

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

Cont.Cas(C) No. 26 of 2026

Ref:- WP(C) No. 802 of 2025

Mr. Rarry Mangsatabam, aged about 56 years, S/o (L)
Mangsatabam Iboyaima Singh, resident of
Thangmeiband Yumnam Leikai, P.O. Lamphel, P.S.
Imphal, Imphal West District, Pin – 795004.

... Petitioner

- Versus -

1. Dr. M. Basanta Kumar Sharma, Secretary, Bar Council
of Manipur, High Court of Manipur Complex,
Mantripukhri, Imphal - 795001 ***and 8 others.***

... Respondents

B E F O R E

HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

For the petitioner : Mr. Rarry Mangsatabam, senior
advocate/party-in-person
For the respondents : Mr. W. Sanatomba, Advocate for R1
to R9 led by Mr. S. Biswajit Meitei,
senior advocate
Date of hearing & order : **03.06.2026**

O R D E R

[1] Read this in conjunction with and in continuation of earlier
proceedings made in the previous listing on 25.05.2026 which reads as
follows :

'Item No. 1

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

CONT.CAS(C) No. 26 of 2026

Rarry Mangsatabam

Petitioner/s

Vrs.

M. Basanta Kumar Sharma & 8 ors.

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
(ORDER)

25.05.2026

[1] In the captioned contempt case, Mr. Rarry Mangsatabam, who is the contempt petitioner appearing party-in-person is before this Court (physical Court).

[2] Contempt petitioner appearing party-in-person is a learned Member of this Bar, he is a designated Senior Advocate and he is a elected member of 'Bar Council of Manipur' ('BCM' for the sake of brevity).

[3] Learned contempt petitioner submits that he has filed WP(C) No. 802 of 2025 on 06.10.2025 *inter alia* assailing resolutions and notices of BCM which were made pursuant to/ acting on a complaint dated 22.07.2025 from one 'Mr. Thongbam Mahipal Singh' ('complainant' for the sake of brevity).

[4] Contempt petitioner submitted that his afore-referred writ petition was entertained by this Court, notice was issued and an interim order was made on 29.10.2025. Contempt petitioner draws the attention of this Court to this 29.10.2025 order made in WP(Writ Petition) and MC(Miscellaneous Case) thereat and the same is as follows:

'29.10.2025

[1] *Writ petitioner in the captioned 'main writ petition' ('WP' for the sake of brevity) is a member of High Court Bar Association of Manipur and is a designated senior advocate. Writ petitioner is also an elected member of Bar Council of Manipur. Writ petitioner is appearing party-in-person.*

[2] *Epicenter of the captioned WP is a 'complaint dated 22.07.2025' ('said complaint' for convenience) from one Mr. Thongbam Mahipal Singh of Imphal who is respondent No. 2 in the captioned WP and captioned MC thereat.*

[3] *In and vide said complaint, respondent No. 2 alleged unethical professional conduct qua writ petitioner primarily on the ground that writ petitioner who was a former Additional Advocate General of State of Manipur and presently a State Special Counsel is appearing in cases in the High Court of Manipur on behalf of Manipur Lokayukta, in cases which are filed against the State Government. The afore-referred said complaint was received by respondent No. 1 (Bar Council of Manipur) which shall hereinafter be referred to as 'BCM' for convenience, on the next date, i.e., 23.07.2025. Acting on the said complaint, BCM made a 'resolution dated 26.07.2025' ('1st impugned resolution) *inter alia* resolving to show cause writ petitioner, pursuant to which a 'Show Cause Notice dated 06.08.2025' ('1st impugned SCN' for convenience) was issued, this was followed by another resolution of BCM being 'Resolution*

dated 30.08.2025' ('2nd impugned resolution' for convenience) inter alia resolving to request writ petitioner to not to appear as counsel for Lokayukta (to be noted, this is Agenda No. 3 in this resolution). Pursuant to the second impugned resolution, another 'Show Cause Notice dated 23.09.2025' (2nd impugned SCN for convenience) was issued inter alia calling upon writ petitioner to rethink qua appearing for Lokayukta and also calling upon writ petitioner to choose between resigning from membership of Bar Council of Manipur or resigning from the office of Senior Advisor of the High Court Bar Association, Manipur.

