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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3298/2020 and CM APPL. 11567/2020**
GOVIND SWAROOP CHATURVEDI Petitioner
Through: Mr. G.S. Chaturvedi, Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS. Respondents
Through: Mr. Rahul Mehra, Sr. Advocate and
Mr. Satyakam, ASC for GNCTD.
Mr. Sanjay Rawat, Advocate for
NIACL with Mr. Gaurav Sharma,
Branch Manager.
Mr. Ramesh Gupta, Chairman, BCD.
Mr. Rakesh Khanna and Mr. K.C.
Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.
Mr. Kamal Mehta, Advocate for LIC.

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+

WITH
W.P.(C) 3357/2020
BALVINDER SINGH BAGGA & ORS. Petitioners
Through: Mr. Amarjit Singh Chandhiok, Sr.
Advocate with Mr. Naginder Benipal,
Mr. Tarranjit Singh Sawhney,
Advocates with Mr. Balvinder Singh
Bagga and Mr. Vaibhav Kalra, in
person.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents
Through: Mr. Rahul Mehra, Sr. Advocate and
Mr. Satyakam, ASC for GNCTD.
Mr. Sanjay Rawat, Advocate for
NIACL with Mr. Gaurav Sharma,
Branch Manager.

Mr. Ramesh Gupta, Chairman, BCD.
Mr. Rakesh Khanna and Mr. K.C.
Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.
Mr. Kamal Mehta, Advocate for LIC.

11 AND
+ **W.P.(C) 3362/2020 and CM APPLs. 11901/2020, 17666/2020,
29369/2020**
BAR COUNCIL OF DELHI THROUGH ITS
CHAIRMANPetitioner

Through: Mr. Rakesh Khanna and Mr. K.C.
Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.
Mr. Ramesh Gupta, Chairman, BCD.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents
Through: Mr. Rahul Mehra, Sr. Advocate and
Mr. Satyakam, ASC for GNCTD.
Mr. Sanjay Rawat, Advocate for
NIACL with Mr. Gaurav Sharma,
Branch Manager.
Mr. Ramesh Gupta, Chairman, BCD.
Mr. Rakesh Khanna and Mr. K.C.
Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.
Mr. Kamal Mehta, Advocate for LIC.
Mr. Apoorv Kurup, CGSC with Ms.
Nidhi Mittal, Advocate for R-3 (M:
8800185864).

12 AND
+ **W.P.(C) 4303/2020**
BAR COUNCIL OF DELHI THROUGH ITS
CHAIRMAN Petitioner
Through: Mr. Rakesh Khanna and Mr. K.C.
Mittal, Sr. Advocates with Mr. Rajiv

Khosla, Advocate for BCD.
Mr. Ramesh Gupta, Chairman, BCD.

versus

GOVT. OF NCTD & ORS.

..... Respondents

Through:

Mr. Rahul Mehra, Sr. Advocate Mr. Satyakam, ASC for GNCTD.
Mr. Sanjay Rawat, Advocate for NIACL with Mr. Gaurav Sharma, Branch Manager.
Mr. Ramesh Gupta, Chairman, BCD.
Mr. Rakesh Khanna and Mr. K.C. Mittal, Sr. Advocates with Mr. Rajiv Khosla, Advocate for BCD.
Mr. Kamal Mehta, Advocate for LIC.
Mr. Apoorv Kurup, CGSC with Ms. Nidhi Mittal, Advocate for R-3 (M: 8800185864).

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AND

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W.P.(C) 4304/2020

BAR COUNCIL OF DELHI THROUGH ITS
CHAIRMAN

..... Petitioner

Through:

Mr. Rakesh Khanna and Mr. K.C. Mittal, Sr. Advocates with Mr. Rajiv Khosla, Advocate for BCD.
Mr. Ramesh Gupta, Chairman, BCD.

versus

GOVT. OF NCTD & ORS.

