

LEGAL AND JUDICIAL

How Can I Give Adhikrit/Waresnama to a Person in Nepal?

27 August 2026

Learn how to give Adhikrit Waresnama (Authorized Power of Attorney) in Nepal, including legal requirements, required documents, authentication from abroad, property transfer, court representation, fees, revocation, and procedures under the Muluki Civil Procedure Code, 2074 with legal assistance from Adalat Lawyers in Nepal.

Introduction

An **Adhikrit Waresnama**, commonly referred to as an **Authorized Power of Attorney** or **Authorized Waresnama**, is a legal document through which one person authorizes another person to perform specified legal acts on his or her behalf. In Nepal, the legal framework for appointing a representative, attorney, and authorized attorney is primarily provided under the [Muluki Civil Procedure Code, 2074 \(2017\)](#), particularly Chapter 13 relating to attorney and authorized attorney. The Nepal Law Commission identifies the Muluki Civil Procedure Code, 2074 as the applicable civil procedural legislation.

A person may give an Adhikrit Waresnama to another person when personal presence is not possible or when the person wants another individual to undertake specified legal proceedings, including filing a plaint, submitting a defense, withdrawing a claim, entering into a compromise, appearing in court, or dealing with specified immovable property. The authority of the appointed person depends on the exact terms written in the power of attorney.

For a person living outside Nepal, an Adhikrit Waresnama can be authenticated through a **Nepali Embassy or Consulate General** in the foreign country, subject to the statutory requirements. A person executing the document in Nepal generally has to authenticate it before a **District Court Judge**. Sections 153 and 154 of the Muluki Civil Procedure Code, 2074 provide specific rules for an authorized attorney and transfer of rights in immovable property through an authorized attorney. [Adalat Lawyers in Nepal](#).

What Is Adhikrit Waresnama in Nepal?

Adhikrit Waresnama means a power of attorney through which a person authorizes another person to carry out specified legal acts on his or her behalf. It differs from a simple representation arrangement because the authority granted under an authorized power of attorney can cover significant legal actions expressly permitted by law and stated in the document.

Under **Section 153 of the Muluki Civil Procedure Code, 2074**, a person may appoint any person as an authorized attorney by executing a power of attorney to file a plaint, submit a statement of defense, withdraw a plaint claim, enter into a compromise, or undertake other legal action on his or her behalf, with or without specifying a particular case.

Therefore, an Adhikrit Waresnama should clearly identify the person giving authority, the person receiving authority, the acts that may be performed, and any restrictions or conditions applicable to that authority. The appointed person can act only within the authority granted by the document.

Difference Between Waresnama and Adhikrit Waresnama

A **Waresnama** generally allows a party to appoint another person to perform acts relating to a case or particular legal proceedings. Sections 144 to 152 of the Muluki Civil Procedure Code, 2074 deal with appointment, qualification, form, powers, registration, replacement, and revocation of an attorney.

An **Adhikrit Waresnama**, however, has a broader statutory purpose. Section 153 permits a person to authorize another person to perform specified legal actions such as filing a plaint, submitting a defense, withdrawing a claim, entering into compromise, and other legal actions, even without specifying a particular case. Section 154 further provides for transfer of rights in immovable property through an authorized attorney where the owner cannot personally appear at the concerned office for a legally recognized reason.

Thus, the distinction depends primarily on the nature and extent of authority granted. The wording of the document should correspond to the particular legal transaction or proceeding for which the authority is required.

Who Can Give Adhikrit Waresnama in Nepal?

A person who has the legal capacity to execute the relevant legal document may grant an Adhikrit Waresnama. The person giving the authority is generally known as the principal or executor, while the person receiving the authority is the authorized attorney.

For ordinary attorney appointments, **Section 145** provides qualifications for a person appointed as an attorney. The person must be competent to conclude a contract under law, must not be a defaulter regarding specified government amounts, court fees, execution-related fees, fines or penalties, and must not have been convicted of forgery, fraud, corruption, or an offence involving moral turpitude. The provision also allows a member of the joint family to be appointed as an attorney.

For an authorized attorney, the authority should be granted through a properly executed power of attorney satisfying the requirements of Section 153 or Section 154, depending upon the purpose.

Who Can Become an Authorized Attorney?

The person appointed as an authorized attorney should be legally capable of performing the acts for which authority is granted. For ordinary attorney appointments, Section 145 of the Muluki Civil Procedure Code, 2074 expressly sets out eligibility requirements.

