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IN THE HIGH COURT OF JUDICATURE AT PATNA  
Civil Writ Jurisdiction Case No.20575 of 2021

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Ramakant Sharma

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s	:	Mr. Ramakant Sharma (In Person)
For the State	:	Mr. S.Raja Ahmad, AAG 5
For the Union of India	:	Dr. K.N.Singh, A.S.G. Mr. Kumar Priya Ranjan, CGC

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**CORAM: HONOURABLE THE CHIEF JUSTICE  
and  
HONOURABLE MR. JUSTICE S. KUMAR  
ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)  
(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)**

3      10-02-2022                      The petitioner herein has highlighted the apathy on the part of the State in providing basic infrastructure and facilities for the advocates practicing in various courts within the State of Bihar. As per various guidelines issued by the Ministry of Law and Justice, Government of India, funds are to be provided both, by the Central as well as the State Government. Our attention is invited to one such guidelines dated 19<sup>th</sup> August, 2021.

The requirement for establishing and augmenting the infrastructure, in our considered view, cannot be



disputed, as is so highlighted in the present petition. In Bihar, at this point in time, there are 126 establishments where the members of the Bar have formed their respective associations. 58 such Associations are at the level of Districts and 68 are at the level of Sub Division. We are informed that at this point in time, more than 1,20,000 advocates in number are practicing within the State. At the Sub Divisional Level, the condition of the members of the Bar, in particular, as is pointed out in the petition is pitiable. There are no chairs; tables; fans; drinking water facilities; proper toilets, more so for the lady members of the Bar, not to mention that for the Clerks or the litigants. What to talk of electronic infrastructure necessarily required for functioning of Courts, more so, during the time of Covid-19.

Shri Ramakant Sharma, learned Senior Counsel, invites our attention to the observations made by Hon'ble the Apex Court in **All India Judges Association & Ors. Vs. Union of India & Ors.; (2018) 17 SCC 555.**

We clarify that we may not be misunderstood to have extended the scope of the writ petition to the general



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infrastructure of the judiciary in Bihar, but confine it only to the infrastructural needs; well-being; and welfare of the advocates.

We notice that under the policy, both the Central and the State Government is to provide for the funds in certain ratio and in reference to the State of Bihar, it has to be in the ratio of 60:40. Also, there is no provision for providing insurance of medical claim or any other insurance on a community basis.

It is in this backdrop, we are constrained not to accept the prayer made by the respondents for granting larger time for filing response, despite having afforded such opportunity on 20.12.2021.

Conscious of the fact that the process of budgetary allocation has already commenced insofar as the Government of India is concerned and would commence soon insofar as the State of Bihar is concerned, we direct the respondents to positively file their response within a period of two weeks from today.

We expect the Chief Secretary, Government of Bihar to have the matter examined at his own level and



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have the affidavit of compliance filed through the affidavit of Respondent No. 4, namely Additional Chief Secretary, General Administration department, Government of Bihar, Patna.

List on 25.02.2022.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Sujit/Ashwini

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