

News

"Discrimination writ large": Delhi High Court questions Rule allowing hereditary allotment of lawyers' rooms



The Court ordered the High Court, the BCI, the BCD and the DHCBA to explain how the Rules can be justified.

The Delhi High Court on Wednesday issued notice to the Bar Council of India (BCI), the Bar Council of Delhi (BCD), the Delhi High Court Bar Association (DHCBA) and the High Court on a plea challenging the "hereditary and family-based" allotment of lawyers' chambers in the High Court [First Generation Lawyers Association (FGLA) v Bar Council of India & Ors].

A Division Bench of Chief Justice Devendra Kumar Upadhyaya and Justice Tushar Rao

Gedela noted that the discrimination was writ large in the provision and that it may be in contravention of Article 14 of the Constitution of India.

“How do you justify such rules? Can this be a fair ground to allow someone to jump the queue? Can this be a reasonable ground for allowing someone to jump the queue? The discrimination is writ big. Can this be a ground? Can it be sustained on [Article 14],” the court remarked.

The Court then proceeded to issue notices in the matter and ordered the respondents to file their replies in four weeks.

The case will be heard next on February 13, 2026.

The High Court made the remarks while hearing a public interest litigation (PIL) filed by the First Generation Lawyers Association (FGLA) challenging the Delhi High Court Lawyers' Chambers (Allotment and Occupancy) Rules, 1980, alleging that its implementation has resulted in widespread inequality and the misuse of valuable public space.

It stated that Rule 5A of the 1980 Rules grants "automatic and preferential" allotment of chambers to spouses, sons, and daughters of existing allottees if they die or retire from practice, making it discriminatory against the early-career lawyers, who struggle without functional work areas needed for drafting, client meetings and case preparation.

The plea states that the current framework violates Articles 14 and 21 by depriving thousands of practising advocates, particularly young and first-generation lawyers, of fair access to necessary workspace.

"Further, it has come to light that a considerable number of chambers remain locked for years without any active use. Some allottees reside outside Delhi, and rarely appear before the Delhi High Court, or have shifted to other courts or tribunals, yet continue to retain their chambers. In many other cases, chamber allottees have allotted multiple chambers simultaneously in District Courts, the Delhi High Court, and even the Supreme Court," the plea stated.

It added that certain families continue to enjoy chamber benefits for generations, even as more worthy lawyers stay indefinitely on waiting lists with no transparency regarding their

status.

Therefore, the petitioner urged the Court to strike down Rule 5A, conduct a thorough review of all allotments and cancel chambers found unused.

It has also asked for the constitution of an independent group to ensure open, transparent and need-based distribution of chambers going forward.

The PIL has been brought through Advocates Rudra Vikram Singh, Ashirvad Kumar Yadav, Neetu Rani and Rashmi.