

# **HUBBALLI-DHARWAD BRTS COMPANY LIMITED**

## **EMPANELMENT OF PRACTICING INDIVIDUAL ADVOCATES**

HD-BRTS Co. Ltd. is a Special purpose vehicle set up by the Govt of Karnataka under the Companies Act 1956 to implement, maintain the BRT project between Hubballi-Dharwad. It intends to form a Panel of practicing advocates in respect of their engagement at various levels of Courts, Arbitration Authorities, Quasi-Judicial forums, Commissions of Enquiries, Tribunals etc to deal with the legal issues/disputes/litigations related to Land Acquisition matters, Civil contract Arbitration cases and any other Arbitration issues relating to the Company.

### **I. Eligibility:**

#### **A. Essential:**

1. The advocates must have 15 years of practicing experience in the High Court, District Courts and Arbitration Forums (Cases comprising mainly in respect of Land Acquisition matters, civil contract Arbitration cases and Arbitration issues)
2. Expertise in dealing with the Legal Issues/Disputes/ litigations relating to Land Acquisition matters, civil contract Arbitration cases and Arbitration issues.

#### **B. Desirable:**

1. Experience of dealing with similar matters preferably in HDUDA, KRDC, KIADB, NHAI and in similar Central/state/PSU/Local Bodies etc.
2. Willing to travel to High Court, Bangalore to attend cases whenever necessary.

### **II. Place of Panel :**

Hubballi-Dharwad.

### **III. Fees :**

The schedule of fees and TA/DA and other allowances (if any) as per the decision of the Board/Competent Authorities.

### **IV. Nature of Work/Duties :**

The empanelled advocates shall have to perform the following;

- 1) Examination of petitions and drafting of statement of objections/legal documents;
- 2) Drafting of applications, petitions etc., to be filed in the various courts of law.
- 3) Filing of petitions/Review petitions/Revision petitions/appeals/Misc Appeals etc.  
Prompt removal/curing of defects in appeals.
- 4) Apply the copy of judgement from the court in cases attended by him/her and supply the copy of judicial pronouncements at the earliest.
- 5) If required, render all assistance to special counsel engaged in a particular case before the higher courts /tribunals /forums/Commissions.

- 6) Keep the Company informed and updated on all important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncements, supply copy of judgement etc on regular basis.
- 7) Furnish monthly statement about the cases represented.
- 8) Perform such other duties of legal nature, which may be assigned to him/her.
- 9) When any case assigned to him/her is decided against the Company, give considered opinion regarding the advisability of filing an appeal from such a decision immediately.
- 10) Cases involving similar issues/points of law or otherwise interlinked or clubbed may be entrusted to the same advocate as far as possible.
- 11) Furnishing Legal Opinion on specific matters when sought for.

**V. Tenure of Employment & Other Conditions:**

- 1) The initial empanelment will be for a period of 2 years or until further renewal, whichever is earlier and is based on satisfactory performance and handling of cases. The Authority reserves the right to terminate the empanelment of any Advocate at any time without assigning any reason hereof. The empanelment shall not confer any right for engagement and/or allocation of cases.
- 2) Refusal by any advocate to accept any work without any reasonable cause on the grounds of conflict of interest may entail removal of such advocate from the panel.
- 3) Seeking frequent adjournments and /or not objecting the adjournment moved by other party without sufficient reason , passing on information relating to the case on to the opposite parties or their advocates or any third party which is likely to cause any damage to the company's interest, giving false or misleading information to the company relating to the proceedings of the case will lead to discontinuation of such advocates from the panel.

**VI. Professional Ethics:**

The advocate should encompass the essential code of professional behaviour, integrity, objectivity, professional competence & confidentiality. He is constrained to appear either directly or on behalf of any other advocate or his juniors/assistant advocates against the company. He has to work in the best interest of the company to the best of his abilities and knowledge. Shall not advise any party or accept any case against the Company.

**VII. Right to take away cases:**

The allocation of cases/legal work shall be at the sole discretion of the Competent Authority and he reserves the right to terminate the representation of any advocate for a particular case at any given time and assign it to other advocate.

**VIII. Right to Private practice :**

The Advocate will have the right of private practice, which should not however, interfere with the efficient discharge of work of the Company's cases. But, he shall not advise, hold briefs or appear against the Company before any authority, tribunal or court. It will be obligatory on the advocate, not to take up any case against the Company.

**IX. Submission of applications: The last date of submission of application is 15.06.2023.**

**X. Mode of Empanelment :**

The applications will be scrutinized and screened w.r.t the eligibility criteria. The short listed Advocates will be called for personal discussion before the competent authority. The competent authority has the sole right to decide and appoint the Panel. The size of the panel and number of Advocates in panel shall be determined by the Competent Authority from time to time based on the requirement and quantum of work. The existing Advocates who are already rendering legal service to the company will continue to be in the proposed panel of advocates. Mere fulfilment of eligibility criteria does not confer any right for appointment in the empanelment.

  
22/5/23  
Competent Authority  
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Place: Hubballi

Date: 22.05.2023

