

HIGH COURT OF TRIPURA  
AGARTALA

WP(C) 584 of 2024

Shri Joydeb Kumar De

---Petitioner(s)

Versus

The Bar Council of Tripura and 5 Others

---Respondent(s)

|                    |   |                                                             |
|--------------------|---|-------------------------------------------------------------|
| For Petitioner (s) | : | Mr. Ranjit Dasgupta, Advocate.<br>Mr. R. Debnath, Advocate. |
| For Respondent(s)  | : | None.                                                       |

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Judgment & Order (Oral)

07.09.2024

Heard learned counsel for the parties.

[2] This is a writ petition under Article 226 of the Constitution of India for seeking the following relief(s)

- (i) Issue writ in the nature of mandamus or any other writ in the like nature upon the Respondents and each of them to show cause as to why the Respondents and each of them shall not be directed and compelled to issue Certificate of Enrollment (Provisional) in favour of the Petitioner within such period as may be prescribed by the Hon'ble Court;
- (ii) Issue writ in the nature of mandamus and/or in the like nature asking the Respondents No.1 to 3 to show cause as to why each of the Respondents No.1 to 3 shall not be directed and compelled to admit the Petitioner as an Advocate in the State Roll within such period as may be prescribed by the Hon'ble Court;
- (iii) Issue writ in the nature of mandamus or in the like nature asking the Respondents No.1 to 3 to show cause as to why they are causing delay in admitting the Petitioner as an Advocate in the State Roll and also in issuing Certificate of Enrollment (Provisional) and for such delay each of them shall be liable to compensate the Petitioner;
- (iv) Issue writ in the nature of mandamus or in the like nature directing the Respondents No.1 to 3 jointly and severally to compensate the Petitioner for his harassment both mental and otherwise fixing the damages for the ends of justice and directing the Respondents No.1 to 3 and each of them to pay such compensation as may be fixed by the Hon'ble Court;
- (v) Issue writ in the nature of certiorari calling upon the Respondents and each of them to show cause as to why a writ of certiorari shall not be issued calling upon them to produce all records relevant to the subject matter of the proceeding for rendering appropriate justice in favour of the Petitioner;

- (vi) *Issue rule/writ in the nature of mandamus or in the like nature directing/compelling the Respondents No.1 to 3 and each of them to admit the Petitioner as an Advocate (Provisional) in the State Roll within such period as may be prescribed by the Hon'ble Court and after hearing the parties the rule may be made absolute in terms of prayer No.(i) to (v);*
- (vii) *In the interim Your Lordship may be pleased to pass further order directing the Respondents No.1 to 3 and each of them to admit the Petitioner as an Advocate (Provisional) in the State Roll pending disposal of the writ application;*

[3] It is the case of the petitioner that the petitioner obtained 3(three) years LL.B. Degree Course from ICSS College, Bhadrak, Odisha under Fakir Mohan University, Balasore, Odisha and applied for enrollment as an Advocate with the Bar Council of Tripura on 04.09.2023 and submitted all required documents which were verified by them from the concerned University/Colleges. The Bar Council of Tripura has sought for certain clarification through letter dated 03.05.2024 to which the petitioner replied and enclosed the admit card certificate, mark sheets and other credentials. The certificate issued by the college indicates that the petitioner has graduated in first class and also attended the classes through online mode even during pandemic.

[4] Not being convinced, the Bar Council of Tripura has addressed a letter dated 29.07.2024 to the Registrar Fakir Mohan University, Balasore Vyasa Vihar, Odisha to check the authenticity of the petitioner. By the communication date 23.08.2024, the Controller Examinations, Fakir Mohan University, Vyasa Vihar, Balasore, Odisha has also certified that the petitioner has passed the L.L. B Exam-2023 in First Division from the University. Since the matter was lying with the Bar Council of Tripura, the petitioner issued a legal notice dated 06.08.2024 and the same is lying with respondents till date unattended. Aggrieved thereby the petitioner has approached this court.

[5] In view of the above submission made by the council for the petitioner and without expressing any opinion on the merit of the case, this writ petition is

disposed of directing the state Bar Council of Tripura take a decision in this manner as expeditiously as possible, preferably within a period of two months from the date of receipt of copy of this order. It is needless to observe that in the event, if the Bar Council of Tripura feels that a personal hearing and verification of all the documents is required, an opportunity be given to the petitioner before taking a decision.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