..... Respondents

Through:

Mr. Rahul Mehra, Sr. Advocate Mr. Satyakam, ASC for GNCTD.
Mr. Sanjay Rawat, Advocate for NIACL with Mr. Gaurav Sharma, Branch Manager.
Mr. Ramesh Gupta, Chairman, BCD.
Mr. Rakesh Khanna and Mr. K.C.

Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.
Mr. Kamal Mehta, Advocate for LIC.

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AND

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W.P.(C) 1840/2021

KAPIL GOYAL AND ORS

..... Petitioners

Through: Mr. Sahel Sood, Advocate.

versus

GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Rahul Mehra, Sr. Advocate Mr.
Satyakam, ASC for GNCTD.

Mr. Sanjay Rawat, Advocate for
NIACL with Mr. Gaurav Sharma,
Branch Manager.

Mr. Ramesh Gupta, Chairman, BCD.

Mr. Rakesh Khanna and Mr. K.C.

Mittal, Sr. Advocates with Mr. Rajiv
Khosla, Advocate for BCD.

Mr. Kamal Mehta, Advocate for LIC.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **01.06.2021**

1. This hearing has been done through video conferencing.
2. Submissions have been heard on behalf of the NIACL, as also the GNCTD and the BCD.
3. On the issue of additional lawyers for whom premium is required to be paid, a perusal of the various orders dated 27th November, 2020, 15th January, 2021, 4th March, 2021, 23rd March, 2021 and 21st May, 2021 would show that since there was a delay in the verification of the advocates, e-cards were directed to be issued to all 29077 advocates, subject to their

verification. The verification is stated to have been concluded and a total number of 24,033 advocates have been found to be eligible. Thus, according to the GNCTD and the BCD, 5,044 advocates are ineligible as per the current criteria.

4. Directions have been passed by this Court, in the previous orders, to the effect that the excess amount of premium would be retained by the NIACL, subject to further orders in these petitions.

5. On 21st May, 2021, this Court had directed the NIACL to inform the Court as to how many ineligible lawyers had raised claims which have been paid by the NIACL. Mr. Rawat, Id. counsel and Mr. Gaurav Sharma, Senior Manager, NIACL submit that all lawyers who have raised claims till now are the lawyers who are verified and found to be eligible.

6. On the whole, the following categories of lawyers emerge:-

(i) 24,033 advocates who are duly verified as per the current eligibility criteria of enrolment with the Bar Council of Delhi and have voter ID cards of Delhi.

(ii) 5,044 advocates who are enrolled with the Bar Council of Delhi but are otherwise ineligible as per the GNCTD.

(iii) Out of the 24,033 eligible advocates, 557 advocates were not part of the original list of 29077 advocates and policies/e-cards are yet to be issued to them.

7. It is in respect of these 557 advocates that NIACL is demanding additional premium as no payment has been made in respect of these advocates. This issue has been created due to the lack of proper verification by the BCD. Since the arguments in these petitions are on the verge of conclusion, insofar as any additional premium amount is concerned, at this

stage, no additional premium is being directed to be paid, considering the fact that a substantial amount of lawyers are according to the GNCTD already found to be ineligible, which would be subject to further orders to be passed by this Court.

8. A rejoinder has been emailed on behalf of the Bar Council of Delhi to the Court Master yesterday. However, after some submissions today, Mr. Gupta, Id. counsel submits that the Bar Council of Delhi withdraws this rejoinder affidavit, as oral arguments have already been addressed.

9. Mr. Chandhiok, Id. Sr. counsel and Mr. G.S. Chaturvedi, Petitioner in person, have concluded their submissions.

10. Further to yesterday's order in respect of a meeting sought by various counsels appearing on behalf of the Petitioners with the Hon'ble Chief Minister, Mr. Mehra, Id. Sr. counsel submits that his instructions are that at this stage, such a meeting would not be possible.

11. List for sur-rejoinder submissions by Id. counsel for the GNCTD on 4th June, 2021. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as the certified copy of the order for the purpose of ensuring compliance. No physical copy of orders shall be insisted by any authority/entity or litigant.

PRATHIBA M. SINGH, J.

JUNE 1, 2021
MR/T