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

+ W.P.(C) 17737/2024

ANUJ KUMAR CHAUHAN AND ANR

.....Petitioners

Through: Mr. Rahul Sharma, Mr. Vaibhav Singh, Ms. Akanksha Singh, Ms. S. Surender and Mr. Aniket Tomar, Advocates.

versus

LIEUTENANT GOVERNOR NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Anuj Aggarwal, ASC with Mr. Yash Upadhyay, Mr. Siddhant Dutt and Ms. Ishita Panday, Advocates for R-1 & 5.

Mr. T. Singhdev, Mr. Tanishq Srivastava, Ms. Anum Hussain, Mr. Abhijit Chakravarty, Mr. Bhanu Gulati, Ms. Yamini Singh and Mr. Sourabh Kumar, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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23.12.2024

CM APPL. 75489/2024(seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.



W.P.(C) 17737/2024 & CM APPL. 75488/2024(seeking stay)

4. Petitioners are practising Advocates registered with the Bar Council of Delhi. They represent their clients before the Consumer Courts in the District and the National level. Their grievance arises from a systemic issue concerning the representation of parties before Consumer Courts by non-Advocates/Agents/Representatives/Social Organizations.

5. The Petitioners contend that a growing trend of non-Advocates appearing before Consumer Courts without proper authorization has emerged which is in violation of the framework of Consumer Protection (Procedure for Regulation of Allowing Appearance of Agents or Representatives or Non-Advocates or Voluntary Organizations before the Consumer Forum), Regulations, 2014.¹ Regulation 3 of the said Regulations permits parties to be represented through non-Advocates/Agents/Representatives/Social Organizations in an individual complaint case, appeal or revision. This is subject to a duly authenticated authorisation made by a party in favour of such non-Advocates/Agents/Representatives/Social Organizations. Further, the Regulations prescribe additional conditions to ensure adherence to procedural integrity.

6. It is pointed out that the conditions mandated in the Regulations are not being adhered to and there are several instances where such agents or non-Advocates are appearing before the Court merely on the strength of a purported authorisation. One such incidence is recorded below:

“AUTHORITY LETTER

I Deepak Jain, Advocate, Enrolment Number D-6511/2028 office

¹ “the Regulations”



at 410/2, Ganesh Nagar-11, Shakarpur, Delhi-110092 do hereby appoint to Nikhlesh Jain as my authorized representative to appear before this commission. He further authorized to sign the documents on behalf of me, he can receive or file the documents from this commission or from the opposite party, he can also argue the matter, he will act, each and every thing on behalf of me and I will be bound with all the decisions taken by them.”

7. The Court has perused the record and the submissions advanced by the parties. In the afore-noted Authority Letter, the Advocate has effectively delegated core professional responsibilities—such as signing documents, receiving communications, and arguing cases before the Commission—to a non-Advocate. This is fundamentally inconsistent with the Advocates Act, 1961, which exclusively vests these functions in enrolled Advocates. Such a practice not only dilutes the legal and ethical responsibilities that define the role of an Advocate but also undermines the concept of a *Vakalatnama*. Furthermore, this practice raises serious concerns about professional privilege and confidentiality, as non-Advocates are not bound by the Advocates Act, 1961.

8. In light of the afore-mentioned concerns, the Court deems it imperative to issue appropriate directions as follows:

- 8.1. All Consumer Commissions in Delhi are directed to ensure that the parties are represented by Advocates or by the agents/ representatives/ non-advocates strictly in terms of the Regulations specified above.
- 8.2. The practise of permitting non-Advocates or agents to appear on the basis of authority letters issued by the Advocates as referred above, must not be allowed, with immediate effect.
- 8.3. The State Dispute Redressal Commission and the District Dispute Redressal Commissions are directed to give details of pending cases



where the parties are being represented by such non-Advocates/Agents/Representatives/Social Organizations.

- 8.4. Further, The Bar Council of Delhi and the Bar Council of India are directed to submit their comments on the issues raised herein by filing counter affidavit.
9. Issue notice. Counsel mentioned in appearance above accept notice.
10. Let counter affidavit be filed within four weeks from today. Rejoinder thereto, if any, be filed within two weeks thereafter.
11. Issue notice to the remaining Respondents, upon filing of process fee, returnable on the next date of hearing. On service, such Respondent shall file a counter affidavit(s) within a period of four weeks from the date of service.
12. Re-notify on 18th March, 2025.

SANJEEV NARULA, J

DECEMBER 23, 2024
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