

# **Jammu and Kashmir Legal Practitioner (Fees) Act, 1988**

JAMMU & KASHMIR

India

## **Jammu and Kashmir Legal Practitioner (Fees) Act, 1988**

### **Act 7 of 1988**

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Jammu and Kashmir Legal Practitioner (Fees) Act, 1988(Act No. 7 of 1988)[Dated 18th June, 1988]An Act to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties. Whereas it is expedient to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties; It is hereby enacted as follows :-

### **1. Short Title, extent and Commencement.**

(1)This Act may be called the Jammu and Kashmir Legal Practitioner (Fees) Act, 1988.(2)It extends to the whole of Jammu and Kashmir.(3)It shall come into force on such date as may, by notification in the Jammu and Kashmir Government Gazette, appoint.

### **2. Interpretation.**

- For the purpose of this Act, unless there is anything repugnant in the subject or context-(a)"legal Practitioner" means a legal Practitioner as defined in section 3 of the Legal Practitioner Act, 1977; and(b)a legal Practitioner shall not deemed to "act" if he only pleads, or to "agree to act" if he agrees only to plead.

### **3. Agreement of engagement of legal Practitioner.**

- Any legal Practitioner, who acts or agrees to act for any person may be private agreement settle with such person the terms of his engagement and the fee to be paid for his professional service.

#### **4. Right of legal Practitioner to sue for fees.**

- Any such legal Practitioner shall be entitled to institute and maintain legal proceedings for the recovery of any fee due to him under the agreement or, if no such fee has been settled, a fee computed in accordance with the law for the time being in force in regard to the computation of the costs to be awarded to a party in respect of the fee of his legal Practitioner.

#### **5. Liability of legal Practitioner to be sued.**

- No legal Practitioner has acted or agreed to act shall, by reason only of being a legal Practitioner, be exempt from his liability to be sued in respect of any loss or injury due to any negligence in the conduct of his professional duties.

#### **6. Repeal.**

- Section 28 to 31 of the Legal Practitioners Act, 1977 are hereby repealed.