[4] *Assailing the afore-referred complaint, 1st and 2nd impugned Resolutions of BCM, 1st and 2nd impugned SCNs, captioned WP has been filed.*

[5] *In his campaign against the afore-referred complaint, resolutions, SCNs, writ petitioner made the following points:*

- (a) The 1st and 2nd impugned Show Cause Notices are not traceable to any power either under 'the Advocates Act, 1961' ('said Act' for convenience) or the Rules made thereunder being 'the Bar Council of India Rules, 1975' ('said Rule' for convenience).*
- (b) Respondent No. 2 (complainant) does not have locus as he has neither appeared for counsel representing him nor is there any other form of privity between the complainant and writ petitioner.*
- (c) The language in which the impugned 1st and 2nd SCNs are couched, come across as SCNs which have pre-judged the issue as it call upon writ petitioner to make an option rather than explain/show cause.*
- (d) The Membership of respondent No. 1 (BCM) is by way of election, writ petitioner is an electee and an elected member of the Bar Council cannot be dislodged by disciplinary proceedings inter alia under Section 35 of the said Act.*

[6] *Prima facie case for issue of notice made out.*

[7] *Issue notice*

[8] *Ms. S. Nikita, learned counsel, accepts notice for respondent No. 1 and Mr. S. Biswajit, learned senior counsel, appears on her behalf. As regards respondent No. 2, let notice returnable in four weeks, i.e., returnable by 26.11.2025 be issued. Private notice permitted.*

[9] *Mr. S. Biswajit, learned senior counsel, on instructions submitted that learned counsel on record*

requires time to ascertain the provision of law to which the SCN is traceable. Learned counsel for respondent No. 1 requested time to get instructions on other aspects of the matter also.

[10] *Be that as it may, as regards captioned MC, from the trajectory the matter has taken, it is clear that if the proceedings continue, it can lead to irreversible legal injury. This tilts balance of convenience in favour of grant of interim order sought for. Interim order sought for in the captioned MC is as follows:*

‘PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to pass an Order staying all further proceeding before the Respondent no.1/Bar Council of Manipur arising out of the Complaint dated 22.07.2025 filed by the Respondent no.2 against the Petitioner-Advocate, including all consequential Impugned Misc. Resolution no.2 dated 26.07.2025, Impugned Resolution no.1 and 3 dated 30.08.2025, Impugned Notice dated 23.09.2025 of the Respondent no.1/ Bar Council of Manipur, during the pendency of the present writ proceeding, for meeting the ends of justice.’

[11] *As prima facie case has been made out balance of convenience is in favour of grant of interim order and as there is possibility of irreparable legal injury, there shall be an order of interim stay as prayed for till the next listing which will be on 26.11.2025.*

[12] *In the interregnum, it is open to respondent No. 1 to file an affidavit-in-opposition and bring it on board, if so advised and if so desired.*

[13] *List on 26.11.2025.’*

[5] Contempt petitioner, adverting to paragraph Nos. 10 & 11 of afore-referred order submits that an interim order was granted but when the interim order was operating, in breach of the interim order, BCM in its meeting on 22.11.2025 made resolutions *inter alia* pertaining to the resolutions which are under challenge in WP as well as with regard to further action pertaining to complaint dated 22.07.2025 from Mr. Thongbam Mahipal Singh which has been described in 29.10.2025 order as epicenter. Contempt petitioner, adverting to affidavits of BCM being affidavits dated 13.02.2026 & 30.03.2026 in WP, submitted that BCM has filed affidavits in this Court clearly confirming the resolution made on 22.11.2025 *inter alia* regarding further action *qua* 22.07.2025 complaint (epicenter) and therefore it is a case of contempt/breach of 29.10.2025 order of this Court. Contempt petitioner went on to submit that even on a demurer, even if the resolutions are seen as a roll back, there is a clear resolution about further proceedings to take forward the complaint dated 22.07.2025 whereas all further

proceedings *inter alia* further proceedings pursuant to complaint dated 22.07.2025 (epicenter) have been stayed by this Court.

[6] It was also pointed out that the 29.10.2025 order had thereafter been extended until further orders as both respondents in the WP had entered appearance through counsel and complainant (R2) has sought time to file affidavit in opposition. Though the contempt petition says that the order has been made absolute, contempt petitioner fairly submits that the interim order has not been made absolute but has been extended until further orders.

[7] Mr. W. Sanatomba, learned counsel who has filed Vakalatnama for Bar Council of Manipur (respondent No. 1 in the WP) is before this Court as WP and MC thereat are also listed today. This Court gave the option to learned counsel Mr. W. Sanatomba to accept notice in this contempt petition also and file a suitable affidavit in the contempt petition but learned counsel submitted that he does not have instructions from the respondents to accept notice and to be noted this is in spite of multiple earlier listings where such option was given to learned counsel. This Court also examined the possibility of mediation in the main WP and the MC thereat but Section 6 of the Mediation Act, 2023 (32 of 2023) and serial No. 4 of the First Schedule thereat appears to come in the way as the case at hand may well fall under the category of disputes/matters not fit for mediation as it is a case of complaint before a statutory authority pertaining to practitioner/registered professional. To be noted, this Court is acutely conscious that Mediation Act, 2023 is a conditional legislation, it consists of 65 Sections, it is dated 14.09.2023, it was published in the Official Gazette on 15.09.2023 but only 21 out of the 65 Sections (excluding Section 6) kicked in (came into force) on 09.10.2023 vide Notification being S.O. 4384(E). To put it differently, Section 6 and obviously the First Schedule have not come into force but it has categorized complaints to a regulatory body against a registered professional as a dispute/matter not fit for mediation.

