

MINUTES OF THE MEETING OF LAWYERS' CHAMBERS ALLOTMENT COMMITTEE HELD ON 12.08.2014 AT 04:00 P.M. IN CONFERENCE HALL, 3rd FLOOR, SAKET COURTS COMPLEX, NEW DELHI.

Coram:-

Sh. R.K. Gauba, District & Sessions Judge (South)	...	Chairman
Sh. Yogesh Khanna, Addl. District & Sessions Judge (S)	...	Member
Sh. Ajay Singh Shekhawat, Administrative Civil Judge (S)	...	Member
Sh. Vinod Sharma, President, Saket Bar Association	...	Member
Sh. Karnail Singh, Secretary, Saket Bar Association	...	Member

I. Miscellaneous Matters:-

(A). Electricity connection for Office and Library of Saket Bar Association.

The office has reported that inspite of various reminders dated 08.10.2013, 12.11.2013, 29.11.2013, 17.12.2013 and 21.05.2014 Saket Bar Association has not informed as to whether it has arranged for independent electricity connection for the office and library for Saket Bar Association which were allotted vide letter dated 21.08.2013.

In the meetings held on 18.02.2014 and 05.07.2014 the President and Secretary, Saket Bar Association assured to take necessary action without any further delay.

The office informed that no reply has been received. The request to the President and Secretary, Saket Bar Association was reiterated. Both assured for proper early action without further delay.

(B). Cafeteria in Lawyers' Chambers Block:-

The office has reported that no intimation has been received from Saket Bar Association regarding closure of *Bhatti/ Tandoor* used by the caterer engaged by Saket Bar Association in the cafeteria of Lawyers' Chambers Block, in spite of assurance given in the meetings held on 18.2.2014 and 05.07.2014.

The office informed that no reply has been received. The request to the President and Secretary, Saket Bar Association was reiterated. The President and Secretary, Saket Bar Association assured for proper early action without further delay.

II. Miscellaneous Complaints:-

(A). Regarding payment of dues by Sh. Vikas Goyal (Allotment already cancelled):-

This matter had come-up for consideration in the meeting held on 10.12.2013, 18.02.2014 and 05.07.2014. No reply has been received from Secretary, Saket Bar Association. The President and Secretary, Saket Bar Association assured that they would send their reply at the earliest. The complaint was kept pending awaiting reply.

(B).Complaint dated 17.10.2013 of Sh. Aslam Kumar, advocate, Co-allottee of space in chamber No.270 (on double occupancy basis) against his co-allottee Sh. Suresh Kumar, Advocates:-

This matter was considered in the meetings held on 18.02.2014 & 05.07.2014 and President and Secretary, Saket Bar Association had agreed that they would call both the advocates and try to bring about an amicable settlement of the disputes between them. No report about the action taken/status of said complaint has been received. The President and Secretary, Saket Bar Association assured to do the needful and send a report at the earliest.

III.Representation dated 21.07.2014 of Sh. Pankaj Tanwar, Advocate for allotment of chamber No. 179 on compassionate grounds:-

Mr. Udaiveer Singh Tanwar, Bar Council of Delhi enrolment No. D-94/1983 (Saket Bar Association Membership No.U-5) was allotted Chamber No.179 (on Single Occupancy basis) in terms of decision of the Allotment Committee in the meeting held on 14.10.2011. The allotment letter was issued on 19.01.2012 and he took-over the possession of the chamber on 03.02.2012.

Mr. Udaiveer Singh Tanwar, the allottee passed away on 02.03.2013. His son Mr. Pankaj Tanwar, Bar Council of Delhi enrolment No. D-2070/2011 (Saket Bar Association Membership No.P-607) has applied for the allotment of chamber No.179 to be converted in his name in place of his late father. This is permissible in terms of proviso to Rule 27 of the Saket District Court Lawyers' Chambers (Allotment and Occupancy) Rules, 2010, as inserted vide order No.30/2014 dated 05.07.2014, in the discretion of the Allotment Committee, subject to applicant (son) being otherwise found eligible as per the Rules.

The application of Mr. Pankaj Tanwar supported *inter alia* by certificate dated 21.07.2014, issued by the President, Saket Bar Association, was considered.

It was resolved that having regard to the letter and spirit of Rule 27, as amended on the request of Saket Bar Association, the application of Mr. Pankaj Tanwar be allowed and Chamber No.179 earlier allotted to his late father Mr. Udaiveer Singh Tanwar be allotted in his name. Office to take necessary steps accordingly.

IV.Subsequent Allotments (Category reserved for Physically Challenged Advocates):-

The applications of two advocates for allotment of chambers on double occupancy basis against reserved category of Physically Challenged Advocates were granted vide **List FF-1/D** as per the minutes dated 05.07.2014.

The list was published calling upon each of them to comply with conditions as set out in the notice dated 05.07.2014. The office has submitted a report as per **Annexure "A"** confirming necessary compliance having been made by all the said five advocates with completion of formalities. The allotments of spaces in chambers (on double occupancy basis) from out of those earmarked for this

category were finalized as per **List GG-3**, annexed to these minutes. It be published as per past practice.

The office has reported the receipt of one more application of Sh. Dinesh Kumar, advocate against the reserved category of Physically Challenged Advocate with reference to notice published on 21.08.2013. **List CC-2/C** has been prepared by the office in such regard and enclosed to these minutes.

