

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8<sup>TH</sup> DAY OF MAY, 2020

PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE B.V. NAGARATHNA

WRIT PETITION NO.6695 OF 2020 (GM-RES-PIL)

c/w

WRIT PETITION NO.6696 OF 2020 (GM-RES-PIL)

IN W.P. NO.6695 OF 2020:

BETWEEN

1 . SRI. H C SHIVARAMU  
ADVOCATE,  
FORMER CHAIRMAN,  
KARNATAKA STATE BAR COUNCIL  
AND FORMER PRESIDENT,  
ADVOCATES' ASSOCIATION,  
NO. 14/19, 1<sup>ST</sup> FLOOR,  
2<sup>ND</sup> MAIN, V BLOCK,  
KUMARA PARK WEST,  
BENGALURU 560020

...PETITIONER

(By SHRI H.C.SHIVARAMU, PARTY-IN-PERSON)

AND:

1 . UNION OF INDIA  
BY ITS SECRETARY,  
DEPARTMENT OF LAW AND  
PARLIMENTARY AFFAIRS,  
ROOM NO 86B, PARLIAMENT BHAVAN,  
NEW DELHI 110001.  
REP BY ITS SECRETARY,

2 . GOVERNMENT OF KARNATAKA  
DEPARTMENT OF KARNATAKA,  
DEPARTMENT OF LAW AND  
PARLIAMENTARY AFFAIRS,  
VIDHANA SOUDHA,  
BENGALURU 560001.  
REP BY ITS CHIEF SECRETARY

3 . BAR COUNCIL OF INDIA  
NO. 21, ROUSE AVENUE,  
INSTITUTIONAL AREA,  
NEAR BAL BHAVAN,  
NEW DELHI 110002,  
REP BY ITS SECRETARY

4 . KARNATAKA STATE BAR COUNCIL  
OLD CHIEF ELECTION COMMISSION OFFICE,  
ADJ. TO PRESS CULB, DR. AMBEDKAR VEEDHI,  
BENGALURU 560001,  
REP BY ITS SECRETARY

5 . BAR COUNCIL OF INDIA ADVOCATES  
WELFARE FUNDS COMMITTEE  
NO. 21, ROUSE AVENUE,  
INSTTUTIONAL AREA,  
NEAR BAL BHAVAN,  
NEW DELHI 110002,  
REP BY ITS SECRETARY,

6 . KARNATAKA ADVOCATES'  
WELFARE FUND TRUSTEE COMMITTEE  
OLD CHIEF ELECTION COMMISSION OFFICE,  
ADJ. TO PRESS CLUB,  
DR. AMBEDKAR VEEDHI,  
BENGLAURU 560001,  
REP BY ITS SECRETARY,

...RESPONDENTS

(By SHRI M.B.NARAGUND, ASG ALONG WITH  
SHRI M.N.KUMAR, CGC FOR R-1;  
SHRI DHYAN CHINNAPPA, AAG ALONG WITH  
SHRI VIKRAM HUILGOL, AGA, FOR R-2;  
SHRI JAYAKUMAR S.PATIL, SENIOR ADVOCATE  
ALONG WITH SHRI J.N.ANILKUMAR, ADVOCATE  
FOR R-4;  
SHRI SRIDHAR PRABHU, ADVOCATE FOR R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER WRIT IN THE SAME NATURE DIRECTING THE RESPONDENT NO.5 TO PROVIDE EX GRATIA PAYMENT TO THE TUNE OF RS.50,000/- TO EACH MEMBER/ADVOCATE ON THE ROLL OF THIS STATE BAR COUNCIL WHO ARE FACING FINANCIAL HARSHSHIP EXCEPT ADVOCATE/S THOSE WHO HAVE ENROLLED AFTER THE AGE OF 40 YEARS OR RETIRED FROM THE SERVICE, AND ETC.

**WP NO 6696 OF 2020**

**BETWEEN**

1 . SRI. ANANTHARAJU B G  
ADVOCATE, KAR-1264/2015  
R/AT NO.349, 4TH CROSS, BAGALAGUNTE, BENGALURU-  
560073.

2 . SRI. CHALUVARAJU B.C  
ADVOCATE, KAR-228/2015, R/AT NO.4-6, 42ND MAIN ROAD,  
NEAR RAJARAJESHARI, TEMPLE, RAJARAJESHWAR5I  
NAGAR, BENGALURU-560098.