The person should not have outstanding government dues, court fees, execution-related fees, fines or penalties covered by the statutory provision. The person must also not have been convicted of forgery, fraud, corruption or an offence involving moral turpitude. However, the law specifically states that these restrictions do not prevent a person from appointing a member of his or her joint family as an attorney.

The principal should select a person who is trustworthy and capable of carrying out the exact legal responsibilities stated in the Adhikrit Waresnama. The attorney cannot lawfully exercise powers beyond those granted by the document.

What Powers Can Be Given Through Adhikrit Waresnama?

Section 153 of the Muluki Civil Procedure Code, 2074 permits an authorized attorney to receive authority to undertake several legal actions on behalf of the person granting the power. These may include:

- Filing a plaint on behalf of the principal.
- Submitting a statement of defense.
- Withdrawing a plaint claim.
- Entering into a compromise.
- Undertaking other legal actions authorized in the power of attorney.
- Appearing before a court where permitted by the statutory provision.
- Appointing another attorney for court proceedings where the law permits.

The exact authority should be written clearly in the Adhikrit Waresnama. Section 150 provides that the powers of an attorney are those set forth in the power of attorney executed at the time of appointment. Accordingly, broad or unclear wording can create problems during registration or implementation. The document should identify each substantial power that the principal intends to delegate.

Adhikrit Waresnama for Immovable Property in Nepal

Section 154 of the Muluki Civil Procedure Code, 2074 specifically deals with transfer of rights in immovable property through an authorized attorney. A person who cannot appear personally at the concerned office may appoint an authorized attorney through a power of attorney to sell, dispose of, exchange, execute a deed of gift with immediate effect, otherwise transfer rights, or execute a document requiring registration under law.

The person must state a **reasonable ground for his or her inability to appear personally**. The authorized attorney must then act according to the terms and conditions of the power of attorney.

This provision is particularly relevant to Nepali citizens or other persons having rights and ownership over immovable property who cannot personally attend the concerned registration office. However, an authorized attorney cannot be used to execute a deed of gift having testamentary effect under Section 154(4).

Can a Person Living Abroad Give Adhikrit Waresnama to Someone in Nepal?

Yes. A person living in a foreign country can execute an authorized power of attorney for use in Nepal, subject to the statutory authentication requirements.

Under Section 153, where a general power of attorney is executed in a foreign country, the person granting the authority must affix his or her signature and thumb impression in the presence of, and have the document authenticated by, a **Nepali Ambassador or Consul General**.

For authentication, the law requires photographs of both the person granting the authority and the attorney to be affixed to the power of attorney. Copies of the citizenship certificates or passports of both persons must also be submitted to the relevant authority.

Therefore, a person abroad should prepare the Adhikrit Waresnama in accordance with the applicable legal requirements and complete authentication through the appropriate Nepali diplomatic mission.

Documents Required for Adhikrit Waresnama

The precise documents may depend upon the purpose of the authority and the requirements of the concerned authority. For authentication under Section 153, the law expressly refers to identification documents and photographs of both parties.

Common documents include:

- Original citizenship certificate or passport of the person granting the authority.
- Copy of citizenship certificate or passport of the authorized attorney.
- Photograph of the person granting the authority.
- Photograph of the authorized attorney.
- Draft or original Adhikrit Waresnama.
- Documents relating to the property, if the authority concerns immovable property.
- Relevant case documents, if the authority concerns an existing court case.
- Evidence or description of the reasonable ground for inability to appear personally where required under Section 154.
- Other documents required by the concerned District Court, Nepali Embassy, Consulate General, or registration authority.

The documents should contain consistent names, identification details and other particulars. Any discrepancy in citizenship, passport, property or case information can cause difficulty during authentication or registration.

Procedure to Give Adhikrit Waresnama in Nepal

The process depends on whether the person granting the authority is in Nepal or abroad. The basic legal process can be summarized as follows.

Step 1: Determine the Purpose of the Authority

First, identify exactly why the Adhikrit Waresnama is required. It may relate to a court case, filing or defending a claim, compromise, withdrawal of a claim, property transfer, registration of a deed, or another legal action.

Step 2: Identify the Authorized Attorney

Select the person who will act on behalf of the principal. The person's full legal identity and required identification details should be accurately stated.

