

HIGH COURT OF KARNATAKA, BENGALURU
NOTIFICATION
No.HCLC 118/2012 (RPS 71/2012) DATED 16.03.2024

In exercise of the powers conferred under Article 227 of the Constitution of India read with Sections 122, 126 and 129 of the Code of Civil Procedure, 1908 and all other powers enabling there unto, the High Court of Karnataka hereby makes and publishes the following draft with regard to amendment to the rules viz., ***'Rules laying down the conditions subject to which an Advocate shall be permitted to practice in the High Court and the Courts subordinate thereto'*** framed by the Hon'ble High Court of Karnataka, for information of all persons likely to be affected thereby and notice is hereby given that the said amendment shall be taken into consideration immediately after 15 days from the date of publication of this Notification in the Karnataka Official Gazette.

Any objections which may be received from any person with respect to the aforesaid draft after the specified period will not be considered. Objections may be addressed to the Registrar General, High Court of Karnataka, Bengaluru-560 001.

DRAFT RULES

1. Title and commencement –

(1) These Rules may be called the *'Rules laying down the conditions subject to which an Advocate shall be permitted to practice in the High Court and the Courts subordinate thereto (Amendment) Rules, 2024.'*

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Insertion of Rule 13 – In the *'Rules laying down the conditions subject to which an Advocate shall be permitted to practice in the High Court and the Courts subordinate thereto'* after the deleted Rule 12, the following Rule shall be inserted.

“13. Strike by Advocate(s) : Strike by Advocate(s) would be considered interference with the administration of Justice and Advocate(s) participating in the strike may be suspended from practising before the High Court and/or District Judiciary.

If the Advocate(s)/Association of Advocates has/have any grievance/complaints such Advocate(s)/Association of Advocates' shall address a written representation to Hon'ble the Chief Justice/Grievance Redressal Committee.

- (i) The Grievance Redressal Committee may hear the grievances of the Advocate(s)/Association of Advocates who, intend to/have resorted to strike/boycott/otherwise doing acts interfering with the administration of Justice. In the event the erring Advocate(s)/Association of Advocates' do not abide by any advice

for amicable resolution, the Grievance Redressal Committee is at liberty to submit a report to the Hon'ble Chief Justice for initiation of appropriate proceedings, including the proceedings under the Contempt of Courts Act against the Advocate(s) concerned.

- (ii) If proceedings under the Contempt of Courts Act are registered, and if Hon'ble the Chief Justice, pending such proceedings, is of the view that the acts of the Advocate(s) complained of and referred to in (i) above would interfere in administration of Justice, may order for suspension of the right to practice of such Advocate(s) in any Court/s for a period co-terminus with the period of proceedings initiated under the Contempt of Courts Act. The Chief Justice is also vested with the power to revoke such suspension imposed in appropriate circumstances.
- (iii) On the conclusion of proceedings under the Contempt of Courts Act, the Chief Justice may suspend right to practice of the Advocate(s) concerned who have been convicted under the proceedings of the Contempt of Courts Act for a period specified in the order. Such power conferred would be in aid of the powers conferred to take action under the Contempt of Courts Act.”.

Explanation: In this rule, the expression “Grievance Redressal Committee (GRC)” means the Committee constituted by Hon'ble the Chief Justice consisting of:

1. Hon'ble the Chief Justice;
2. Two Senior Judges of the Hon'ble High Court, one each from service and from the Bar;
3. The Advocate General of Karnataka;
4. The Chairman, Karnataka State Bar Council;
5. The President of the Bar Association at Bengaluru/Dharwad/Kalaburagi;
6. In cases where the grievances arise out of the District Judiciary, the concerned Administrative Judge and the Principal District and Sessions Judge of the concerned District.”

BY ORDER OF THE HON'BLE HIGH COURT

Sd/-
(K.S.BHARATH KUMAR)
REGISTRAR GENERAL