...PETITIONERS

(BY SHRI ANANTHARAJU B G, PARTY-IN-PERSON [P-1])

**AND**

1 . KARNATAKA STATE BAR COUNCIL  
REPRESENTED BY ITS CHAIRMAN OR SECRETARY  
OLD ELECTION COMMISSION BUILDING,  
DR.AMBEDKAR VEEDHI,  
BENGALURU-560001.

2 . BAR COUNCIL OF INDIA  
REPRESENTED BY ITS CHAIRMAN OR SECRETARY  
21, ROUSE AVENUE  
INSTITUTIONAL AREA,  
NEAR BAL BHAWAN,  
NEW DELHI-110002.

3 . ADVOCATE GENERAL  
STATE OF KARNATAKA  
HIGH COURT BUILDING, AMBEKDAR VEEDHI,  
BENGALURU-560001.

4 . MINISTRY OF LAW  
REPRESENTED BY ITS PRINCIPAL SECRETARY  
STATE OF KARNATAKA  
VIDHANA SOUDHA, AMBEKDAR VEEDHI,  
BENGALURU-560001.

5 . CHIEF SECRETARY  
STATE OF KARNATAKA  
VIDHANA SOUDHA, AMBEKDAR VEEDHI,  
BENGALURU-560001.

6 . ADVOCATES ASSOCIATION  
BENGALURU  
REPRESENTED BY ITS PRESIDENT  
OR SECRETARY,  
VAKIOLARA BHAVANA,  
CITY CIVIL COURT COMPOUND,  
KEMPEGOWDA ROAD,  
BENGALURU-560009.

7 . KARNATAKA STATE JUNIOR  
ADVOCATES ASSOCIATION  
REPRESENTED BY ITS PRESIDENT  
OR SECRETARY,  
NO.11, FIRST FLOOR,  
JEEVAN BUIDLINGS, KUMARAPARK EAST,  
BENGALURU 560001.

8 . DISTRICT BAR ASSOCIATION,  
BAGALKOT  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
BAGALKOT.

9 . DISTRICT BAR ASSOCIATION  
BELGAUM  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
BELGAUM.

10 . DISTRCT BAR ASSOCIATION  
BELLARY  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
BELLARY.

11 . DISTRICT BAR ASSCOIATION  
BIDAR  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
BIDAR.

12 . DISTRICT BAR ASSOCIATION  
VIJAYAPUR  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
VIJAYAPUR.

13 . DISTRICT BAR ASSOCIATION  
CHAMARAJANAGARA,  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
CHAMARAJANAGARA.

14 . DISTRICT BAR ASSOCIATION  
CHIKKABALLAPUR  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
CHIKKABALLAPUR.

15 . DISTRCT BAR ASSOCIATION  
CHIKKAMAGALUR  
REPRESENTED BY ITS PRESIDENT,  
DISTRICT COURT COMPLEX,  
CHIKKAMAGALUR.

16 . DISTRICT BAR ASSOCIATION  
CHITRADURGA  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
CHITRADURGA

17 . DISTRICT BAR ASSOCIATION  
DHAKSHINA KANNADA  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX, DAKSHINA KANNADA

18 . DISTRICT BAR ASSOCIATION  
DAVANAGERE  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
DAVANAGERE

19 . DISTRICT BAR ASSOCIATION  
DHARWAD  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
DHARWAD

20 . DISTRICT BAR ASSOCIATION  
GADAG  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
GADAG

21 . DISTRICT BAR ASSOCIATION  
KALBURGI  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
KALBURGI

22 . DISTRICT BAR ASSOCIATION  
HASSEN  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
HASSEN

23 . DISTRICT BAR ASSOCIATION  
HAVERI  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
HAVERI

24 . DISTRICT BAR ASSOCIATION  
KODAGU  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
KODAGU

25 . DISTRICT BAR ASSOCIATION  
KOLAR  
REPRESENTED BY ITS PRESIDENT

DISTRICT COURT COMPLEX  
KOLAR

26 . DISTRICT BAR ASSOCIATION  
KOPPAL  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
KOPPAL

27 . DISTRICT BAR ASSOCIATION  
MANDYA  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
MANDYA

