

Writ Petition No.7623 of 2015

21.03.2016

Shri Imtiaz Hussain, learned counsel for the petitioner.

Shri Brahmhatt Singh, learned Govt. Advocate for the respondents No.1, 2, 3 and 4.

Shri Satyam Agrawal, learned counsel for the respondents No.5, 6, 7, 8 and 9.

Petitioner, in essence, is challenging Annexure P-2. That decision has been taken by the State Bar Council on the representation made by 51 advocates of the same Bar Association. The petitioner has not impleaded those applicants as respondents in the present writ petition. Counsel for the petitioner prays for time to do the needful.

Accordingly, we defer the hearing of this matter till **07.04.2016** as requested by the counsel for the petitioner.

Counsel for the Ad-hoc Committee appointed by the Bar Council submits that the petitioner is the office bearer of the outgoing Committee of the Bar Association; and notwithstanding the appointment of Ad-hoc Committee, the outgoing office bearers have not handed over the charge to the Ad-hoc Committee appointed by the Bar Council. We make it clear that no interim relief is granted

in this petition. It is a matter between the outgoing office bearers of the Executive Committee and the Ad-hoc Committee for taking over and handing over of the charge, for which the State Bar Council is free to insist upon and proceed in the matter in accordance with law.

Pendency of this petition is no impediment to take the said process forward.

Counsel for the petitioner submits that there is no formal order passed by the State Bar Council appointing Ad-hoc Committee. Counsel for the State Bar Council is relying on Annexure P-2 which according to him, is, itself an order appointing Ad-hoc Committee as the election had not commenced within specified time.

We once again reiterate that we are not examining any issue on merits of that controversy and the parties are free to proceed in the matter, in accordance with law.

(A. M. Khanwilkar)
Chief Justice

(Sanjay Yadav)
Judge

AM.