Step 3: Prepare the Power of Attorney

Prepare the Adhikrit Waresnama with clear authority. The document should state what the authorized attorney can and cannot do. For immovable property, the property and the intended transaction should be described sufficiently.

Step 4: Attach Identification and Photographs

Where Section 153 applies, photographs of the principal and authorized attorney must be affixed to the document, and copies of their citizenship certificates or passports must be submitted.

Step 5: Authenticate the Document

If executed in Nepal, a general authorized power of attorney under Section 153 must be authenticated in the presence of a District Court Judge. If executed abroad, authentication is made through a Nepali Ambassador or Consul General as provided by the law.

Step 6: Pay the Prescribed Authentication Fee

Section 153 provides for a **Rs. 500 authentication fee** for authentication of the power of attorney under that provision.

Step 7: Register or Present the Document Before the Relevant Authority

After authentication, the document should be presented to the appropriate court or concerned authority for the legal purpose for which it was granted. The relevant authority may examine whether the document satisfies statutory requirements.

How to Give Adhikrit Waresnama from Abroad to Nepal

A Nepali citizen living abroad who wants to give Adhikrit Waresnama to a person in Nepal should first determine whether the authority concerns litigation, property, registration, or another legal action. The power of attorney should then be prepared according to the intended purpose.

The person abroad should appear before the appropriate **Nepali Embassy or Consulate General** for authentication where Section 153 applies. The principal must sign and affix his or her thumb impression in the required manner. Photographs and copies of identification documents of both the principal and attorney must also be provided.

After authentication, the original document should be transmitted to Nepal for use before the relevant authority. If the authority concerns immovable property, the document should specifically comply with Section 154, including stating the reasonable ground for the principal's inability to appear personally.

Adhikrit Waresnama for Court Cases

An authorized attorney may be appointed to undertake specified litigation-related acts. Section 153 expressly permits a person to appoint an authorized attorney to file a plaint, submit a statement of defense, withdraw a plaint claim, enter into compromise, or perform other legal actions on the person's behalf.

Section 144 separately provides that a party may appoint a representative to perform acts related to a case or specific acts referred to in the relevant chapter. Once such a representative is appointed according to the provision, the person is treated as an attorney and a deed must be executed.

The scope of authority should therefore be written carefully. If the principal wants the attorney to compromise a case, withdraw a claim, file pleadings or perform another specific act, the authority should clearly cover that action. The attorney should not assume powers that the document does not grant.

Registration and Examination of Waresnama

The court has a statutory responsibility to examine whether an attorney's power of attorney meets the requirements of the relevant chapter before registration. **Section 151** provides that the court must examine the power of attorney and register it if it satisfies the legal requirements.

If the document does not satisfy the requirements, the court may endorse the reason for non-compliance and provide a period of **three days** to correct the defect and submit the document again. If the requirements are fulfilled and the corrected document is submitted within the prescribed period, the court must register it.

This provision shows why the Adhikrit Waresnama should be prepared with accurate identification, signatures, witnesses, photographs, authority clauses and other required particulars. A defect may delay registration or require correction.

Can an Adhikrit Waresnama Be Revoked?

Yes. The law recognizes circumstances in which an authorized attorney's authority can end. Section 152 provides that a party to a case may revoke an executed power of attorney at any time and appoint another attorney or personally deal with the case by filing a petition.

Section 155 separately provides circumstances in which the status of an authorized attorney terminates automatically. These include completion or expiry of a specified act, purpose or period and occurrence or termination of a specified event or circumstance.

The provision also recognizes termination through publication of a notice in two national daily newspapers. Other statutory circumstances include death of the principal or attorney before completion of the authorized act, personal completion of the relevant property transaction by the principal, certain litigation between the parties concerning the property, and written refusal by the authorized attorney accompanied by the original power of attorney.

Can an Authorized Attorney Appoint Another Person?

Under Section 153(4), a person appointed as an authorized attorney may appear in court when the case is proceeded, heard and adjudicated or may appoint another person as an attorney for that purpose.

This does not mean that every authorized attorney automatically has unlimited authority to delegate every power. The delegation must remain within the scope permitted by law and the terms of the original power of attorney. Therefore, the original Adhikrit Waresnama should be examined before relying on any proposed delegation.

For property transactions, the authorized attorney must act subject to the terms and conditions of the power of attorney. Any subsequent appointment or action should also satisfy the applicable legal requirements.