28 . DISTRICT BAR ASSOCIATION  
MYSURU  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
MYSURU

29 . DISTRICT BAR ASSOCIATION  
RAICHUR  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
RAICHUR

30 . DISTRICT BAR ASSOCIATION  
RAMANAGAR  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
RAMANAGAR

31 . DISTRICT BAR ASSOCIATION  
SHIVAMOGGA  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
SHIVAMOGGA

32 . DISTRICT BAR ASSOCIATION  
TUMAKURU  
REPRESENTED BY ITS PRESIDENT  
DISTRICT COURT COMPLEX  
TUMAKURU

43 . BAR ASSOCIATION  
BANAHATTI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX  
BANAHATTI

44 . BAR ASSOCIATION DEVANAHALLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX  
DEVANAHALLI

45 . BAR ASSOCIATION  
NELAMANGALA  
DREPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, NELAMANGALA

46 . BAR ASSOCIATION  
DODDABALLAPUR  
DREPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
DODDABALLAPUR

47 . BAR ASSOCIATION  
HOSAKOTE  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
HOSAKOTE

48 . BAR ASSOCIATION  
ANEKAL  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
ANEKAL

49 . BAR ASSOCIATION  
ATHANI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
ATHANI

50 . BAR ASSOCIATION  
BAILAHONGALA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
BAILAHONGALA

51 . BAR ASSOCIATION  
CHIKKODI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
CHIKKODI

52 . BAR ASSOCIATION GOKAK  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
GOKAK

53 . BAR ASSOCIATION  
HUKKERI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX, HUKKERI

54 . BAR ASSOCIATION  
KHANAPUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KHANAPUR

55 . BAR ASSOCIATION  
KITTUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KITTUR

56 . BAR ASSOCIATION  
RAYABAG  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
RAYABAG

57 . BAR ASSOCIATION  
RAMADURGA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
RAMADURGA

58 . BAR ASSOCIATION  
SAVADATTI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SAVADATTI

59 . BAR ASSOCIATION  
NIPPANI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
NIPPANI

60 . BAR ASSOCIATION  
SANKESHWARA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SUNKESHWARA

61 . BAR ASSOCIATION  
HOSAPET  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
HOSAPET

62 . BAR ASSOCIATION HOOVINA  
HADAGALI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
HOOVINA HADAGALI

63 . BAR ASSOCIATION  
KUDLIGI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KUDLIGI

64 . BAR ASSOCIATION  
SANDURU  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SANDURU

65 . BAR ASSOCIATION  
SIRAGUPPA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SIRAGUPPA,

66 . BAR ASSOCIATION  
HAGARIBOMMANAHALLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX, HAGARIBOMMANAHALLI

67 . BAR ASSOCIATION  
KURUGODU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KURUGODU

68 . BAR ASSOCIATION  
BASAVAKALYANA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BASAVAKALYANA

69 . BAR ASSOCIATION  
BHALKI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BHALKI

70 . BAR ASSOCIATION  
HUMNABAD  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HUMNABAD

71 . BAR ASSOCIATION  
AURAD  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
AURAD

72 . BAR ASSOCIATION  
CHITAGUPPA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHITAGUPPA

73 . BAR ASSOCIATION  
INDI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
INDI

74 . BAR ASSOCIATION  
SINDAGI  
REPRESENTED BY ITS PRESIDENT

COURT COMPLEX,  
SINDAGI

75 . BAR ASSOCIATION  
BASAVANA BAGEWADI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BASAVANA BAGEWADI

76 . BAR ASSOCIATION  
MUDDEBIHAL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MUDDEBIHAL

77 . BAR ASSOCIATION  
BABALESHWAR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BABALESHWAR

78 . BAR ASSOCIATION  
CHADACHANA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHADACHANA

79 . BAR ASSOCIATION  
TALIKOTE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
TALIKOTE

80 . BAR ASSOCIATION  
GUNDLUPET  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GUNDLUPET

81 . BAR ASSOCIATION KOLLEGAL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KOLLEGAL

82 . BAR ASSOCIATION  
YELANDUR

REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
YELANDUR

83 . BAR ASSOCIATAION  
BAGEPALLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BAGEPALLI

84 . BAR ASSOCIATION  
GUDIBANDA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GUDIBANDA

