

Legal Practitioners (Fees) Act, 1926

21 of 1926

[25 March 1926]

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An Act to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties. WHEREAS it is expedient to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties; It is hereby enacted as follows:-

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the Legal Practitioners (Fees) Act, 1926 .
- (2) It extends to the whole of India 1[except the State of Jammu and Kashmir.
- (3) It shall come into force on such date 2[as the Central Government may, by notification in the Official Gazette, appoint.

2. Interpretation :-

For the purposes of this Act, unless there is anything repugnant in the subject or context,--

- (a) " legal practitioner" means a legal practitioner as defined in section 3 of the Legal Practitioners Act, 1879 (18 of 1879); and

(b) a legal practitioner shall not be deemed to "act" if he only pleads, or to "agree to act" if he agrees only to plead.

3. Agreement For Engagement Of Legal Practitioner :-

Any legal practitioner who acts or agrees to act for any person may be private agreement settle with such person the terms of his engagement and the fee to be paid for his professional services.

4. Right Of Legal Practitioner To Sue For Fees :-

Any such legal practitioner shall be entitled to institute and maintain legal proceedings for the recovery of any fee due to him under the agreement, or, if no such fee has been settled, a fee computed in accordance with the law for the time being in force in regard to the computation of the costs to be awarded to a party in respect of the fee of his legal practitioner.

1. Subs. by Act 3 of 1951, s. 3 and Sch., for "except Part B States".
2. 1st June, 1926, see Gazette of India, 1926, Pt. I, p. 514.

5. Liability Of Legal Practitioner To Be Sued :-

No legal practitioner who has acted or agreed to act shall, by reason only of being a legal practitioner, be exempt from liability to be sued in respect of any loss or injury due to any negligence in the conduct of his professional duties.

6. Repeals :-

Rep. by the Repealing Act, 1927 (12 of 1927), s. 2 and Sch.