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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision : 24.02.2026

+ **W.P.(C) 2473/2026 CM APPL. 12042/2026**

SH PIYUSH GUPTA ADVOCATE

.....Petitioner

Through: Mr. Rajat Malhotra, Mr. Sudhanshu Sharma, Mr. Saksham Bansal, Ms. Kamayni Tripathi, Ms. Yamini Bansal, Advs.

versus

THE CHAMBER ALLOTMENT COMMITTEE & ORS.

.....Respondent

Through: Mr. Sameer Vashisht, Standing Counsel (Civil), GNCTD with Ms. Harshita Nathrani, Adv and Ms. Khushboo Mittal, Adv. for R-1, 3 and 5.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO, J. (ORAL)

1. This petition has been filed by the petitioner with the following prayers:

“a. The writ petition may kindly be accepted with costs throughout, and writ in the nature of mandamus, certiorari or any other appropriate writ, thereby quashing and setting aside the residence-based eligibility condition restricting consideration for allotment of lawyers’ chambers only to



advocates residing within the National Capital Territory of Delhi, and directing the Respondents to recognise eligibility on the basis of residence within the National Capital Region in accordance with the constitutional framework governing allotment of lawyers' chambers.

b. Issue a writ of mandamus directing the Respondents to suitably amend, harmonise and implement the District Courts Shahdara/Karkardooma Lawyers' Chambers (Allotment and Occupancy) Rules, 1995, the District Courts Dwarka Lawyers' Chambers (Allotment and Occupancy) Rules, 2009 and the Rohini District Courts Lawyers' Chambers (Allotment and Occupancy) Rules, 2011, so as to ensure that the territorial eligibility and other governing conditions contained therein are brought in conformity with, and made consistent with, the amended Delhi High Court Lawyers' Chambers (Allotment & Occupancy) Rules, 1980, thereby establishing a uniform, transparent and constitutionally compliant framework for allotment of lawyers' chambers across all District Court complexes functioning under the administrative control of the Hon'ble Delhi High Court.

c. Issue appropriate directions to the Respondent No 1 to reconsider the candidature of advocates who were denied allotment solely on the ground of residence outside the National Capital Territory of Delhi, including those forming part of the recognised seniority and eligibility pool in context of Karkardooma/Shahdara Court Complex, strictly in accordance with constitutional principles of fairness, non-discrimination and legitimate expectation.

d. Issue an appropriate direction directing the Respondents that during the pendency of the present writ petition and until the issue of territorial eligibility is finally decided, any lawyers' chamber becoming available for allotment in accordance with the applicable seniority and eligibility criteria shall not be allotted to any junior or otherwise ineligible advocate, and that such chamber(s) be kept reserved for the signatories to the present Public Interest Litigation, subject to their being otherwise eligible and entitled to allotment on the basis of seniority under the applicable rules, in order to protect their



rights and to prevent irreparable prejudice.

e. Costs of the writ petition may also be awarded to petitioner.”

2. In effect, the petitioner is challenging the eligibility condition stipulated in the rules of allotment of chambers in respect of Shahadra/Karkardooma, Dwarka and Rohini Courts on the ground that the Rules contemplate that a member of the association who is a resident of National Capital Territory of Delhi to be eligible for allotment of chamber and not a resident of National Capital Region.

3. Mr. Sameer Vashishth, learned Standing Counsel appearing for the Respondent Nos. 1, 3 and 5 has drawn our attention to the judgment of the Supreme Court in the case of **Gopal Jha v. Hon’ble Supreme Court of India 2019 13 SCC 161**, more specifically paragraphs 39 and 40 which we reproduce as under:

“39.Prescription of the requirement of resident in Delhi or New Delhi in Rule 3 of the Allotment Rules: In one of the petitions, this provision is challenged. It is submitted that there is no rationale in prescribing the condition that an advocate to become eligible for allotment of chamber should be a resident in Delhi or New Delhi. Argument was that in last few years, there was exponential growth in the population of Delhi which, inter alia, necessitated people to shift in areas nearby, like Noida or Ghaziabad in Uttar Pradesh, Faridabad or Gurugram in Haryana. It was submitted that the only purpose for making the aforesaid provision was that the advocate who is practising in the Supreme Court is readily available and, therefore, he is living in the vicinity of the Supreme Court. It was submitted that some of the areas which are mentioned above are closer to the Supreme Court than many areas in Delhi itself. Therefore, such a provision has lost its rationality and purpose. The petitioner in Writ Petition (Civil) No. 1063 of 2018 submits that insofar as he is concerned, if an aerial distance is taken, his residence falls within 16 km radius as he is residing in



Indirapuram, Ghaziabad (U.P.). Plea is that if the definition of resident member is seen, as defined in Rule 3(ix), it means a member residing and practising as an advocate in Delhi or its suburbs and “suburbs” clearly includes NCR also. Therefore, all those who are staying in NCR should be made eligible for allotment of chambers.

40. We are of the opinion that having regard to the changed circumstances and the manner in which areas around Delhi have developed in past few years, many advocates who appear in courts in Delhi, including the Supreme Court, commute on daily basis from their residences which fall in neighbouring States. It is time to reconsider as to whether requirement of residence in Delhi or New Delhi in Rule 3 of the Allotment Rules needs to be retained or it should be extended to some areas of neighbouring States which are quite close to the vicinity of the Supreme Court. May be, by fixing a particular radial distance from the Supreme Court, the problem can be tackled. As it would require consideration on so many aspects, we are of the opinion that this issue can be considered by the Judges' Allotment Committee. We make it clear that it is for the Committee to take a final view on this issue, after taking into consideration all the relevant factors.”

4. His submissions is that appropriate shall be the issue which has been raised by the petitioner in this petition be referred to the Portfolio Committee of the High Court through the learned Registrar General of this Court, relating to the concerned District Courts i.e., Shahadra/Karkardooma, Dwarka and Rohini Courts for a decision.

5. In fact, Mr. Rajat Malhotra, agrees with the submission made by Mr. Vashishth.

6. Mr. Malhotra also draws our attention to the Rules of allotment of the lawyers chambers in respect of the Supreme Court to state the same include the members of the Supreme Court Bar Association residing at Noida,



Greater Noida, Faridabad and Gurugram can also apply for allotment of chambers.

7. Suffice to state that in view of the submission made by Mr. Vashishth to which Mr. Malhotra agrees, the issue which has been raised in the petition be considered by the Portfolio Committees of this Court relating to the above District Courts and a decision thereof be taken. The decision so taken should be communicated to the petitioner.

8. We take on record Mr. Malhotra's submission that the nine Advocates (list E) whose requests for allotment were rejected on the ground that they are not eligible under Rule 3, shall seek their remedy as available in law.

9. The petition is disposed of.

10. The pending application does not survive for consideration.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 24, 2026

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