

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.135 of 2018**

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Coordination Committee of the three association of Lawyers of Patna High  
Court through the Chairman, Sri Yogesha Chandra Verma & Ors

... .. Appellant/s

Versus

The High Court of Judicature at Patna through The Registrar General

... .. Respondent/s

=====  
with

**Letters Patent Appeal No. 142 of 2018**

=====  
Niranjan Kumar

... .. Appellant/s

Versus

The High Court of Judicature At Patna through The Registrar General & Anr.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Yogesh Chandra Verma, Sr. Advocate  
Mr. Niranjan Kumar ( In Person )  
For the Respondent/s : Mr. Satyabir Bharti, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2 29-01-2018

Issue notice to the State Government and the  
counsel representing the High Court. They are directed to show  
cause as to why the provisions of Rule 4 of the Registration of  
Advocates on the Record of the Patna High Court Rules be not  
declared as *ultra vires* to the extent it prevents an Advocate  
registered under the Advocates Act from filing a Vakalatnama  
and appearing on behalf of the client or, in the alternate, why



rule should not be read out down to enable the Advocate registered under the Advocates Act to practice and sign a Vakalatnama, if he is so entitled to under the provisions of the Advocates Act. That apart, we find that the rule in question which prohibits an Advocate, who is not an Advocate on Record, from filing a Vakalatnama and representing his client is violative of Article 19 (1)(g) of the Constitution also.

We are informed that the issue with regard to this rule is pending consideration before a Full Bench of this Court in C.W.J.C. No. 19862 of 2010 and various other cases. We direct listing of the matter along with the aforesaid case.

Till the next date, the directions contained in Paragraph 3 of the impugned order dated 24.01.2018 passed by the Writ Court in C.W.J.C. No. 8700 of 2017, which reads as under:-

“At this juncture, general members of the Bar submitted to the Court that due to ignorance, they may also have signed the pleadings, including the Power/Vakalatnama. It was submitted that the same was out of sheer ignorance and they may be permitted to get their names expunged from the records. Keeping the aforesaid in mind, and the fact that, as of now, no person other than an Advocate on record can enter appearance, including filing of Power/Vakalatnama



and pleadings before the High Court, henceforth, let the Registry also take note while making stamp report as to whether the Advocates through whom the pleadings are filed and/or who have accepted/executed Power/Vakalatnama are Advocates on record of this Court. Registry shall communicate the order to the Registrar General of this Court for issuing appropriate directions, latest by tomorrow. The said directions would take effect prospectively from 1st February, 2018. The Registrar General shall get notice to this effect printed in the daily cause list for at least a week starting from the cause list dated 29th January, 2018.”

and which prevents an Advocate from filing a Power/Vakalatnama and plead before the High Court shall remain stayed.

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

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