

Government of Jammu and Kashmir
Department of Law, Justice and Parliamentary Affairs
Civil Secretariat ,Srinagar.

Subject: Instructions for 2nd half counsel fee bills in cases relating transfer from one forum to another.

Circular No:12-JK(LD) OF 2021
Dated:- 17.11.2021

In terms of Government Order No.1906-LD(A) of 2015 dated 22.06.2015 it is clearly stipulated that the counsel fee shall be paid in two equal installments . 1st half at the time of filing counter/objections/statement of facts and 2nd half at the time of Judgment of the case.

It has come to the notice of the department that the Government Counsels are raising fee claims in cases which are being simply transferred from one forum to another for want of jurisdiction etc, which in essence is not the final judgment of the case, as such, does not qualify for the entitlement of 2nd half counsel fee.

Such an action is in violation of the standing orders governing the terms and conditions of Law Officers and results in duplicity of fee claims in a single case.

As such, in order to plug such practice, it is enjoined upon all the Law Officers representing their assigned department(s) before the Hon'ble Court(s) that no 2nd half Counsel fee bill in such cases, which are being simply transferred from one forum to another, shall be raised henceforth on the basis of transfer order. 2nd half counsel fee bills shall only and only be raised at the time of final judgment of the case by the counsel representing the department.

For compliance of all.

By Order



Additional Secretary to Government

Department of Law, Justice and Parliamentary Affairs

No.LAW-LIT7/358/2021-10

Dated.17.11.2021

Copy for information to :-

1. All Officers of the Department of Law, Justice and PA.
2. All Law Officers representing the Government.
3. Private Secretary to Ld Advocate General, J&K.
4. Private Secretary to Secretary Law.
5. All Record Keepers of the Department of Law, Justice and PA.
6. Circular file.
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8. Incharge website.