

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Writ Petition (Civil) No. 770 / 2026

Sarita Tyagi and Ors.

...Petitioner(s)

versus

Union of India and Ors.

...Respondent(s)

REVISED ORDER

1. The instant Writ Petition has been instituted in public interest by a group of women advocates practising before various courts across the country. The issues raised in these proceedings touch upon larger questions concerning the accessibility, inclusiveness, and long-term sustainability of women lawyers in the legal profession.
2. The Petitioners have, in the first instance, drawn attention to the absence of adequately equipped Ladies' Bar Rooms and other essential facilities in the majority of the High Courts, District Courts, Tehsil Courts, Tribunals, and Commissions across the country. They contend that the lack of such infrastructure adversely affects the ability of women advocates to discharge their professional responsibilities. The Petitioners have further highlighted the financial challenges faced by young lawyers during the formative years of practice and have suggested the creation of a 'Young Advocates Corpus Fund' under the aegis of the respective State Bar Councils to provide fixed monthly stipends to fresh entrants to the

profession. Both concerns converge upon the common objective of ensuring that the legal profession remains accessible to all and that talented individuals are neither discouraged from entering it nor compelled to leave it for want of support.

- 3.** To substantiate the first grievance, the Petitioners have placed on record the results of a survey undertaken by them through a structured questionnaire titled, “Form for Basic Provisions and Amenities”. The survey was circulated amongst women advocates practising across different parts of the country and was supplemented by physical visits to several Court Complexes. According to the material placed before us, information was collected from numerous District and Taluka Courts as well as various High Courts. The data so collected reveals that in the majority of the Court Complexes, either no dedicated Ladies’ Bar Room exists or the facilities provided therein are wholly inadequate, lacking essentials such as sufficient seating arrangements, clean washrooms, changing spaces, nursing facilities, and other amenities necessary for the effective discharge of professional responsibilities.
- 4.** It appears to us that the concern raised by the Petitioners cannot be brushed aside as a matter of mere convenience. The legal profession has witnessed a steady and encouraging increase in the participation of women over the last few decades. However, the mere opening of doors alone cannot be a sufficient cause for celebration. In order for their participation to be made meaningful, it must be accompanied by the creation of conditions that enable women advocates to discharge their

professional responsibilities effectively, safely, and on equal terms. The availability of adequately equipped spaces for women professionals within Court Complexes is one such indispensable condition.

5. To the uninitiated, a Court Complex may simply appear to be a designated venue where legal proceedings are conducted, but those who live their lives in service of the law know it to be much more. It functions as a workplace where substantial portions of their professional lives are spent and, not infrequently, assumes the character of a second home. Most of the advocates spend long hours preparing matters, interacting with clients, consulting colleagues, and discharging their duties within these premises. They rely on such common amenities because many advocates cannot afford to maintain their own offices, appoint staff, and purchase the required digital and physical resources. In fact, the absence of a designated area where such basic facilities are made available to women, disproportionately impacts them and may, in certain cases, discourage them from continuing practice.
6. The provision of such essential facilities *prima facie* bears a direct nexus with the fundamental guarantee of life and dignity under Article 21 of the Constitution. The expression “life” under Article 21 has consistently received an expansive interpretation from this Court and has been understood to encompass those conditions which enable an individual to live and work with dignity. When women advocates are required to spend substantial portions of their day within court premises, the availability of basic infrastructure necessary for their comfort, privacy,

safety, and professional functioning assumes utmost significance. The issue, therefore, transcends the realm of administrative convenience and touches upon values that lie at the heart of the constitutional guarantee of dignity and equal participation in public life.

- 7.** The second issue raised herein is gender-neutral and concerns financial support for young advocates. As a result, it 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, 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.
- 8.** 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 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.

- 9.** It is often said that the rewards of practice accrue with time and perseverance, and that young advocates must remain steadfast through the initial years of struggle. While this is largely true, it presupposes the existence of a financial and social support network that enables a young lawyer to endure that period of uncertainty. Not every aspiring advocate enjoys such support and for many, the decision whether or not to continue in litigation is influenced much more by economic considerations than merit or dedication.
- 10.** It, therefore, seems to us that a Young Lawyers' Professional Assistance Fund must be created and should be established under the exclusive control of the jurisdictional High Courts or an autonomous body constituted by the Union of India and the State Governments. A framework of such nature will inspire greater confidence amongst prospective donors and contributors to the Fund.
- 11.** As regards the source of funding, all the stakeholders may consider the desirability of enacting a suitable law providing for a structured scheme

of donation and contribution by the successful senior and other lawyers in the country. In addition, the Union of India and the States ought to contribute a part of the court fee collected by the Judiciary to the Fund. Similarly, the Courts can divert a substantial part of the costs imposed in judicial proceedings towards this Fund.

- 12.** To operationalize and popularize donations from successful lawyers, the law may provide suitable incentives such as tax exemptions, national awards or other honours, etc. The proposed Fund must be utilized to provide a reasonable monthly stipend 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. 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.
- 13.** 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 6 to 7 years in the profession. This is likely to coincide with the young lawyer eventually developing self-sufficiency and establishing an independent practice.
- 14.** 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.

- 15.** We clarify that these observations are only tentative and illustrative in nature. They are not intended to limit the range of alternatives that may be considered by the concerned stakeholders.
- 16.** Having regard to the significance of the issues raised and the wider ramifications they will have for the legal profession, we deem it appropriate to issue notice to all the Respondents, returnable on _____.
- 17.** Ld. Attorney General for the Union of India and the Ld. Advocate Generals for all the States or Standing Counsel for the Union Territories are requested to remain present and render their assistance in the matter.