



**BY
DR. AMIT GOPINATHAN**

**Guest faculty
Institute of Law
Jiwaji University
Gwalior(M.P.)**

SUBJECT: MOOT COURT (UNIT-1)

B.COM LL.B. VI SEM. 27/03/2020

TOPIC : DUTIES OF ADVOCATE


DUTIES OF ADVOCATE TOWARDS PUBLIC

A primary duty of advocates to respect the members of public. It essential to them to maintain the dignity of rule of law. They should assist the public to enforce their legal rights.

Duties of Advocate towards Court

- 1) Advocate is an officer of Court therefore he must maintain the dignity of the legal profession as well as the dignity of Court.
- 2) Advocate should not communicate with judges relating to pending cases if he attempts to do so to influence the decision, it would be professional misconduct as well as contempt of court.
- 3) He should not do such an act which may be harmful to his profession. He should always keep the respect of judiciary in his mind.
- 4) He should appear before the court time to time on behalf of their clients. He shall appear at all times in proper dress (uniform).
- 5) Neither Advocate should show his personal influence nor he should influence any court by illegal means.



- 6) Every advocate should be cautious to plead his case.
 - 7) Advocate should appear skillfully before the Hon'ble Court.
 - 8) An advocate should not misquote the sense of any text of law, language of any decision or judgment, argument of opposite party's counsel, oral evidence etc.
 - 9) An advocate should respect the Court because he is the officer of court and also an integral part of judicial machine. He should not suppress any material fact regarding the case. If he suggests his client to bribe for favourable order it will amount to professional misconduct.
 - 10) An advocate should not mention false and frivolous statements before the Court to get the relief.
 - 11) An advocate should not place application for adjournment without legal and genuine case.
 - 12) Neither advocate should illegally influence any court nor he should meet personally to any officer of the Court.
 - 13) An advocate should not put up the matter before the court which are irrelevant.
 - 14) An advocate should have the proper knowledge of the right of his profession. He should try to maintain the dignity of the administration of justice. He should make efforts for the advancement of public justice.
- 

- 15) Advocate should keep appropriate record in which a copy of judgment and order, relevant objections questions and reply should be annexed.
- 16) An advocate should not produce any false statement or false evidence before the court of Law in support of his case.
- 17) No advocate should make private communication with Judges relating to pending cases.
- 18) No advocate should demonstrate his personal knowledge to prove any thing before the court until it is expected to do so.
- 19) No advocate shall influence the decision of court by any illegal means if he does so it would amount to professional misconduct.
- 20) No advocate should attend the court with the firearm because it is against the dignity of legal profession.



Section 1 Bar Council of India Rules also provides for the duties of an Advocate. Rules 1 to 10 are relevant in this regard.

Duties towards clients-

1. An advocate should give true and proper suggestion to his client.
2. He should behave politely with the client.
3. He should advice his client in the capacity of his counsel.
4. No advocate should withdraw his engagement from the case at any stage of proceeding except previous notice to the client.
5. An advocate should always keep in his mind the interest of his client.
6. He should receive reasonable fee for his services.

General Duties of an advocate

Advocacy is the most sacred profession therefore a legal practitioner is required to perform his duties with the sense of devotion. He should come in this profession with patience.



Duties must be followed by an advocate with great devotion. They are as follows:

- 1) Pairvi (look after) of cases and receive reasonable fee.
- 2) Appearance in proceeding of suit.
- 3) Not to file false document.
- 4) Due respect should be paid to the court.
- 5) Not to misappropriate client's money.
- 6) Advocate should not purchase the property in dispute.
- 7) Restriction on the other Profession.
- 8) No delay should be caused in the disposal of cases.
- 9) No collusion with opposite party.
- 10) No collusion with opposite party.
- 11) Duty to maintain the respect of Bench and Bar.
- 12) Advocate should not give illegal suggestions.
- 13) Illegal transaction prohibited.
- 14) Maintain secrecy of clients information.



THANK YOU

