

*Via video conferencing*

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

+ W.P.(C) 3695/2020

**DELHI HIGH COURT BAR CLERKS ASSOCIATION**

....Petitioner

Through: Mr. Kirti Uppal, Sr. Advocate and  
Mr. Inder Singh Alag, Sr. Adv. and  
Mr. Kirti Uppal, Sr. Adv. with  
Mr. N.K. Aggarwal, Ms. Sanjana Antil,  
Ms. Yogita Sunaria, Mr. Atul Tanwar,  
Adv. & Mr. Lokesh Kumar, Secretary  
of the petitioner.

Versus

**UNION OF INDIA & ORS.**

.....Respondents.

Through: Mr. Kirtiman Singh, CGSC with  
Mr. Rohan Anand, Adv. for R-1  
Mr. Satyakam, ASC for R-2.  
Mr. Mohit Mathur, Sr. Adv./President  
and Mr. Abhijat, Secretary of R-3.  
Mr. Sanjoy Ghose with Mr. Naman  
Jain, Adv. for R-6.  
Mr. Preet Pal Singh along with  
Mr. Saurabh Sharma, Adv. for BCI

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

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**01.07.2020**

1. The present writ petition has been filed by the Delhi High Court Bar Clerks Association primarily seeking a direction to the respondents, particularly the Delhi High Court Bar Association, to create a fund for the welfare of its members. The petitioner also seeks

a direction to release a sum of Rs.20,000/- to each of its members by way of interim relief so as to enable them to sustain themselves during this period when the normal functioning of this court has been severely hampered on account of the ongoing pandemic of COVID-19.

2. On the last date, when the present petition was taken up for consideration, Mr.Mohit Mathur, President of the Delhi High Court Bar Association, had appeared on behalf of respondent No.3 and assured this Court that the said respondent will examine the aspect of creating a separate fund for meeting the needs of the petitioner association and will come up with a suggestion for redressal of the petitioner's grievance.

3. Today, Mr.Mohit Mathur learned senior counsel submits that even though the respondent no.3 is conscious of the difficulties being faced by some of the members of the petitioner association, the respondent no.3 is deeply aggrieved by the manner in which the petitioner association has chosen to make allegations against the Advocates in general. He submits that the petitioner association is well aware that a number of Advocates, despite themselves facing financial difficulties, are ensuring that their clerks are duly paid. He further submits that after the last date of hearing, more members of the Bar Association have volunteered to contribute to a fund, as and when it is created, to help the members of the petitioner organisation. He points out that Ms.Maninder Acharya, learned senior counsel has generously volunteered to donate a sum of Rs.2 lakhs; similarly Mr.Rishi Agarwala, and Mr. Jayant Mehta, Advocates have

volunteered to donate sums of Rs.3 lakhs and 1 lakh respectively to such a fund, as and when it is created.

4. Mr. Mathur further submits that during the course of the last one week, the respondent no.3 has discussed the issue with Mr. Kirti Uppal and Mr. Alag, learned senior counsel for the petitioner and they all are, in principal, in agreement that the amount contributed by the various members of the Bar can be deposited in the bank account of the petitioner itself, provided that the funds are only released to those members of the petitioner association who are recommended by the two/three member committee proposed to be set up by the respondent no.3. He, however, prays for time to work out further modalities.

5. In view of the aforesaid stand taken by learned counsel for respondent no.3, Mr. Alag, while not disputing that a number of Advocates are diligently paying due salaries to their clerks, prays on instructions that paragraph 16 of the petition, which makes some generic and unsubstantiated allegations against Advocates, be deleted. He joins Mr. Mathur in their request to be granted time to work out the finer points of instituting a welfare fund for the members of the petitioner organisation in order to effectively render aid to its needy members. At the oral request of the learned senior counsel for the petitioner, paragraph No.16 is permitted to be deleted from the petition. The petitioner is directed to file the amended writ petition before this Court within three days.

6. At this stage, Mr. Satyakam, learned counsel for the respondent no.2 submits that the said respondent, vide its order dated 30.06.2020, has rejected the petitioner's representation seeking aid from the

Government of NCT. He submits that a copy of this decision dated 30.06.2020 has already been sent to the petitioner through electronic means. Learned senior counsel for the petitioner prays for time to examine the same and make submissions in this regard, if the need so arises.

7. Accordingly, at the request of Mr. Mathur as also learned senior counsel for the petitioner, hearing in the matter be deferred for 09.07.2020. It is expected that by the next date, the respondent no.3 and the petitioner will be able to convey to this Court a mutually agreed upon solution to lend timely financial aid to the needy members of the petitioner association.

8. This Court appreciates the efforts of the Delhi High Court Bar Association as also the voluntary offers made by various members of the Bar to support and assistance to the petitioner association in these trying times.

**REKHA PALLI, J.**

**JULY 01, 2020**

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