

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2026.08.03
19:26:52 +0530

WRIT PETITION (ST.) NO.6592 OF 2026

Saklen Mansur Mujawar & Ors.	...Petitioners
V/s.	
The Chairman, Advocates Welfare Fund Trustee Committee, Through The Advocate General of Maharashtra & Ors.	...Respondents

Heard Mr. Sarode, learned Advocate appearing for the Petitioners.

Mr. Saklen Mujawar, Mr. Ibrahim Attar, Mr. Girish Mujumdar, Mr. Om Gurav, Ms. Twinkal Kotawadekar, Mr. Kiran Kamble and Mr. Ritesh Raut, the Petitioners, present in the Court with Mr. Prabuddha B.

Ms. Tejas J. Kapre, AGP for the State.

**CORAM : MILIND N. JADHAV &
NANDESH S. DESHPANDE, JJ.**

DATED : AUGUST 3, 2026

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. Heard Mr. Sarode, learned Advocate appearing for the Petitioners.
3. The present Petition has been filed by a group of 21 young advocates at the Bar, raising an important issue, which, fortunately, has been taken cognizance of by the Hon'ble Supreme Court of India. Young members of the Bar who enroll into the profession after completing their legal studies devote their lives to this noble profession, and such devotion needs to be sustained. This is the theme of the present

Petition, which is in the nature of a benevolent measure undertaken by the Petitioners, who are themselves young advocates practicing before this Court. Though there is in existence the Maharashtra Advocates Welfare Fund Act, 1981, vesting statutory powers and authority to administer the Welfare Fund, extend financial assistance and organise welfare schemes for the benefit of young lawyers who enter this profession with an aspiration to deliver justice, the said mechanism appears to have fallen short.

4. The Petitioners have also relied upon a Circular dated 15.10.2024 issued by the Bar Council of India, pursuant to an order dated 25.07.2024 passed by the Division Bench of the Delhi High Court in Writ Petition (C) No. 10159 of 2024, in the case of *Simran Kumari v. Bar Council of India & Anr.*, duly recommending payment of a minimum monthly stipend of Rs. 20,000/- in urban areas and Rs. 15,000/- in rural areas to junior advocates assisting advocates/senior advocates and law firms.

5. Grievance is expressed before us that, across the board, this recommendation and the order passed by the Bar Council of India remain a paper tiger, without having any teeth for their implementation, thereby leading to large-scale unrest amongst junior lawyers who have joined the Bar with the hope and aspiration of practicing at the Bar and rendering justice.

6. Placed before us are instances of a similar nature, wherein such measures have been taken forward as benevolent measures for the benefit of advocates at the Bar in the States of Jharkhand, Andhra Pradesh, Kerala, Tamil Nadu, Karnataka and Puducherry.

7. Mr. Sarode, learned Advocate, has taken us through the gamut of the facts stated in the Petition, duly supported by appropriate exhibits annexed thereto. The issue is undoubtedly in the domain of the State and the Bar Council of the concerned State, but requires to be done in present times, primarily for the reason that it is the bounden duty of all stakeholders to ensure that the young advocates at the Bar who join this profession find their feet and, rather entrench their feet in the first two or three years of their practice, so that they do not wither away from the profession due to any reason, and more specifically on account of financial aspects/constraints which go to the root of the matter.

8. Though the Petitioners, being young lawyers at the Bar, have invoked Article 14 read with Article 21 of the Constitution of India, we understand the need, the necessity and the requirement for having such a legislation and also to further it, augment it and improve it, for the benefit of young advocates.

9. One of the submissions advanced by Mr. Sarode is that there are substantial funds available with the Bar Council of Maharashtra and Goa. However, without hearing the other side and without there being an appropriate affidavit in reply, we would refrain ourselves from expressing anything on that aspect. This information has been gathered by the Petitioners from the statutory audit report.

10. With the reason that the cause which is espoused by the Petitioners is taken forward, we would therefore like to make a point to the Respondents not to take the same adversely in the context of what the Petitioners may have ultimately prayed in the Petition, but take it affirmatively to consider the larger issue which is raised by the Petitioners.

