

Practice Note No. 53

It is noticed that in some of the proceedings, the Advocates are filing Vakalatnama without obtaining consent of the Advocate who has already filed Vakalatnama for a party.

It is also noticed that in many cases, the signatures on the Vakalatnama are not identified and the status of the signatory is not mentioned.

It is also noticed that when an Appeal is jointly filed by the parties through one Advocate, another Vakalatnama is filed on behalf of one of the appellants or few of the appellants though the Vakalatnama of earlier Advocate continues to be valid for all the appellants. In order to check this practice, the Hon'ble the Acting Chief Justice is pleased to issue following directions :

(I) Whenever an Advocate files Vakalatnama in a proceeding, such Vakalatnama shall bear :

- (1) signature of Advocate
- (2) name of the Advocate
- (3) his/her enrollment number with the Bar Council or Advocate's Code.
- (4) Contact number/s of Advocate.
- (5) Address or addresses of Advocate.
- (6) e-mail address of Advocate, if any.

(II) The Vakalanama shall also mention the name of the party below the signature as well as the status of the said signatory such as Sole Petitioner, Petitioner No.1, Sole Respondent, Respondent No.1 etc.

(III) If the Vakalatnama bears thumb impression of a party apart from the compliance of Clause II above, it must be attested.

(IV) The Vakalatnama shall bear the date on which it is filed in the Court.

(V) Whenever in a Criminal Appeal against conviction, there are two or more Appellants and are represented by a common Advocate, subsequently, if an Advocate files appearance for only some of them, such appearance shall not be taken on record unless the Advocate also makes an application for separating the appeal of such parties for whom he intends to appear. Until he/she does so, such appearance or Vakalanama will be notified for objection, and unless otherwise directed by the Hon'ble Court, such appeal will not be listed.

These directions shall apply to all the pending proceedings as well as future filings.

Dated this 2nd day of April 2018.

By order,

Sd/-
(Ajit N. Mare)
Registrar (Judicial-I),
High Court, A.S.,
Bombay.

Sd/-
(A.M. Chandekar)
Prothonotary & Senior Master,
High Court, O.S.,
Bombay.