

**THE SAKET DISTRICT COURT LAWYERS' CHAMBERS
(ALLOTMENT AND OCCUPANCY) RULES, 2010**

1. These Rules shall be called The Saket District Court Lawyers Chambers (Allotment & Occupancy) Rules, 2010.
2. Allotment of chambers shall be made by the District Judge, Saket on receipt of applications and on the recommendation of the Allotment Committee. The application shall be in the form prescribed by the Allotment Committee from time to time.
3. The First Allotment Committee shall comprise of the District Judge, Saket, the senior most Additional District & Sessions Judge posted at Saket District Court, the Administrative Civil Judge, Saket District Court and the President and Secretary of the New Delhi Bar Association.

Provided that, immediately after the election of Saket Bar Association as recognised by the High Court of Delhi, the elected President and Secretary thereof, shall replace the President and Secretary of the New Delhi Bar Association in the Allotment Committee.

4. Only advocates fulfilling the following conditions shall be eligible for consideration for allotment of chambers :-
 - a) **In respect of the initial allotment :-**
 - i. The advocate must be enrolled with the Bar Council of Delhi and must be a member of the New Delhi Bar Association; and
 - ii. The advocate must have been primarily practicing at the Patiala House Courts Complex; and
 - iii. The advocate should not have acquired, built or have been allotted a lawyers' chamber in any court complex in Delhi.

PROVIDED THAT if the advocate has been allotted or is in possession of a Chamber at Patiala House Courts Complex, he shall be eligible to allotment of a chamber subject to his/her surrendering

the physical possession of the Chamber to the District Judge-IV, Patiala House Courts or his duly appointed nominee and also submits a certificate from the President or the Secretary of the New Delhi Bar Association confirming that such advocate was in actual physical possession of the chamber at the Patiala House Courts Complex and has surrendered the same in the manner provided above;

PROVIDED FURTHER that there is no dispute of any nature with regard to the chamber so surrendered.

- b) **In respect of subsequent allotments** :- After the Saket Bar Association is formed :-
- i. The advocate must be enrolled with the Bar Council of Delhi and must be a member of the Saket Bar Association practicing at the Saket District Court; and
 - ii. Such an advocate should not have acquired, built or have been allotted a lawyer's chamber in any court complex in Delhi;

“PROVIDED THAT if the advocate has been enrolled with the Saket Bar Association (Regd.) till the date 30.08.2014 (i.e. the last date of receipt of application for Subsequent Allotment invited vide notice dated 26.05.2014 and subsequent notices dated 05.07.2014 & 31.07.2014) and such an advocate has been allotted or in possession of a chamber in any other Court Complex in Delhi, New Delhi, he/she shall be eligible to allotment of the chamber subject to his/her surrendering the physical possession of the chamber to the concerned District Judge or his/her duly appointed nominee and also submit a certificate from the President or the Secretary of the said Bar Association confirming that such advocate was in actual physical possession of the said chamber and has surrendered the same as provided above.

PROVIDED FURTHER that there is no dispute of any nature with regard to the chamber so surrendered."

(Inserted vide office order No. 04/2016 dated 12.01.2016 of the District & Sessions Judge (South))

(c) *"No Advocate who has been allotted a chamber in any other Court Complex, or has constructed or owns any chamber in the Tis Hazari or New Delhi Court complex, or has applied for any chamber in any of the said other court complex shall be eligible for allotment of a chamber. Each applicant shall also furnish a declaration that she or he has not applied for any, or has not been allotted any chamber in any other Court complex. Any false declaration shall entail cancellation of chamber allotment, or removal of the name from list of eligible applicants.*

All Advocates, whose names have been included in existing lists of otherwise eligible candidates/applicants and who await allotment, too, shall furnish a declaration within 60 days failing which their names shall not be considered for any allotment. In case the declaration furnished is false, their names shall be struck off the list of eligible applicants.

Explanation:- the expression "any other Court complex" shall mean that if the applicant/Advocate is allotted a chamber in one complex -e.g. the Saket Court complex, she or he shall be ineligible to apply for allotment of chamber in the Delhi High Court Lawyers chambers or any other District Court complexes (Karkardooma, Tis Hazari, New Delhi Courts, Rohini, Dwarka, etc and any other Court complex to be constructed with lawyers chambers, hereafter).

Form of Declaration:-

I.... (State name, and full description, i.e. parentage, age, particulars of Bar Council enrolment, and membership of the Bar Association

of the Court complex where chamber allotment is sought) do hereby solemnly declare and affirm that I am not allottee of any chamber in any Court complex other than the one in which I hereby seek; I also affirm and declare that I shall not apply for allotment of any chamber in any Court complex."

(Incorporated in compliance of directions passed by the Hon'ble High Court of Delhi in judgment in WP (C) No. 7549/2012 titled as Satyanand Advocate Vs. Bar Council of Delhi & Ors.)

In the event of there being any inconsistency in application of proviso to Rule 4 b(ii) and the Rule 4 (c), directions dated 31.05.2016 of the Hon'ble High Court of Delhi in WP (C) No. 7549/2012 titled as Satyanand Advocate Vs. Bar Council of Delhi & Ors. shall prevail in the rules for allotment of lawyers' chambers in the Saket Court Complex.

5. (a) The initial allotment of chambers will be in respect of 850 allotments.

(The said Rule has been amended vide order No. 05/2012 dated 05.03.2012 of the District Judge & ASJ/I/C (South)).

(b) At the time of initial allotment of chambers, the allotments shall be made by the Allotment Committee to the eligible advocates as per the seniority list duly prepared by the New Delhi Bar Association Provided that preference would be given to those advocates who already have chambers at Patiala House Courts Complex and who intend to shift to Saket District Court Lawyer's Chambers upon surrendering their chambers.