11. The Petitioners have also referred to a recent decision of the Hon'ble Supreme Court in the case of *Sarika Tyagi & Ors. v. Union of India & Ors.* in Writ Petition (C) No. 770 of 2026, dated 19.06.2026, concerning a somewhat similar Writ Petition instituted in public interest by a group of women advocates practising before various courts across the country. In that context, while invoking Articles 14 and 15 of the Constitution of India, the Supreme Court has observed in paragraph Nos. 8, 9, 14, 15 and 16 as under:

“8. The second issue raised herein is gender-neutral and concerns financial support for young advocates. It seems to us that this issue merits equally serious consideration. This subject has engaged the attention of the legal fraternity for decades, for the practice of litigation is marked by a

particularly steep learning curve. A young first-generation lawyer entering the Bar does not immediately inherit an office, a library, a stable clientele, or a predictable source of income. The initial years are devoted largely to observing court proceedings, assisting seniors, studying case files, understanding procedural intricacies, and gradually acquiring the skills of advocacy and courtroom craft. During this formative period, many junior advocates remain dependent upon modest stipends paid by their seniors or in some places, by the local Bar Associations, which are often insufficient to meet even their basic living expenses. The absence of a steady stream of clients and the limited remuneration available during these years tends to create extreme financial hardship.

9. It is this period of turmoil that often compels capable and promising young lawyers to abandon practice at the Bar altogether. We apprehend that such attrition may produce a form of professional "brain drain", diminishing the ability of the Bar to attract and retain the young and meritorious. It comes as no surprise that the challenge is particularly acute for first-generation lawyers and those belonging to economically and socially disadvantaged backgrounds, who may be under immediate obligations, upon completion of their professional education, to assume charge as their family's primary breadwinner. Faced with these pressures, many young lawyers are constrained to pursue alternative careers offering greater financial stability from the get-go, notwithstanding their genuine interest and potential in the field of litigation.

14. To operationalize and popularize donations from successful lawyers and others who are directly concerned with the continued improvement of the legal fraternity, the proposed law may provide suitable incentives such as tax exemptions, national awards or other honours to the donee lawyers, etc. The proposed Fund must be utilized to provide a reasonable monthly stipend-cum-honorarium to such young advocates, who are first-generation lawyers or those from economically and socially disadvantaged backgrounds, during the formative years of their professional careers. The stipend-cum-honorarium can be made available during the formative years of their professional careers. Simultaneously, such beneficiaries should be attached to experienced members of the Bar as associates to compulsorily render their professional services in lieu of payment of a stipend.

15. The quantum of financial assistance so granted ought to be sufficient to ensure basic sustenance for the initial 3 years of practice. At the same time, such financial assistance may be proportionately reduced over time, finally coming to an end after 7 years of practice. This is likely to coincide with the young lawyer eventually developing self-sufficiency and establishing an independent practice.

16. It may also be worthwhile to examine the mechanism by which advocates, who have benefited from such assistance early on in their careers, are required to contribute back to the Fund in a phased manner through monthly instalments. Such a model would facilitate the creation of a self-sustaining corpus capable of supporting successive generations of young lawyers.

(Emphasis supplied)

12. We find merit in the issues raised in the Petition filed by the Petitioners in the larger interest of the community of young advocates who enroll themselves. The Supreme Court itself describes the first two or three years of their joining the profession as a period of turmoil that often compels capable and promising young advocates to abandon practice at the Bar altogether.

13. We therefore issue notice to the Respondents, returnable on 24th August 2026. Humdast permitted.

14. In addition to Court's notice, Petitioners are directed to serve copy of the Petition along with copy of this order on the Respondents and inform them about the next date of hearing by any permissible mode of service.

15. Respondents shall consider the grounds in the Petition and file an appropriate affidavit in reply before this Court indicating the steps being taken and/or proposed to be taken towards rendering financial assistance/stipend or any such scheme for the benefit of junior advocates at the Bar in the State for the aforesaid reasons. We once

again reiterate and request the Respondents to file an appropriate affidavit in reply without taking the cause espoused by the Petitioners adversely, in the larger interest of the advocates, more particularly the young advocates' community who have joined the Bar. Let the reply be filed within three weeks from today and a copy thereof be served on the Petitioners.

(NANDESH S. DESHPANDE, J.)

(MILIND N. JADHAV, J.)