85 . BAR ASSOCIATION  
CHINTAMANI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHINTAMANI

86 . BAR ASSOCIATION  
GOURIBIDANURU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GOURIBIDANUR

87 . BAR ASSOCIATION SIDLAGHATTA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SIDLAGHATTA

88 . BAR ASSOCIATAION KADUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KADUR

89 . BAR ASSOCIATION KOPPA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX, KOPPA

90 . BAR ASSOCIATION MUDIGERE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MUDIGERE

91 . BAR ASSOCIATION NARASIMHARAJAPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
NARASIMHARAJAPURA

92 . BAR ASSOCIATION SRINGERI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SRINGERI

93 . BAR ASSOCIATION TARIKERE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
TARIKERE.

94 . BAR ASSOCIATION CHALLAKERE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHALLAKERE

95 . BAR ASSOCIATION HIRIYUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HIRIYUR

96 . BAR ASSOCIATION HOLALKERE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HOLALKERE

97 . BAR ASSOCIATION HOSADURGA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HOSADURGA

98 . BAR ASSOCIATION MOLAKALMURU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MOLAKALMURU

99 . BAR ASSOCIATION BANTWALA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BANTWALA

100 . BAR ASSOCIATION BELATHANGADI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BELTHANGADI

101 . BAR ASSOCIATION MANGALURU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MANGALURU

102 . BAR ASSOCIATION PUTTUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
PUTTUR

103 . BAR ASSOCIATION SULYA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SULYA

104 . BAR ASSOCIATION CHANNAGIRI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHANNAGIRI

105 . BAR ASSOCIATION HARIHAR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HARIHAR

106 . BAR ASSOCIATION HARAPPANAHALLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HARAPPANAHALLI

107 . BAR ASSOCIATION HONNALI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HONNALI

108 . BAR ASSOCIATION JAGALUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
JAGALUR

109 . BAR ASSOCIATION HUBLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HUBLI

110 . BAR ASSOCIATION KALAGHATAGTI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KALAGHATAGI

111 . BAR ASSOCIATION KUNDAGOL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KUNDAGOL

112 . BAR ASSOCIATION NAVALAGUNDA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
NAVALAGUNDA

113 . BAR ASSOCIATION BETIGERI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BETIGERI

114 . BAR ASSOCIATION MUNDARAGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MUNDARAGI

115 . BAR ASSOCIATION NARAGUNDA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
NARAGUNDA

116 . BAR ASSOCIATION RONA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
RONA

117 . BAR ASSOCIATION SHIRAHATTI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SHIRAHATTI

118 . BAR ASSOCIATION GAJENDRAGHADA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GAJENDRAGHADA

119 . BAR ASSOCIATION LAKSMESHWARA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
LAKSHMEWARA

120 . BAR ASSOCIATION AFAZALPUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
AFAZALPUR

121 . BAR ASSOCIATION ALANDA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
ALANDA

112 . BAR ASSOCIATION CHINCHOLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHINCHOLI

123 . BAR ASSOCIATION CHITTAPUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHITTAPUR

124 . BAR ASSOCIATION JEVARGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
JEVARGI

125 . BAR ASSOCIATION SEDAM  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SEDAM

126 . BAR ASSOCIATION KALAGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KALAGI

127 . BAR ASSOCIATION YADRAMI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
YADRAMI

128 . BAR ASSOCIATION VODAGERA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
VODAGERA

129 . BAR ASSOCIATION GURUMITKAL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GURUMITKAL

130 . BAR ASSOCIATION HUNISIGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HUNISIGI

131 . BAR ASSOCIATION SHAHBAD  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SHAHBAD

132 . BAR ASSOCIATION ALUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
ALUR

133 . BAR ASSOCIATION ARAKALAGUDU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
ARAKALAGUDU

134 . BAR ASSOCIATION ARASIKERE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
ARASIKERE

135 . BAR ASSOCIATION BELURU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BELUR

136 . BAR ASSOCIATION CHANNARAYAPATNA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
CHANNATAYAPATNA

137 . BAR ASSOCIATION HOLENARASIPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HOLE NARASIPURA

138 . BAR ASSOCIATION SAKALESHAPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SAKALESHAPURA

139 . BAR ASSOCIATION BYADAGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BYADAGI

