

Court No. - 48

Case :- WRIT - B No. - 3823 of 2023

Petitioner :- Bankelal And Another

Respondent :- State Of U.P. And 13 Others

Counsel for Petitioner :- Anil Kumar Singh, Akhilesh Kumar Vishwakarma, Ranjeet Singh, Sanjeev Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Shyam Shamshery, J.

1. Sri Anil Kumar Singh (A/A 0803/2012), learned counsel for petitioners has not only failed to assist the Court properly but also not answered to a relevant query of this Court, in a manner an Advocate having long practice ought to have answered.

2. When a specific query was raised by this Court as to why photo copy of a purported representation alongwith its postal detail (though documents annexed was declared as photo copy, but from bare perusal there is no doubt that it was a only a typed copy) as well as about relevant provisions of law, the learned Advocate has not replied to the query, but stated a categorical statement before this Court that "Yeh Court jaisa order karna chahe waisa order kare" and despite Court's caution, he remained stick to his submission.

3. A member of the Bar is an officer of the Court and owes a duty towards the Court in which he is appearing. He must uphold the dignity and decorum of the Court and not do anything to bring the Court into disrepute. (See ***Lalit Mohan Das Vs. Advocate General Orissa & Ors, AIR 1957 SC 250 and O.P.Sharma & Ors. Vs. High Court of Punjab and Haryana (2011) 6 SCC 86.***)

4. This Court could pass an adverse order against the learned Advocate however, considering his practice of about 40 years, this Court is not taking any adverse action. However, learned Counsel is cautioned that such an act (misconduct) may not be repeated in future.

5. This writ petition being bereft of material document in support of prayer sought to decide a purported representation, therefore, is not only **dismissed** but dismissed with cost of Rs.5000/- to be paid by the counsel for petitioners in the office of High Court Bar

Association, Allahabad within a period of two weeks and receipt thereof shall be placed on record of this case. In default, Registrar General of this Court is directed to initiate appropriate proceedings against the learned Advocate to recover the cost in accordance with law.

6. A copy of this order be sent to Bar Council of Uttar Pradesh and Secretary, High Court Bar Association, Allahabad to keep it on record.

7. This order will not come in the way if the petitioners in order to ventilate their grievance file an appropriate application in accordance with law before concerned Authority.

8. Registrar (Compliance) to take steps.

Order Date :- 17.11.2023

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