[8] In the light of the narrative thus far, as 22.11.2025 resolution clearly talks about deliberation *qua* 22.07.2025 complaint and authorizing the Secretary of the Bar Council of Manipur to verify veracity of the documents submitted by the complainant and collect relevant judicial orders, *prima facie* view is 22.07.2025 complaint is being proceeded with, on the teeth of 29.10.2025 interim order which is operating. As contempt petitioner has made out a *prima facie* case for issue of notice, this Court has no option other than writing that *prima facie* case for issue of notice to respondents has been made out and issue notice.

[9] Issue notice to respondents, returnable by 03.06.2026.

[10] Dasti notice is permitted.

[11] List on 03.06.2026.

CHIEF JUSTICE

Indrajeet'

[2] Today, in the hearing, Mr. Rarry Mangsatabam, contempt petitioner appearing party-in-person is before this physical Court.

[3] As regards the respondents, all 9 (nine) respondents have been served, 'respondent Nos. 1 to 3' ('R1 to R3' for the sake of convenience) and 'respondent Nos. 5 to 9' ('R5 to R9' for the sake of convenience) are present in Court (physical Court). To be noted, with the exception of R1, all other respondents are learned senior members/members of this Bar and they are present before this Court (physical Court). As regards R4, this Court is informed that he is travelling (not in station) and Mr. W. Sanatomba, learned counsel is representing him also and further to be noted, Mr. S. Biswajit Meitei, learned senior counsel is appearing on behalf of Mr. W. Sanatomba. To be noted, R1 to R3 and R5 to R9 are represented by Mr. W. Sanatomba, learned counsel, and Mr. S. Biswajit Meitei, learned counsel appears on his behalf. This means that all 9 (nine) respondents {8 (eight) of whom are present in this Court (physical Court)} as well as R4 are represented by counsel who in turn is led by a learned senior counsel.

[4] Adverting to earlier proceedings dated 25.05.2026, Mr. S. Biswajit Meitei, learned senior counsel, on instructions from Mr. W. Sanatomba as well as the respondents who are present in Court (who also represent R4) submitted that proceedings of 'BCM' ('Bar Council of Manipur') made on 8th March, 2026 could not be brought to the notice of this Court in the last listing owing to want of instructions and lapse in communication. Today, learned senior counsel has placed before this

Court the proceedings of BCM dated 08.03.2026 and scanned reproduction of the same is as follows :

**PROCEEDINGS OF THE ADJOURNED MEETING OF THE
BAR COUNCIL OF MANIPUR HELD ON SUNDAY, THE 8TH MARCH, 2026 AT 10:30 AM
WITH SHRI S. BRAJABHARI SINGH, HONBLE CHAIRMAN IN THE CHAIR**

Agenda:-

1. Confirmation of Proceedings of the Meeting held on 20-12-2025;
2. Application dated 20-11-2025 submitted by Shri I. Lalitkumar Singh, Hon'ble Member, Bar Council of Manipur;
3. Documents vide Resolution No.5 of the Meeting held on 22-11-2025 of the Bar Council of Manipur;
4. Application dated 14-11-2025 submitted by Md. Rabi Khan, Advocate;
5. Application dated 22-01-2026 submitted by Dr. Rajkumar Deepak Singh, Sr. Advocate;
6. Complaint 04-02-2026 filed by Ms. Th. Inaocha Devi;
7. Misc. If any.

Members Present:-

Sl.No.	Name	Signature
1.	S. Brajabhari Singh	
2.	K. Rajkumar Singh	
3.	L. Jayanta	
4.	N. Jafar Khan	
5.	N. Jafar Khan	
6.	K. Rajkumar Singh	
7.	N. Jafar Khan	
8.	A. Jafar Khan	

Contd...2/-

S. Brajabhari Singh

Sl.No.	Name	Signature
9.	RARRY MANGSATARAM	Rarry Mangsataram
10.	F.A. Khalid	F.A. Khalid
11.		
12.		
13.		
14.		
15.		

Resolution No.1:-

While taking up Agenda No.1, the Ld. Members present held a detailed deliberation on the matter. It was unanimously agreed to confirm the proceedings of the meeting held on 20th December, 2025.

