

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 718]

नवा रायपुर, शुक्रवार, दिनांक 12 सितम्बर 2025 — भाद्र 21, शक 1947

HIGH COURT OF CHHATTISGARH, BILASPUR

Bilaspur, the 18th August 2025

NOTIFICATION

High Court Of Chhattisgarh (Designation Of Senior Advocate) Rules, 2025

No. 16634/Rules/2025.— In pursuance of the Judgment dated 13/05/2025 passed by Hon'ble the Supreme Court of India in Criminal Appeal No. 865 of 2025, Jitender @ Kalla V/s State (Govt. of NCT of Delhi) and Anr and in exercise of the powers conferred by Article 227(2)(b) of Indian Constitution read with Sections 34(1) and 16(2) of the Advocates Act, 1961 and in supersession of previous notification No. 10151 dated 25/10/2018, the High Court of Chhattisgarh is pleased to notify the Rules for Designation of an Advocate as Senior Advocate and the matters incidental thereto.

1. Short title, extent and Commencement :-

- (i) These Rules shall be called '**High Court of Chhattisgarh (Designation of Senior Advocate) Rules, 2025**'.
- (ii) These Rules shall extend to the whole jurisdiction of the High Court of Chhattisgarh.
- (iii) These Rules shall come into force immediately.

2. Definitions:- In these Rules, unless the context otherwise requires :-

- (i) "**Acting**" means filling an appearance or any pleadings or applications in any Court, Tribunal or Authority in India, or any act (other than pleading) required or authorized by law to be done by a party in such Court or Tribunal either in person or by his recognized agent or by an advocate or attorney on his behalf;
- (ii) "**Advocate**" means an advocate defined in the Advocates Act, 1961.
- (iii) "**Chief Justice**" means the Chief Justice of the High Court of Chhattisgarh and includes a Judge appointed under the Constitution to perform the duties of Chief Justice.
- (iv) "**Judge**" means the Judge of the High Court of Chhattisgarh.
- (v) "**Registrar General**" means the Registrar General of the High Court of Chhattisgarh.
- (vi) "**Full Court**" means as defined in Rule 4(O) of High Court of Chhattisgarh Rules, 2007.

- (vii) **"High Court"** means the High Court of Chhattisgarh.
- (viii) **"Roll"** means the roll of Advocates prepared and maintained under the Advocates Act, 1961.
- (ix) **"Permanent Secretariat"** means the Secretariat established by the Chief Justice of the High Court of Chhattisgarh for the purpose of Designation of Senior Advocate.
- (x) **"Instructing Advocate"** means an advocate other than a Senior Advocate, who has been instructed by the party in the matter.
- (xi) **"State"** means the State of Chhattisgarh.
- (xii) **"State Bar Council"** means the Bar Council of the State of Chhattisgarh and shall include the authority exercising such powers.
- (xiii) **"Tribunal"** includes any authority or persons, legally authorized to take evidence and before whom advocates are by or under any law for the time being in force, entitled to practice.

3. **Eligibility Conditions for Designation of Senior Advocates :-**

An Advocate shall be eligible to be designated as a senior Advocate, if he/she:

- (i) has a minimum standing of 10 years at the Bar ordinarily practicing in the High Court of Chhattisgarh /District Judiciary/Specialized Tribunals, preceding the date of consideration of his/her case for designation as a Senior Advocate;
- (ii) has attained position of eminence at the Bar, rather has several qualities of a professional viz. integrity, respect, confidence, dependability, honesty, communication skills and commitment to administration of justice and rule of law.
- (iii) possesses ability, legal acumen, special knowledge or distinction. and reputation achieved in practice of law, such as he/she is always fair while conducting cases before the Courts and his/her behavior with the Judges and other members of the Bar is respectful;
- (iv) he/she maintains decorum while conducting cases before the Court;
- (v) he/she always acts first as an officer of the Court and, thereafter, a mouthpiece of his/her client;
- (vi) he/she follows the highest standards of professional etiquette and ethics;
- (vii) he/she acts as a mentor to the Junior Advocates;

- (viii) he/she has participated in pro bono work;
- (ix) he/she has not been convicted by a competent court of law and should not have been punished for an offence involving moral turpitude or contempt of court or should not have been punished by the Bar Council of Chhattisgarh or by Bar Council of India for any act of misconduct.

Explanation: An application by an Advocate mainly practicing before the Trial Courts/District Judiciary and before Specialized Tribunals and having gained domain expertise shall be considered irrespective of his/her limited number of appearances before the High Court. The High Court can call for the views of the Principal District Judges or Heads of Tribunals on such applications. Moreover, at the time of considerations, views of Administrative Judge of concerned District can also be called for.