140 . BAR ASSOCIATION HANAGAL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HANAGAL

141 . BAR ASSOCIATION HIREKERUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HIREKERUR

142 . BAR ASSOCIATION RANIBENNURU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
RANIBENNURU

143 . BAR ASSOCIATION SAVANUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SAVANUR

144 . BAR ASSOCIATION SHIGGAON  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SHIGGAON

145 . BAR ASSOCIATION SOMAVARAPETE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SOMAVARAPETE

146 . BAR ASSOCIATION VIRAJPETE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
VIRAJAPETE

147 . BAR ASSOCIATION BANGARAPETE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
BANGARAPETE

148 . BAR ASSOCIATION MALUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MALUR

149 . BAR ASSOCIATION MULABAGAL  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MULABAGAL

150 . BAR ASSOCIATION SRINIVASAPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SRINIVASAPURA

151 . BAR ASSOCIATION K.G.F.  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
K.G.F

152 . BAR ASSOCIATION GANGAWATI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
GANGAWATI

153 . BAR ASSOCIATION KUSHTAGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KUSHTAGI

154 . BAR ASSOCIATION YELABURGA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
YELABURGA

155 . BAR ASSOCIATION KARATAGI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KARATAGI

156 . BAR ASSOCIATION KRISHNARAJAPETE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KRISNHARAJAPETE

157 . BAR ASSOCIATION MADDUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MADDUR

158 . BAR ASSOCIATION MALAVALLI  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
MALAVALLI

159 . BAR ASSOCIATION NAGAMANGALA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
NAGAMANGALA

160 . BAR ASSOCIATION PANDAVAPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
PANDAVAPURA

161 . BAR ASSOCIATION SHRIRANGAPATTANA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
SRIRANGAPATTANA

162 . BAR ASSOCIATION HEGGADADEVANA KOTE  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HEGGADADEVANA KOTE

163 . BAR ASSOCIATION HUNASUR  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
HUNASUR

164 . BAR ASSOCIATION KRISHNARAJANAGARA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
KRISHNARAJANAGARA

165 . BAR ASSOCIATION NANJANAGUDU  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
NANJANAGUDU

166 . BAR ASSOCIATION PIRYAPATNA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
PIRYAPATNA

167 . BAR ASSOCIATION T NARASIPURA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
T. NARASIPURA

168 . BAR ASSOCIATION DEVADURGA  
REPRESENTED BY ITS PRESIDENT  
COURT COMPLEX,  
DEVADRUGA

169 . BAR ASSOCIATION LINGASUGURU  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
LINGASUGURU

170 . BAR ASSOCIATION MANVI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
MANVI

171 . BAR ASSOCIATION SINDHANUR  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SINDHANURU

172 . BAR ASSOCIATION MASKI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
MASKI

173 . BAR ASSOCIATION MAGADI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
MAGADI

174 . BAR ASSOCIATION KANAKAPURA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KANAKAPURA

175 . BAR ASSOCIATION CHANNAPATNA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
CHANNAPATNA

176 . BAR ASSOCIATION BHADRAVATI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, BHADRAVATI

177 . BAR ASSOCIATION HOSANAGARA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, HOSANAGAR

178 . BAR ASSOCIATION SAGARA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, SAGARA

179 . BAR ASSOCIATION SHIKARIPURA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SHIKARIPURA

180 . BAR ASSOCIATION SORABA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, SORABA

181 . BAR ASSOCIATION THIRTHAHALLI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
THIRTHAHALLI

182 . BAR ASSOICATION SHIRALAKOPPA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SHIRALAKOPPA

183 . BAR ASSOCIATION CHIKKANAYAKANAHALLI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
CHIKKANAYAKANAHALLI

184 . BAR ASSOCIATION GUBBI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, GUBBI

185 . BAR ASSOCIATION KORATAGERE  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KORATAGERE

186 . BAR ASSOCIATION KUNIGAL  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, KUNIGAL

187 . BAR ASSOCIATION MADHUGIRI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, MADHUGIRI

188 . BAR ASSOCIATION PAVAGADA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, PAVAGADA

189 . BAR ASSOCIATION SIRA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, SIRA

190 . BAR ASSOCIATION TIPTUR  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX, TIPTUR

191 . BAR ASSOCIATION TURUVEKERE  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
TURUVEKERE

