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GOVERNMENT OF KARNATAKA

NO. RD 23 LRM 75

Karnataka Government Secretariat,
Vidhana Soudha,
Bangalore, Dt: 22th January 1975.

C I R C U L A R

Sub-section (8) of Section 48 of the Karnataka Land Reforms Act, 1961 provides that no Legal Practitioner shall be allowed to appear in any proceedings before the Tribunal. Doubt has been raised as to whether lawyers can appear in the proceedings of the Tribunal under Power of Attorney from either party. The position is clarified as under -

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* A Power of Attorney Holder acts as an agent to his Principal. If a person accepts powers of Attorney from a number of people to carry on litigations on their behalf, he will be virtually indulging in some trade or business for profit. Doing so by an advocate would be inconsistent with the practice of his profession. It will amount to misconduct under Section 35 of the Advocates Act, 1961. There may be cases wherein an advocate also may appear for his friend or a near relative in litigation, provided he is personally aware of the facts of the case. The Tribunals may permit a person, though an advocate, appearing for a friend or a near relative in such a bonafide case. In other cases, an advocate appearing through Powers of Attorney may be refused permission to proceed with the case. Party or Parties themselves may be asked to partake in the proceedings."

N.B. Sakhardande
(N.B. Sakhardande)

Asst. Spl. Officer for L.R. & Ex-officio
Under Secy. to Govt. Rev. Dept.

To
All the Divisional Commissioners.
All the Deputy Commissioners of Districts.
All Assistant Commissioners.
All Tahsildars.