4. **Motion for designation as Senior Advocate :-**

- (i) Applications/ nominations for designation of Senior Advocates will be considered drawing a cut-off date till December 31st to be processed in the first quarter of the next year and to be finalized.
- (ii) Designation of an advocate as Senior Advocate by the High Court of Chhattisgarh be considered on the written proposal made by :
 - (a) Full Court of the High Court of Chhattisgarh; or
 - (b) Designation of an Advocate as Senior Advocate by the High Court of Chhattisgarh may also be considered on the written application of the Advocate concerned that shall be made, as far as possible, in Form No. 1 of Appendix 'A' appended to these Rules.
 - (c) The practice of Advocates making applications for grant of designation can continue as the act of making application can be treated as consent of the Advocates concerned for designation.

Provided that the Full Court may consider and confer designation de hors an application in a deserving case.

- (iii) Along with the proposal or application, as the case may be, the Advocate concerned shall append his certificate that he has not applied to any other High Court for being designated as Senior Advocate and that his application has not been rejected by the High Court within a period of two years prior to the date of the proposal or application.

5. Permanent Secretariat for Designation of Senior Advocate:-

- (i) All the matters relating to designation of Senior Advocate in the High Court of Chhattisgarh shall be dealt with by a permanent Secretariat (to be known as "Secretariat for Designation of Senior Advocate") which will be headed by the Chief Justice.
- (ii) The Secretary may issue such directions with approval of the Chief Justice from time to time, as deemed necessary as regards functioning of the Secretariat, including the manner in which, and the sources from which, the necessary data and information are to be collected, complied and presented.

6. Procedure for designation :-

- (i) The designation of an Advocate as Senior Advocate by the High Court of Chhattisgarh may be considered on a written application of the concerned Advocate made in Form-1 of Appendix-'A' along with relevant documents moved before a Permanent Secretariat.
- (ii) The decision to confer designation shall be of Full-Court of High Court of Chhattisgarh;
- (iii) There shall be a Permanent Secretariat, the composition of which will be decided by the Chief Justice;
- (iv) The applications of all candidates found to be eligible by the Permanent Secretariat along with relevant documents submitted by the applicants shall be placed before the Full-Court.
- (v) The permanent Secretariat will publish the application/proposal for designation of a particular Advocate as Senior Advocate in the official website of High Court of Chhattisgarh, inviting the suggestions/views of other stakeholders in the proposed designation within such time as may be directed by the Committee.
- (vi) After the data-base in terms of the above is complied and all such information as may be obtained in respect of any particular candidate is collected; and the suggestions/views of the other stakeholders have been received, the permanent Secretariat shall put up the case before the Full Court or Full House for scrutiny.
- (vii) The process for designation of Senior Advocates shall be initiated at least once in a year.
- (viii) That it shall be the prerogative of the Full-Court, to decide the number of successful applicants by taking into consideration standing of an advocate at Bar, which means the position of

eminence attained by an advocate at the Bar by virtue of his ability, seniority, legal acumen and high ethical standards maintained by him/her, both inside and outside the Court.

- (ix) While considering the applications for designation of Senior Advocate, the Full-Court shall make an endeavor to arrive at a consensus. However, if a consensus on designation of Advocates is not arrived at, the decision-making shall be by a democratic method of voting.
- (x) In case of voting, the decision shall be carried out by majority of judges present and voting. However, in case of a tie, the Chief Justice shall have the casting/ deciding vote.

7. **Restriction on Senior Advocates :-**

A Senior Advocate shall not :

- (i) File a Vakalatnama or memo of Appearance or act in any Court or Tribunal;
- (ii) Appear before a Court or Tribunal without an instructing advocate;
- (iii) Accept instruction to draw pleadings or affidavits, advise on evidence or do any drafting work of an analogous kind in any Court or Tribunal or undertake conveyancing work of any kind whatsoever. However, these prohibitions shall not extend to setting any such matter as aforesaid in consultation with an instructing advocate;
- (iv) Accept directly from a party any brief or instructions to appear in any Court or Tribunal;
- (v) Enter into direct professional correspondence with a litigant;
- (vi) Be a standing counsel of any government, public sector undertaking, institution or local or corporate body and if he holds such a position, he shall resign or relinquish the same upon being designated a senior advocate;

Provided that, for the purpose of this sub-rule, holding of the office of the Advocate General (including Additional Advocate General, Deputy Advocate General and Government Advocate), Attorney General, Solicitor General or Additional Solicitor General shall not amount to being a standing counsel.

8. **Registration as senior Advocate :-**

- (i) Upon furnishing of the Undertaking in the manner stated in Rule 7, the name of advocate who has been designated as Senior Advocate,

shall be entered in the register of Senior Advocates to be maintained by the Permanent Secretariat. The order to this effect shall be issued conferring such distinction on the Advocate, by the Registrar General. The Advocate shall thereafter be addressed as "Senior Advocate" of the High Court.

- (ii) Upon an Advocate being designated as Senior Advocate, the Registrar General shall communicate the same to the Supreme Court of India and all the High Courts and Bar Council of India, the State Bar Councils and Bar Associations of the State. The Registrar General shall notify the same on the official website of the High Court also.

