

HIGHCOURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No: CrI.P.No.5920 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
03.	13.10.2025	<p data-bbox="428 449 578 485"><u>Dr.YLR,J</u></p> <p data-bbox="727 541 1008 577" style="text-align: center;"><u>I.A.No.6 of 2025</u></p> <p data-bbox="428 646 1308 751">Heard the learned counsel for the petitioner and the learned counsel for the respondent.</p> <p data-bbox="428 779 1308 1129">I.A.No.06 of 2025 is allowed, inasmuch as the petitioner/client is at liberty to engage another counsel of his choice. If the services of the learned counsel are not to the satisfaction of the client, the client is entitled to change the counsel as per his choice.</p> <p data-bbox="428 1157 1308 1780">The Hon'ble Apex Court, in R.D. Saxena v. Balram Prasad Sharma¹, observed that an advocate has no lien over the litigation files or papers of his client for unpaid fees, and that withholding such documents or refusing to return them amounts to professional misconduct under Section 35 of the Advocates Act, 1961. Instead, the advocate may pursue appropriate legal remedies to recover any dues but cannot hold the client's case hostage.</p>	Contd...

¹ [(2000) 7 SCC 264]

A similar view was also taken by the Hon'ble Gujarat High Court in **Jitubhai Rupabhai Raval v. Baria Kanabhai Vaghabhai**².

Similarly, a Division Bench of the Karnataka High Court, in **Karnataka Power Transmission Corporation Ltd., Mysore v. M. Rajashekar**³, observed that an advocate has no lien over the litigation files or papers of his client for unpaid fees.

In view of the above reasons, the I.A.No.06 of 2025 is allowed.

Dr.YLR,J

I.A.No.07 of 2025

Post the matter after four (04) weeks.

Dr.YLR,J

RSI

² SPECIAL CIVIL APPLICATION NO. 9062 of 2021 JUDGMENT DATED: 04/09/2023

³ 2017 ILR Kar 59