How Long Does an Adhikrit Waresnama Remain Valid?

There is no single universal validity period for every Adhikrit Waresnama. Its duration depends on the wording and circumstances of the document.

Under Section 155, where the power of attorney specifies a particular act, purpose and period, the authority terminates when that act, purpose or period is completed or expires. Where the authority is linked to a particular event or circumstance, it terminates when the specified event or circumstance occurs or ceases to exist.

Therefore, the document should state the intended period and purpose clearly where appropriate. A power of attorney drafted for a single transaction should not unnecessarily grant indefinite authority.

What Happens When the Principal or Attorney Dies?

Section 155 recognizes the death of the person granting the authority or the authorized attorney as a circumstance that can terminate the status of an authorized attorney where the death occurs before completion of the act covered by the

power of attorney.

This means that an attorney should not continue relying on the authority after the statutory basis for the authority has ended. Parties dealing with an authorized attorney should verify whether the power of attorney remains legally effective, particularly for substantial transactions involving property or ongoing legal proceedings.

The effect of death may depend on the precise nature of the transaction and other applicable laws, so specific legal advice should be obtained before completing a transaction after such an event.

What Are the Main Legal Requirements for Adhikrit Waresnama?

The main requirements depend upon the type of power of attorney. For an ordinary attorney, Section 146 requires the deed to follow the format referred to in **Schedule-13**. The executor must sign or affix a thumb impression, and the document must be witnessed by at least two witnesses whose identification and signatures or thumb impressions are included.

For an authorized attorney under Section 153, additional authentication requirements apply. Photographs of both parties and copies of their citizenship certificates or passports are required. A general authorized power of attorney executed in Nepal must be authenticated by a District Court Judge, while one executed abroad must be authenticated through a Nepali Ambassador or Consul General.

Can One Person Be Attorney for More Than One Case?

Yes. Section 147 permits one person to become an attorney in more than one case at the same time and also permits a person to appoint the same attorney in the same case.

However, the law prohibits a person from being appointed as attorney for both parties or opposing parties in the same case at the same time. This rule prevents conflicting representation and protects the integrity of the legal proceeding.

The same person may therefore handle several matters, provided the appointments comply with the law and do not create the prohibited conflict between opposing parties in the same case.

Can a Party Appoint Another Party as Attorney?

Yes. Section 148 provides that where two or more persons are jointly plaintiffs or defendants in the same case, any one of them may be appointed as an attorney by the other party or parties as permitted by the provision.

This can be useful where several persons are involved in the same litigation and one person is authorized to undertake specified procedural acts for the others. The appointment must still be made through the required written instrument and must satisfy the applicable procedural requirements.

Why Should the Adhikrit Waresnama Be Drafted Carefully?

An Adhikrit Waresnama directly defines the legal authority of another person. Section 150 states that an attorney's powers are those set forth in the power of attorney executed at the time of appointment. Therefore, the wording of the document determines the scope within which the attorney can act.

The document should avoid unnecessary ambiguity and should identify the exact legal acts that the principal wants to authorize. Where property is involved, the property details, transaction and conditions should be stated accurately. Where litigation is involved, the relevant case and permitted procedural actions should be clearly described where appropriate.

A properly drafted document can reduce disputes concerning whether the attorney had authority to perform a particular act.

Role of a Law Firm in Preparing Adhikrit Waresnama in Nepal

A law firm can assist with determining the appropriate type of power of attorney, preparing the document, checking statutory requirements, identifying the required supporting documents and coordinating the authentication or registration process.

For an Adhikrit Waresnama involving immovable property, the lawyer can also review the ownership documents and proposed transaction to ensure that the authority corresponds with the intended legal act. For litigation-related authority, the document can be drafted according to the particular powers required in the case.

Fairmont Law Firm in Nepal provides legal assistance relating to power of attorney, Waresnama, Adhikrit Waresnama, property transactions, court representation and other corporate and civil legal matters in Nepal. The exact requirements should always be checked against the current law and the requirements of the concerned authority before execution.

Frequently Asked Questions About Adhikrit Waresnama in Nepal

What is Adhikrit Waresnama?

Adhikrit Waresnama is an authorized power of attorney through which a person appoints another person to perform specified legal acts on his or her behalf. Section 153 of the Muluki Civil Procedure Code, 2074 permits such authority for acts including filing a plaint, submitting a defense, withdrawing a claim, entering into compromise and undertaking other authorized legal actions.