9. **Review and Recall :-**

- (i) If it is found that any Senior Advocate has-
 - (a) committed any professional misconduct;
 - (b) shown intemperate behavior either inside or outside the Court;
 - (c) been found invariably negligent in discharge of professional duties;
 - (d) been found by Bar Council of India or Bar Council of Chhattisgarh or Bar Council of any other State to have committed professional or other mis-conduct;
 - (e) been convicted of an offence involving moral turpitude or for contempt of the court; and
 - (f) for any other reason lost the privilege to be a Senior Advocate, for any/one or more of the foregoing reasons.
- (ii) The name of such Senior Advocate will be placed before the Chief Justice for recalling the designation.
- (iii) On being satisfied that the matter should be further considered, the Chief Justice shall refer the issue to the Full-Court.
- (iv) If majority of the Judges present in the meeting are of the view that the Senior Advocate has forfeited his/her privilege, the Full- Court shall recall his/her designation as Senior Advocate. However, in case of a tie, the Chief Justice shall have casting/deciding vote.
- (v) The Registrar General shall notify the decision to the Advocate and to the Bar Council of Chhattisgarh and other concerned who shall delete the name from the list of Senior Advocates maintained by them in their respective registers.
- (vi) Nothing contained in these Rules shall prevent an Advocate, who has been designated by the High Court of Chhattisgarh as a Senior

Advocate, from submitting an application to withdraw or recall his/her designation as a Senior Advocate. In the event of such an application addressed to the Permanent Secretariat being submitted, the Permanent Secretariat shall place it before the Full-Court for appropriate orders thereon.

- (vii) The Registrar General shall notify the withdrawal of the designation in official website of the High Court while communicating the same to the concerned.

10. The name not to be reconsidered for next two years :-

If the name of an Advocate has been considered and not approved by the Full Court, it shall not be reconsidered for next two years.

11. Canvassing :-

Canvassing in any manner by a nominee/applicant for designation as Senior Advocate shall disqualify him for being designated.

12. Rights and Privileges of the Senior Advocates :-

- (i) The Senior Advocate shall have a preferential right of audience in all Courts according to his/her seniority as such Advocate;
- (ii) The Senior Advocate shall be entitled to wear special robes meant for Senior Advocates;
- (iii) The Senior Advocate shall be entitled to such other rights and privileges conferred by the practice of Senior Advocates under the Advocates Act, 1961.

13. Interpretation :-

All the questions relating to the interpretation of these rules shall be referred to the Chief justice whose decision thereon shall be final.

14. Repeal and Saving :-

All the previous Rules/Guidelines/Criteria governing designation of an Advocate as a "Senior Advocate" made by the High Court of Chhattisgarh with all amendments/modifications, are hereby repealed. However, this shall not, by itself, invalidate the actions taken under the superseded/repealed Rules/Guidelines/Criteria and all those actions are saved under these Rules.

APPENDIX - A**FORM NO. 1**
{Rule 4 (ii)(b)}

I, the undersigned Advocate, practicing in the State of Chhattisgarh, submit my application for being designated as Senior Advocate and state my consent to be so designated by the High Court of Chhattisgarh.

1. Name of the Applicant :
2. Educational Qualification :
3. Date of Birth :
4. Permanent Residential Address :
and mobile number of the Advocate :
5. Address of professional office :
6. E-mail Address :
7. Date of enrollment as an Advocate :
and where enrolled :
8. Number in the roll of Advocates :
maintained by the State Bar Council
and the date on which enrolled :
9. Are you a member of any Association :
of Lawyers? If so, give details :
10. Number of years' practice (or judicial :
service) and in which Court? :
11. Have you specialized in any field of :
law? If so, give details. :
12. Have you been a chamber junior to :
any lawyer? If so, furnish name of such
Lawyer/Lawyers and the period held as
such. :
13. Are you in the panel or do you hold :
any office under the State or Central
Government? :
14. Reference to any important matter in :
which you have appeared. :
15. Have you had to your credit any :
Journal? If so, give details. :
16. Have you attended or participated in :
any seminar/conference relating to law. :
17. Are you connected with any faculty of :
law? If so, give details. :
18. Has any application designation as :
Senior Advocate been made to the
High Court of Chhattisgarh or any
other Court before? If so, with what
result? :
19. Are you ordinarily practicing within :

- the jurisdiction of the High Court of Chhattisgarh?
20. Other information/particulars, if any, including, reported cases, legal aid work/publication etc.

CONSENT

I, _____, Advocate, do hereby consent to be designated as a Senior Advocate in terms of Section 16(2) of the Advocates Act, 1961 and agree and undertake to abide by all laws, rules, regulations and norms as are for the time being in force or which may be prescribed hereafter for this purpose.

Place:

Date:

SIGNATURE

By order of Hon'ble the High Court

Sd/-

(Maneesh Kumar Thakur)

Registrar General.