192 . BAR ASSOCIATION BRAHMAVARA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
BRAHMAVARA

193 . BAR ASSOCIATION KARKALA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KARKALA

194 . BAR ASSOCIATION  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KUNDAPURA

195 . BAR ASSOCIATION BYNDOOR  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
BYNDOOR

196 . BAR ASSOCIATION MODABIDARI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
MOODABIDARI

197 . BAR ASSOCIATION ANKOLA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
ANKOLA

198 . BAR ASSOCIATION BHATKALA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
BHATKALA

199 . BAR ASSOCIATION HALIYALA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
HALIYALA

200 . BAR ASSOCIATION HONNAVARA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
HONNAVARA

201 . BAR ASSOCIATION JOIDA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
JOIDA

202 . BAR ASSOCIATION KARWAR  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KARWAR

203 . BAR ASSOCIATION KUMTA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
KUMTA

204 . BAR ASSOCIATION MUNDAGOD  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
MUNDAGOD

205 . BAR ASSOCIATION SIDDAPURA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SIDDAPURA

206 . BAR ASSOCIATION SIRSI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SIRSI

207 . BAR ASSOCIATION YELLAPURA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
YELLAPURA

208 . BAR ASSOCIATION DANDELI  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
DANDELI

209 . BAR ASSOCIATION SHORAPUR  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SHORAPURA

210 . BAR ASSOCIATION SHAHAPURA  
REPRESENTED BY ITS PRESIDENT,  
COURT COMPLEX,  
SHAHAPURA

211 . NYAYAMITRA SAHAKARA BANK  
REPRESENTED BY ITS PRESIDENT/CHAIRMAN  
BASEMENT, HIGH COURT BUILDING,  
AMBEDKAR VEEDHI,  
BENGALURU-560001.

**(NOTE: The serial numbers of the respondents  
have been typed as has been typed in the  
memorandum of the writ petition)**

...RESPONDENTS

(BY SHRI JAYAKUMAR S.PATIL, SENIOR COUNSEL  
ALONG WITH SHRI J.M.ANILKUMAR, ADVOCATE FOR R-1;  
SHRI SHRIDHAR PRABHU, ADVOCATE FOR R-2;  
SHRI M.DHYAN CHINNAPPA, AAG ALONG WITH  
SHRI VIKRAM HUILGOL, AGA FOR R-3 TO R-5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226  
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO  
TAKE COGNIZANCE OF THIS SITUATION WHERE THE  
CONCERNED MEMBERS OF THE DIFFERENT BARS ACROSS  
THE STATE OF KARNATAKA ARE ON THE VERGE OF  
STARVATION AND THE ISSUE IN HAND CONCERNS THE  
LIFE AND LIBERTY OF OUR LEARNED BROTHERS ACROSS  
STATE INCLUDING ADVOCATE CLERKS, AND ETC.

THESE PETITIONS COMING ON FOR FURTHER  
HEARING THIS DAY, **CHIEF JUSTICE** MADE THE  
FOLLOWING:

**ORDER**

COVID-19 has adversely affected all the sections of the society. This Court is dealing with a public interest litigation where the issue is about supply of food and necessities of life to migrant workers, people on the streets, marginalized sections of the society like daily wage workers who are completely deprived of their income, trans-genders, sex workers, etc. The petition is pending and we have issued various directions from time to time.

2. By way of these two writ petitions, now we are dealing with another category of citizens who are claiming to be affected by COVID-19. The said category is of members of the legal profession.

3. It is pointed out that as a result of the initial closure of the Courts and subsequent partial resumption of the Court work, the members of the legal fraternity are not getting income. W.P. No.6695 of 2020 is filed by a member of the Bar where the first prayer is to direct the fifth respondent-Bar Council of India Advocates Welfare Fund Committee (for short, "BCI Welfare Fund") to provide *ex-gratia* payment to

the tune of Rs.50,000/- (rupees fifty thousand only) to each member/advocate on the roll of Karnataka State Bar Council (for short, "KSBC) who are facing financial hardship, except the advocates who have enrolled after the age of 40 years. The second prayer is to direct the State Government as well as the Central Government to immediately release sufficient fund of Rs.50,00,00,000/- (rupees fifty crores only) to KSBC to enable it to provide financial assistance to the advocates who are members of the Welfare Fund, at the earliest, since the total number of advocates is over 70,000. The next prayer is to direct KSBC to release a sum of Rs.10,00,00,000/- (rupees ten crores only) out of BCI Welfare Fund and Bar Council of India Trust. The last prayer is to direct the fifth respondent to release a sum of Rs.25,00,00,000/- (rupees twenty five crores only) out of Karnataka State Advocates Welfare Fund immediately.