Can I give Adhikrit Waresnama from abroad?

Yes. A person abroad may execute an authorized power of attorney for use in Nepal, subject to the statutory authentication requirements. Section 153 provides that a general power of attorney executed in a foreign country must be authenticated by a Nepali Ambassador or Consul General. Photographs and identification documents of both the principal and attorney are also required.

Can Adhikrit Waresnama be used to sell land in Nepal?

Yes, subject to Section 154 and other applicable laws. A person unable to appear personally at the concerned office may appoint an authorized attorney to sell, exchange, transfer or otherwise dispose of immovable property. The power of attorney must state a reasonable ground for the person's inability to appear personally and satisfy the prescribed authentication requirements.

How much is the authentication fee for Adhikrit Waresnama?

Section 153 of the Muluki Civil Procedure Code, 2074 provides an authentication fee of **Rs. 500** for authentication of a power of attorney under that section. Other costs, such as drafting, document preparation, applicable registration charges or transaction-related fees, may arise depending upon the purpose of the power of attorney and the concerned authority.

Can I cancel an Adhikrit Waresnama?

Yes. Section 152 permits a party to revoke a power of attorney and appoint another attorney or personally handle the case by filing a petition. Section 155 also provides several circumstances in which the status of an authorized attorney terminates automatically. The precise method and effect of revocation depend on the document and circumstances.

Can an authorized attorney compromise a case?

Yes, if the authority granted in the Adhikrit Waresnama covers compromise. Section 153 expressly allows a person to appoint an authorized attorney to enter into a compromise on his or her behalf. The attorney should not compromise a case unless the power of attorney gives sufficient authority for that act and all applicable procedural requirements are satisfied.

Can an authorized attorney transfer immovable property?

Section 154 permits an authorized attorney to sell, exchange, gift with immediate effect, or otherwise transfer immovable property where the principal cannot personally appear and the statutory requirements are fulfilled. The authority must specify the relevant power, and the attorney must act subject to the terms and conditions contained in the executed power of attorney.

How many witnesses are required for a Waresnama?

For an ordinary attorney deed under Section 146, the document must be witnessed by **at least two witnesses**. Their identification and the identity of the writer of the document must be included, and the relevant persons must provide signatures or thumb impressions as prescribed. Authorized power of attorney requirements may additionally include photographs and identification documents.

Can one person have more than one attorney?

The law permits considerable flexibility in attorney appointments. Section 147 allows a person to become an attorney in more than one case and permits a person to be appointed by more than one person in the same case. However, a person cannot simultaneously act as attorney for both opposing parties in the same case.

Can an authorized attorney appoint another attorney?

Yes, in circumstances permitted by Section 153. An authorized attorney may appear in court and may appoint another person as an attorney for the relevant court proceedings. However, delegation does not automatically mean that every power can be transferred without restriction. The original Adhikrit Waresnama and applicable law should be examined before delegation.

Conclusion

Giving an **Adhikrit Waresnama to a person in Nepal** requires more than simply signing a private authorization letter. The power of attorney must comply with the applicable provisions of the **Muluki Civil Procedure Code, 2074**, particularly Sections 153 and 154 where an authorized attorney is appointed. The document should clearly state the authority granted and must satisfy applicable authentication, identification, photograph and documentary requirements.

For ordinary attorney appointments, Sections 144 to 152 establish rules concerning appointment, qualification, form, powers, registration and revocation. Section 153 provides the specific framework for an **authorized attorney**, while Section 154 addresses the use of an authorized attorney for specified transactions involving immovable property. Section 155 establishes circumstances in which the status of an authorized attorney ends.

If the person granting the authority is outside Nepal, authentication through the appropriate **Nepali Embassy or Consulate General** is particularly relevant. Where the authority concerns land or other immovable property, the power of attorney should be drafted with precise property and transaction details and should state the reasonable ground for the principal's inability to appear personally.

For assistance with **Adhikrit Waresnama in Nepal, Authorized Power of Attorney in Nepal, Waresnama registration, power of attorney for property transfer, power of attorney from abroad, court representation, and legal documentation**, Fairmont Law Firm in Nepal can provide legal drafting and procedural assistance based on the specific facts and purpose of the authorization.

This document is provided by Adalat Lawyers for general informational purposes only and does not constitute legal advice. For advice on your specific circumstances, please contact our team.