



REPORT OF THE COMMITTEE OF REGISTRARS UNDER RULE 33 (B) (2) OF
APPELLATE SIDE RULES

W.P. (PIL) S.R. NO.29833 of 2019
DATED 02.01.2020

The petitioner, Sri Sandeep Bhavan Pamarati, S/o Veerabhadra Rao, Anantapur, filed a Writ Petition (PIL) seeking various reliefs' including questioning the validity of various provisions of Acts.

The petitioner also filed an application along with Writ Petition (PIL) to permit him to appear and argue the case, party in person. He also filed an affidavit stating that he will maintain decorum of the court during the course of hearing and also undertakes that he will abide by the established procedure.

The petitioner was directed to appear before the Committee of Registrars on 27.12.2019 for interaction as required under Rule-33 (B) (2) of Appellate Side Rules (for short '*the rules*') to give an opinion by way of report as to whether the petitioner, Sri Sandeep Bhavan Pamarati is competent to assist the Court for disposal of the matter. He appeared before the Committee and requested to permit him to appear in person before the Court.

Rule 33-B (1) of '*the rules*' provides that the applicant shall indicate the reasons as to why he/she cannot engage an Advocate and wants to appear and argue in person and if he is willing to accept an Advocate, who can be appointed for him by the Court. Then, the committee has to come to a conclusion that, whether such person is *competent to assist* the Court in person.

The application of the petitioner does not reveal anything why he did not engage an Advocate. In the interaction he has stated that he is confident to argue the case and also that he is financially weak, therefore he cannot afford to pay fee to an Advocate. The interaction also reveals that he never appeared in person before any Court. During interaction the petitioner further states that he did Masters Degree in Computer Science and now studying Law, therefore he may be permitted to argue the case in person.

The endeavour of Rule 33-B (1 and 2) of Rules is to ensure whether the party can assist the Court if permits him to appear in person. No doubt he may be well versed with the facts of the case that does not mean that he can assist the Court in a better way.

In **J. Appa Rao vs. Government of Andhra Pradesh and others**¹ held that

"The Courts are doing justice on the basis of laws and in interpretation of these laws Courts need assistance of trained Advocates. The system had accepted that bar is one of the most important pillars of the Indian Judicial System. After all we are neither holding Panchayaths nor Lok Adalaths. These are constitutional Courts which requires the assistance of trained legal practitioners. Every field has its experts. We had put a very important question to the writ petitioner that when he is unwell

¹ 2002 (5) ALD 748 (DB)

does he treats himself. It is not possible for all to be masters of every subject. This has been recognized and therefore, we have the Advocates Act...." (Para 4).

The present Writ petition (PIL) is filed questioning various provisions in various Enactments, for striking down certain provisions and seeking amendments. It requires depth of knowledge over all Enactments including the jurisprudence. Study of subject is different from arguing a matter before a Court summarizing the Law. A person may be well versed in facts cannot summarize the fact in such a fashion desired by a Court as observed in **J.Apparao's** case. As the petitioner has to assist the Court on legal aspects, and by applying the above ruling, the reason stated by him is not sufficient to allow him to appear and argue the case as party in person before Court.

In view of the above, the committee is of the opinion that:

- a) The petitioner, Sri Sandeep Bhavan Pamarati does not possess adequate knowledge and Court procedure.
- b) The petitioner may not be able to assist the Court as party in person for disposal of the matter.

Therefore, the committee is of the opinion that the petitioner Sri Sandeep Bhavan Pamarati is not competent to assist the Court for disposal of the matter. The petitioner is advised to approach High Court Legal Services Committee for legal aid if eligible as per Legal Services Authority Act, 1987.

C. Shankar Hanu
Registrar (Administration)

[Signature]
Registrar (Judicial)