)/daughter(s) or spouse, who is/are practicing in this High Court, as an advocate(s) (i) ..... (ii) ..... (iii) ..... with enrolment number (if any) ..... and have also applied for allotment of chamber.

8. In case of Association/Law Firms

(a) Name of association/law firms .....

(b) Name of associates/partners in association/law firms (i) ..... (ii) ..... (iii) ..... (iv) .....

(c) Address of association/law firms .....

9. Whether the applicant is/are standing counsel of any institution, ..... if yes, give details

10. Total number of cases, in which appeared in this High Court on (a) For Petitioner/Applicant/Appellant... (b) For Respondents/Non-Applicant... behalf of parties.

Declaration I, hereby declare that all the information stated above are true, complete and correct as per my knowledge and belief. If any information is found false, incorrect or misleading, I shall have no claim for allotment of chamber. Place..... Date..... Applicant]