6. Subsequent allotment of chambers, from time to time, shall be made under these rules after the formation of the Saket Bar Association in terms of the seniority list prepared by that Association.
7. Allotment of chambers would be on single occupancy, double occupancy or multiple occupancy basis as decided by the Allotment Committee depending upon the sizes of the chambers.
8. Notwithstanding anything contained in these Rules :-
 - i. Ten chambers shall be reserved and kept at the disposal of the District Judge, Saket for allotment to eligible and deserving physically challenged advocates;
 - ii. Five percent of the allotments shall be reserved and earmarked for retired Officers of the Delhi Higher Judicial Service and the Delhi Judicial Service practicing at Saket District Court, subject to other eligibility criteria;
 - iii. An advocate shall not be eligible for allotment if his/her spouse has been allotted a chamber at any of the court complexes in Delhi;
 - iv. Allotment of chambers to the Central Govt. Delhi Government, Statutory Bodies and other agencies may be made by the District Judge, Saket on such terms and conditions as he may prescribe and for this purpose, he may reserve a suitable number of chambers.
9. Two or more eligible advocates may jointly apply for the allotment of a chamber on sharing basis and on such request, they shall be provided with a joint allotment of a chamber subject to availability and in that event, the joint allottees shall be jointly and severally liable for compliance of all the terms and conditions of these Rules.
10. Each allottee shall pay the licence fee as may be fixed by the Government of National Capital Territory of Delhi from time to time.

Explanation : The licence fee shall be payable also for the period during Court vacations and holidays.

11. Each allottee shall also be liable to pay electricity charges as per actual consumption. The payment of electricity charges will be made directly to the electricity supplier.
12. Water and scavenging charges; maintenance charges for common services and other charges shall also be paid by the allottee at the rates worked out by the District Judge, Saket from time to time.
13. The allottee shall have no right to claim suspension of licence fee in whole or in part for any reason whatsoever.
14. The allottee shall use the chamber only as a lawyers' office and for no other purpose whatsoever.
15. The licence fee and all other charges except electricity charges for each month shall be payable in advance by the tenth day of that month by a crossed cheque or by bank draft drawn on a local bank in favour of the District Judge, Saket.
16. The allottee shall not transfer, assign or part with the possession of the whole or any part of the chamber in favour of any other person.
17. The allottee shall not make any structural additions or alterations; or change the doors, windows or the outward appearance of the chamber without the consent in writing of the District Judge, Saket.
18. The allottee shall be responsible for the proper up-keep and maintenance of the chamber and in accordance with the applicable regulations, rules or bye-laws and such directions as may be issued by District Judge, Saket. All surrounding areas/passages shall be kept free from any obstructions.
19. The allottee shall not cause any damage to the chamber or to the common areas and facilities, including lifts, water coolers and other fittings and fixtures.
20. An allottee may use his/her chamber between 7.30 AM and 9.30 PM only. These timings are subject to change by the District Judge, Saket.

21. The allottee shall deposit with the District Judge, Saket two month's licence fee as security deposit for the due fulfilment and performance by him of the terms and conditions herein contained. In the event of an allottee committing any breach of the terms and conditions herein contained the District Judge, Saket may, without prejudice to other rights and remedies, forfeit the security or any part thereof. In such an event, the allottee shall pay such additional sum immediately as may be called upon by the District Judge, Saket so that the security deposit shall at all times, during the continuance of the allotment, be equivalent to two month's licence fee. On the expiration or earlier determination of the licence, District Judge, Saket shall return the security deposit or part thereof which has been forfeited as aforesaid to him without interest.
22. The allottee shall not cause nor permit others present in his chamber to cause any nuisance or annoyance to any other allottee.
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, the District Judge, Saket may in consultation with the Allotment Committee, without prejudice to other rights and remedies, after giving fifteen days notice in writing to such allottee, determine the licence and the allottee shall, upon such determination, hand over vacant possession of the chamber without any right to compensation whatsoever.
24. The allottee shall not obstruct in any way the officers, servants or agents of the High Court or the District Judge, Saket in exercise of their right of possession and control of the chambers and shall provide them reasonable assistance for the general up-keep and maintenance of the Lawyers' Chambers building.
25. The allotment shall in no event create, nor shall be construed so as to create, confer or grant any lease or sub-lease, tenancy or sub-tenancy or any right, title or interest in respect of the chamber in favour of the allottee.

26. The allotment shall be effective from the date on which the chamber is made available for occupation pursuant to an order of allotment. If the chamber is not occupied within a month of the availability, the allotment shall be deemed to be cancelled.
27. The allotment shall terminate;-
- a) On its cancellation by District Judge, Saket; or
 - b) On its surrender by the allottee concerned; or
 - c) On the allottee's ceasing to be a member of the Saket Bar Association; or
 - d) On the allottee's name being removed from the roll of the Bar Council of Delhi; or
 - e) On death of the allottee.

“Provided that in case of death of an allottee, the Allotment Committee may in its discretion allot the chamber to his father/mother/son/daughter/spouse in his/her place, if applicant is otherwise found eligible as per above rules”.

(The said Rule has been amended vide office Order No. 30/2014 dated 05.07.2014 of the District & Sessions Judge (South)).

28. Arrears of licence fee etc. shall be treated as arrears or land revenue.
29. If any question arises as to the interpretation of these Rules, the decision of the District Judge, Saket shall be final and shall not be called in question by any allottee.
30. The District Judge, Saket, may from time to time in consultation with the Allotment Committee make such amendments and additions to these Rules, as may be necessary and expedient.