4. So far as W.P. No.6696 of 2020 is concerned, the prayer made by the petitioners who are the members of the Bar, is essentially to issue directions to help legal practitioners who are on the verge of starvation. Sweeping directions have been sought in the said petition.

5. The petitioner who is appearing in person in W.P. No.6695 of 2020 has invited our attention to three schemes of BCI which are annexed as Annexures-E, F and G. He invited our attention to the order passed by the High Court of Uttarakhand dealing with the same issue. He pointed out an order of the Allahabad High court which records the statement of the Chairman of BCI that assistance of an amount which is not more than Rs.1,00,00,000/- (rupees one crore only) will be extended to all State Bar Councils by BCI. Essentially, his submission is that KSBC cannot restrict the aid only to those advocates who have a practice of less than ten years, and the relief has to be extended to all those advocates who are in distress and who have completed more than ten years of practice. His submission is that, as done by the High Court of Uttarakhand, a Committee be constituted under the leadership of the learned Advocate General of the State. He submits that a direction can be issued to release the funds out of Karnataka State Advocates Welfare Fund, as it is the money of the members of the Bar.

6. On behalf of the petitioners in W.P. No.6696 of 2020, the prayers are more or less similar. Our attention is invited to a letter dated 6<sup>th</sup> April, 2020 issued by KSBC to the Presidents/Secretaries of the Bar Associations. The petitioners are objecting to condition no.3 in the said petition which says that those who have entered the profession after the age of 40 years are not entitled to financial assistance.

7. The learned counsel appearing for BCI states that out of the three schemes which are annexed to W.P. No.6695 of 2020, only the third scheme at Annexure-G is applicable. But, under the said scheme, it is provided that if more than one member of the Bar is affected by a calamity, there is an upper limit of Rs.1,00,000/- (rupees one lakh only) on the release of the funds. He has stated that a sum of Rs.45,00,000/- (rupees forty five lakhs only) has been released by BCI to KSBC for rendering assistance to the needy advocates.

8. The learned senior counsel appearing for KSBC pointed out that KSBC is utilizing the said amount of Rs.45,00,000/- as well as a sum of Rs.2,00,00,000/- (rupees

two crores only) from its own funds to render financial assistance to those advocates who have not completed ten years in the legal profession and those who satisfy the eligibility criterion set out in the letter dated 6<sup>th</sup> April, 2020 (Annexure-A in W.P. No.6696 of 2020). He also pointed out that a large number of applications have been received by KSBC which are being processed. He states that in case of women advocates, KSBC is considering of relaxation of condition of not practicing for ten years.

9. We have considered the submissions. Firstly, so far as the Karnataka State Advocates Welfare Fund is concerned, it is established under the Karnataka State Advocates Welfare Fund Act, 1983 (for short, “the said Act of 1983”). The reliefs which can be granted to the members of the Welfare Fund are governed by the said Act of 1983. Essentially, a relief can be granted to the advocates only on cessation of practice as provided under Section 16 of the said Act of 1983. Therefore, if assistance is to be granted to the members of Karnataka State Advocates Welfare Fund for dealing with a situation arising due to spread of COVID-19, the State Government will have to amend the said Act of

1983. The petitioners can always make a representation in that behalf.

10. Under sub-section (2) of Section 6 of the Advocates Act, 1961 (for short, "the Advocates Act"), the State Bar Council is empowered to constitute one or more Funds in the prescribed manner for the benefit of the members of the Bar. Even the said funds will be governed by the Advocates Act and the Rules framed thereunder.

