

## HIGH COURT OF DELHI: NEW DELHI

### NOTIFICATION

No. 529/Rules/DHC

Dated: 14.12.2012

In exercise of the powers conferred by Section 7 of the Delhi High Court Act, 1966 (Act 26 of 1966), Section 16(2) of the Advocates Act, 1961 and all other powers enabling it in this behalf, the High Court of Delhi, hereby makes the following amendments in Chapter 6-L, Volume V of High Court Rules & Orders :-

**The following shall be substituted for the existing Chapter 6-L :-**

#### **Part L**

#### **RULES FRAMED BY THE HIGH COURT OF DELHI UNDER SECTION 16(2) OF THE ADVOCATES ACT, 1961 FOR DESIGNATING AN ADVOCATE AS SENIOR ADVOCATE**

These Rules shall be effective from the date of publication in the Delhi Gazette.

1. An advocate may be considered for being designated as a Senior Advocate either (i) suo motu; or (ii) in accordance with the procedure prescribed herein in these Rules.

2. **ELIGIBILITY CONDITIONS:**

No person shall be designated as a Senior Advocate unless he-

- (i) has practiced as an Advocate at the Bar for not less than 10 years;
- (ii) is enrolled with the Bar Council of Delhi;
- (iii) has been mainly practising in the High Court of Delhi and the Courts Subordinate to it;
- (iv) has furnished at least fifteen judgments, in the preceding three years, where he has contributed to the growth of law.

#### **EXPLANATION:**

The eligibility condition with regard to minimum standing as a practising Advocate shall not apply to retired Judicial Officers or those who have resigned having service and/or practice of 10 years at their credit and retired High Court Judges.

3. Canvassing by a nominee for designation as a Senior Advocate shall disqualify him for being so designated.
4. **PROCEDURE TO BE FOLLOWED WITH REGARD TO SUO MOTO DESIGNATION OF AN ADVOCATE AS SENIOR ADVOCATE.**

An Advocate who fulfills the conditions prescribed hereinbefore, may be considered *suo moto* by the Court for being designated as a Senior Advocate either on the proposal of a Judge or of the

Chief Justice. Upon such proposal, the Chief Justice shall informally confer with two-third strength of the Judges. In case the proposal finds approval, and the Advocate concerned gives his consent it shall be placed before the Full Court for passing of a formal resolution, designating him as Senior Advocate.

5. **PROCEDURE FOR DESIGNATION OF AN ADVOCATE AS SENIOR ADVOCATE OTHER THAN SUO MOTO DESIGNATION.**

- (i) The proposal for designation of an Advocate as Senior Advocate, who fulfills the eligibility conditions mentioned above, shall be initiated and forwarded to the Registrar General, jointly by five Senior Advocates designated by Delhi High Court, with not less than five years individual standing at the Bar as such, accompanied by a personal information-cum-consent sheet (Annexure 'A' hereto) duly filled in and signed by the Advocate concerned.

Provided that no such Senior Advocate shall propose more than two names in two consecutive considerations by the Full Court.

- (ii) The proposal for designation of an Advocate as Senior Advocate so made will be submitted by the Registrar General to the Chief Justice, seeking directions for placing it before the Full Court for consideration and voting by secret ballot. The proposal shall be circulated amongst the Judges one week before the Full Court meeting. If the proposal is approved by a two-third majority of the total ballot cast, irrespective of the Judge casting ballot being present or not in the Full Court meeting, where at least two-third of the total strength of the sitting Judges have cast their ballot, the Advocate concerned shall stand designated as Senior Advocate. While calculating two-third number of the Judges, ballot not cast or left blank shall not be counted and fraction shall be ignored and only whole number shall be taken into account.
6. Every proposal initiated for designation as Senior Advocate shall certify that the concerned Advocate had not been considered for such designation by the Delhi High Court or any other High Court or the Supreme Court within one year prior to the date of proposal.
7. If a proposal is not favourably considered by the Full Court, the concerned Advocate would not be eligible for being recommended for designation as a Senior Advocate for a period of one year from the date of such decision and intimation thereof will be sent to the proposers and the concerned Advocate.
8. A retired Judge of a High Court entitled to practice in the Delhi High Court on his enrolment with the Bar Council of Delhi, may be designated as a Senior Advocate if he intimates the Chief Justice of his desire to be so designated.
9. The Full Court shall not be required to record reasons for its decision.

PROFORMA OF BIO-DATA AND CONSENT

1. Name:
2. Father's/Husband's Name:
3. Address:
4. Date of birth:
5. Qualification:
6. No. and date of enrolment as an Advocate and where enrolled:
7. Date from which continuously practising and place where practising :
8. If a former member of the State Judicial Service, length of such service and the experience at the Bar:
9. Fields of specialty in branches of law:
10. Whether considered for designation as Senior Advocate by the Delhi High Court or any other High Court or Supreme Court at any time and also within one year prior to the date of proposal/consent (Also state if proposal pending with any Court):
11. Any other information which the learned Advocate may like to furnish.

**Note** : Separate sheet can be used for providing answers to the aforesaid questions, if the space in this proforma is considered insufficient.

CONSENT

I \_\_\_\_\_, Advocate, do hereby consent to be designated as a Senior Advocate in terms of Section 16(2) of the Advocates Act, 1961 and agree and undertake to abide by all laws, rules, regulations, norms and guidelines as are in force for the time being, or which may be prescribed hereafter for this purpose.

PLACE:

DATE:

SIGNATURE

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BY ORDER OF THE COURT  
Sd/-  
(V.P. VAISH)  
REGISTRAR GENERAL