

ITEM NO.6, 6.1 COURT NO. 1
& Suo Moto WP© No.8/2020

SECTION PIL-W

(Hearing through video Conferencing)

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 686/2020

BAR COUNCIL OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.63294/2020-EXEMPTION FROM PAYING COURT FEE)

WITH

T.P.(C) No. 767-772/2020 (XVI-A)

(FOR ADMISSION and IA No.64316/2020-STAY APPLICATION and IA No.64326/2020-CLARIFICATION/DIRECTION)

AND

SUO MOTO WRIT PETITION © NO. 8 of 2020

IN RE : FINANCIAL AID FOR MEMBERS OF BAR AFFECTED BY PANDEMIC.

Date : 22-07-2020 These petitions were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Mr.Manan Kumar Mishra, Sr, Adv.
Mr.S.Prabhakaran, Sr. Adv.
Mr.Aprub Kumar Sharma, Sr. Adv.
Mr.S.N.Bhat, Adv.
Mr.Ved Prakash Sharma, Adv.
Mr.Vishwajeet Kumar Mishra, Adv.
Ms.Anjul Dwivedi, Adv.
Mr.Anirveda Sharma, Adv.

For Respondent(s)

Mr. Tushar Mehta, Ld. S.G.
Mr. Kanu Agrawal, Adv.

Mr. Rajat Nair, Adv.
Mr. B.V. Balram Das, Adv.

Mr. Chirag M. Shroff, Adv.
Ms. Sanjana Nangia, Adv.
Ms. Abhilasha Bharti, Adv.

UPON hearing the counsel the Court made the following
O R D E R

WP© No.686/2020

Issue notice.

T.P.(C) Nos. 767-772/2020

Issue notice.

Until further orders, further proceedings in W.P.(PIL) NO. 91/2020 pending before the High Court of Andhra Pradesh at Amaravathi, W.P. No. 6651/2020 pending before the High Court for the States of Telangana at Hyderabad, W.P. No. 7419/2020 pending before the High Court of Judicature at Madras and WP D. No. 501727/2020 pending before the High of Delhi at New Delhi, WP No. 3695/2020 pending before the High Court of Delhi at New Delhi and Public Interest Litigation (PIL) No. 569/2020 (Suo-moto proceedings initiated by the High Court) shall remain stayed.

SUO MOTO WRIT PETITION (C) NO 8 OF 2020

IN RE : FINANCIAL AID FOR MEMBERS OF BAR AFFECTED
BY PANDEMIC

Taken on Board.

We are faced with an unprecedented crisis due to COVID-19 pandemic. This would demand an unprecedented action for resolving the said crisis.

In short, we find that the pandemic has taken

a heavy toll on the lives of citizens and, particularly, the legal fraternity. We are conscious of the fact that the advocates are bound by Rules which restrict their income only to the profession. They are not permitted to earn a livelihood by any other means. In such a circumstance, the closure of the courts has deprived a sizable section of the legal profession of income and therefore livelihood.

In these dire circumstance there is a constant demand to enable the resumption of the income from the profession by resuming the normal functioning of Courts in congregation. This demand poses its own difficulties in the sense that an unqualified resumption of normal Courts may jeopardize the health of all those who attend Courts in congregation, i.e., Judges, Lawyers and equally important, the Staff of the Courts.

Nonetheless, we find that it is not possible to ignore the problem of livelihood of advocates. We therefore consider it appropriate, in the interest of justice, to issue notice to the recognized Bar Associations of the Supreme Court and of all the High Courts to show cause why a fund for relief to eligible and deserving advocates should not be set up and donations for the same be invited

from their own members or any other legitimate source. It would also be necessary to determine the norms for eligibility of such financial aid by the Bar Associations.

We consider it appropriate to issue notice to the Union of India, State Governments/Union Territories, Bar Council of India and all the State Bar Councils. Notice shall also be issued to the Registrars General of all the High Courts. Notice be made returnable in two weeks.

Mr. Tushar Mehta, learned Solicitor General and Mr. Manan Kumar Mishra, senior counsel waive service of notice on behalf of the Union of India and the Bar Council of India, respectively.

Let service of notice be effected through respective standing counsel. Service of notice be also effected through e-mail and FAX.

To be listed along with W.P.(C) No.686 of 2020 and T.P.(C) No.767-772 of 2020.

[CHARANJEET KAUR]
ASSTT.REGISTRAR-CUM-PS

[INDU KUMARI POKHRIYAL]
ASSTT. REGISTRAR