11. It is true that several advocates will be affected due to closure of the Courts as a result of COVID-19. It is an accepted position that both the State as well as the Central Governments are facing severe cash crunch. Both the Governments are required to deal with the marginalized sections of the society who are in large numbers and who are deprived of even daily food requirements as a result of COVID-19. Ultimately, it is a matter of policy for the State as well as Central Governments to take a decision of utilization of the limited resources available with both the Governments. The priorities for the use of available resources is also a matter of policy. That is the reason why

we are unable to issue a writ of *mandamus* directing both the Central Government and State Government to release the amounts as prayed for in W.P. No.6695 of 2020. However, this will not preclude both BCI as well as KSBC from approaching the State or Central Government for seeking necessary financial assistance. If such applications are made, both the Governments are bound to decide the same in accordance with law and as expeditiously as possible.

12. Today, as pointed out across the Bar, a sum of Rs.2,45,00,000/- is available with KSBC. It is stated that the amount will be utilized for extending financial help to those needy advocates who satisfy the criterion laid down in the letter dated 6<sup>th</sup> April, 2020 which we have referred to earlier. KSBC seems to have laid down its own priorities by giving attention to junior members of the Bar who have not completed ten years of practice. As pointed out the learned counsel appearing for BCI, none of the three schemes which are annexed to W.P. No.6695 of 2020 are of assistance to deal with the extraordinary situation created by COVID-19. Even the scheme at Annexure-G has limited utility as there is an upper cap of Rs.1,00,000/-.

13. As noted in the decision rendered by the Allahabad High Court, BCI has agreed to extend help to all State Bar Councils and the upper limit for assistance will be Rs.1,00,00,000/-. Ideally, both BCI and KSBC should extend relief to all advocates who are affected by COVID-19 irrespective of the number of years of legal practice. However, as of today, only a sum of Rs.2,45,00,000/- (rupees two crores forty five lakhs only) is available with KSBC for this purpose. It is stated that there are more than 70,000 advocates enrolled with KSBC.

14. It cannot be disputed that the class of advocates who have not put in ten years of practice deserve help and assistance. For extending the relief to those needy advocates who have put in more than ten years of practice, KSBC will have to appeal to the senior members of the Bar to make donations so that the amount so collected can be utilized for extending the benefit to other members of the Bar who are not covered by the scheme which is being implemented by KSBC. Even BCI can make such an appeal so that it is in a position to render more assistance to the State Bar Councils.

15. Though we cannot constitute a Committee as prayed for by the petitioners, KSBC can always appeal to the senior members and other members of the Bar to make handsome donations. We are sure that if KSBC makes a request to the learned Advocate General who is the leader of the Bar to convene a meeting of the senior members of the Bar for assisting KSBC to collect donations, the learned Advocate General will assist KSBC in its efforts to generate funds so that the help can reach all the needy members of the Bar.

16. A statement is made by the learned senior counsel representing KSBC that the question of relaxing the criterion of ten years for women advocates is under consideration of KSBC. We hope and trust that KSBC takes such a decision, as for the purposes of rendering assistance, the class of women advocates cannot be treated on par with the class of other advocates. We expect KSBC to take a decision on this aspect at the earliest.

17. Though we are unable to issue a writ of mandamus as prayed for in both the petitions, we expect both the BCI and KSBC to make all possible efforts to generate more and more funds. As and when sufficient funds are generated,

KSBC can take a decision to extend the scheme which is now being implemented by KSBC even to those advocates who do not satisfy the criterion laid down in the letter dated 6<sup>th</sup> April, 2020. We hope and trust that immediately an appeal will be made by KSBC to all the senior members of the Bar to make effective monetary contribution so that assistance can be rendered to other advocates in distress who are not covered by the present scheme which is being implemented by KSBC. We are sure that considering the rich traditions of the Bar in the State, if an appeal is made by KSBC to the members of the Bar, it will receive a spontaneous response and a large amount will be collected by way of donations which will ultimately reach the advocates who badly need financial assistance in the present crisis. If additional funds are generated, KSBC will apply a rational criteria to distribute the funds as expeditiously as possible to the needy members of the Bar.

18. We pass the following order:

ORDER

(i) With the above observations, the writ petitions are disposed of. All interlocutory applications are also disposed of;

(ii) It is pointed out that some members of the Bar have filed more than 150 applications/affidavits seeking directions regarding providing financial assistance to them. It is for them to apply to KSBC and we cannot issue any effective direction on the basis of the said applications/affidavits.

**(Sd/-)  
CHIEF JUSTICE**

**(Sd/-)  
JUDGE**

vgh\*