The office has also reported that earlier this very applicant had applied for allotment of chamber under Rule 8(i) of the Allotment Rules vide application No.0007 dated 16.09.2013 and the same was rejected on the ground that no disability certificate furnished by applicant on a prescribed form as per the Act vide minutes of meeting dated 18.02.2014.

The application was subjected to scrutiny and considered in light of material submitted by the applicant. On the basis of scrutiny, decision of on the application was taken and as reflected in last column of **List FF1/E**. It be published as per past practice. The office to take further necessary action.

V. Initial Allotment (of chambers on double occupancy basis):-

Vide **List D-16** published in terms of minutes dated 05.07.2014, allotments of chambers on double occupancy basis were offered to ten (10) advocates. As per office report (**Annexure-‘B’**), nine (09) advocates have submitted their due compliance and four (04) advocates have also submitted preference of chamber. The office has also put up a chart indicating the vacancy position of the chambers on double occupancy basis. The said chart is annexed to these minutes as **Annexure-‘C’**.

Allotment of nine (09) slots, in double occupancy category have been finalized vide **List E-18**. It was resolved that **List E-18** be published on the line of earlier decisions.

As per above office report Annexure-‘B’, nine (09) advocates had submitted their due compliance and one advocate namely Sh. Girish Kumar (NDBA Seniority No. 3727) had not submitted the due compliance. As such one slot in double occupancy category is available for allotment.

On the basis of further scrutiny, a new **List D-17** containing **one (01)** name was finalised, the only name included therein being that of **Sh. Raj Singh (NDBA No.3777)**.

Following the procedure adopted earlier, it was resolved that **List D-17** be published provisionally offering allotment of chambers on double occupancy basis to the advocate subject to the following conditions to be fulfilled **on or before 23.08.2014:-**

- (i). The applicant included in **List D-17** shall surrender the chambers in their possession at Patiala House Courts Complex, as declared by them in their respective applications, as mentioned in the **List D-17**, in terms of the Allotment Rules to the District Judge (New Delhi) **on or before 23.08.2014**

and obtain a certificate (specifying, amongst others, the full description of the chamber, its size and if held on sharing basis, with full details) of such surrender, to be submitted in original along with acceptance of this provisional & conditional offer, to the office of District Judge (South) **within the period specified as above;**

(ii). The advocates being offered the allotment as above shall furnish along with letter of acceptance an affidavit, *inter alia*, affirming the following (duly supported by attested copies of requisite documents):-

- (a) The enrollment with Bar Council of Delhi;
- (b) Membership of New Delhi Bar Association;
- (c) Membership of Saket Bar Association;
- (d) That aside from the chamber at Patiala House Court Complex as declared, neither they nor their spouse have ever acquired, built, been allotted or have been in possession of any space or chamber in any Courts Complex in Delhi;
- (e) Copy of original letter of allotment of chamber by NDBA at Patiala House;
- (f) That there is no dispute of any nature with regard to the chamber being surrendered;
- (g) Certificate from NDBA about there being no dispute of any kind concerning the chamber being surrendered and that all dues in such regard have been cleared by the advocate surrendering the chamber at Patiala House.

(iii). Declaration as to whether the chamber being surrendered at Patiala House Courts Complex is held singly or jointly or whether it has been created as additional space in basement or alongside or at the level of upper floor or whether the existing chamber originally allotted is being shared with/without permission/authorisation of NDBA;

(iv). Declaration that all the co-sharers/co-allottees or those sharing/holding possession of partitioned space or space additionally created below/over/alongside the chamber are submitting No Objection in favour of the applicant for the allotment to be given in the name of applicant only (with such undertaking to be separately obtained and attached);

(v). In case of spouse of the applicant being practising advocate and also an applicant, both spouses surrendering the space/chamber in their respective possession at Patiala House Courts Complex and agreeing to joint allotment of one unit at Saket Courts Complex, with undertaking of the spouse also attached surrendering his/her independent claim for such allotment;

(vi). It is made clear that in case the chamber is not surrendered or compliance with the above conditions is not made **on or before 23.08.2014**, the provisional offer of allotment of chamber of **double occupancy basis** shall stand withdrawn/forfeited forthwith and without any further notice;

(vii). The advocates hereby offered allotment of chambers on **double occupancy basis** may indicate in their respective letters of acceptance the choice of partner (the other allottee) with whom they wish to share the same, who, however, must be picked up from within the **List D-17**, and whose consent in writing for sharing the chamber must also be submitted in original with the letter of acceptance. The Allotment Committee reserves unto itself the right and discretion to make allotment appropriate to the specific considerations, if any;

(viii). The above-mentioned date, i.e. **23.08.2014** shall not be extended under any circumstances nor any representations for such purposes shall be entertained; and

(ix). Upon compliance being made as above, the Allotment Committee shall take up the claims of the advocates included in **List D-17**, in order of seniority, for specific allotment, subject to confirmation on basis of documents submitted and further formalities being complied with.

It was further resolved to publish **List D-17** as per past practice.

Submitted for confirmation.

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(Ajay Singh Shekhawat)

ACJ-Member Secretary

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(Karnail Singh)

Secretary, SBA-Member

--sd--

(Vinod Sharma)

President, SBA-Member

--sd--

(Yogesh Khanna)

ASJ-Member

--sd--

(R.K. Gauba)

District & Sessions Judge (South)-Chairman