It was also noted, in agreement with the opinion of Shri Rarry Mangsataram, Hon'ble Member that Agenda No.1 includes confirmation of the earlier Resolution No.5 of the Meeting held on 22nd November, 2025 and Agenda No.3 of today's meeting, as the matter is currently pending before the Hon'ble High Court of Manipur. In this regard, it was unanimously agreed that a detailed deliberations would be held while taking up Agenda No.3.

Resolution No.2:-

Shri Rupachandra Singh, Hon'ble Member expressed that the application submitted by Shri I. Lalitkumar Singh, Hon'ble Member concerns for exemption from the transfer fee in connection with option to transfer of the Advocates from Assam Bar Council to Bar Council of Manipur. The Hon'ble Member further contended that no leviable fee/service charge under Bar Council of Manipur notification dated 1st February, 2025 is payable, purportedly in view of Section 10(1) of the North-Eastern area (Re-Organization) and Other Related Laws (Amendment) Act, 2012.

1. 1/1/2025

However, the leviable fee/service charge prescribed by the Bar Council of Manipur was introduced due to the reduction of enrolment fee to Rs.600/- for General Category and Rs.100/- for ST/SC, as directed by the Hon'ble Supreme Court of India. In order to ensure the financial viability and proper functioning of the Bar Council of Manipur, the fee was duly fixed under Section 6(f) and 49(1) of the Advocates' Act, 1961, by taking into account the modified fee structure of the Bar Council of India which came into force with effect from 06.08.2024.

It is also placed that the Bar Council of Manipur has not yet prepared and maintained the Rolls of Advocates in Form B-1 and B-2 registers as required under Part-V Chapter-I of the Bar Council of India Rules, in compliance with Section 17 of the Advocates' Act, 1961. Endorsement in Form D-2 under Rule 3(b) Chapter III Part V of the Bar Council of India Rules is essential for properly identifying the Advocates on the rolls of the Bar Council of Manipur, particularly in respect of transfers and recognition.

In this context, the collection of leviable fees/service charges is necessary for the management and administration of the Bar Council of Manipur. The fee is legally grounded in the Advocates' Act, 1961 and relevant Bar Council of India Rules, and has been fixed in consonance with the Bar Council of India's modified fee structure.

Accordingly, there is no justification for granting exemption from leviable fee/service charge in the present case, no ground has been made out to review or rescind the existing notification or order of the Bar Council of Manipur.

Mr. Rarry Mangsatabam, Hon'ble Member, pointed out that the expression "notwithstanding anything contained in the Advocates' Act, 1961 and the rules made thereunder" is explicitly incorporated in the provision of Section 10(1) of the North-Eastern Areas (Reorganisation) and Other Related Law (Amendment) Act, 2012. He submitted that, in view of this overriding clause, no amount - particularly the endorsement fee presently in question - ought to be imposed upon advocates transferred on option.

Mr. Ng. Jotindra Luwang, Hon'ble Member, drew the attention to the phrase "for the purpose of the said Act and rules made thereunder" which is also expressly contained in the same provision. He further submitted that the provision must be read as whole, in constructive manner, and in conjunction with other laws for the time being in force.

He further explained that the endorsement fee presently levied by the Council has arisen pursuant to the resolution adopted in the proceedings held on 28-11-2024 and subsequently confirmed in the proceedings dated 20-12-2024. In furtherance thereof, a notice dated 01-02-2025 was issued and widely circulated among all concerned.

Mr. Jotindra Luwang

He contended that such action by the Council is consistent with the provisions of Section 17 and 28 of Advocates Act, 1961 read with Section 6(f),(h) and (i) of the Act, as well as Rule 3(b) of Chapter-III under Part-V of the Bar Council of India Rules, 1975. He respectfully submitted that there is no ambiguity in enforcing such endorsement fee, particularly with the approval of the Bar Council of India, in order to discharge the functions conferred upon the Council under Advocates' Act and Rules framed hereunder, specially in view of the reduction in enrolment fees pursuant to the Judgment reported in (2025) 1 SCC 641 [Gaurav kumar -vs- Union of India] and in the light of the Bar Council of India circular regarding the modified fee structure effective from 06-08-2024.

Mr. Jotindra Luwang, Hon'ble Member, further drew the attention of the Members present to the fact that such 'endorsement' is essential for the effective maintenance of the State Roll and to avoid complication among Advocates practicing in Manipur, including those who have opted for the State Bar Council under the North East Re-organisation (Amendment) Act, 2012 as well as those who have not opted for the State Bar Council but continue to have their names enrolled under the North East Bar Council.

Smt. N. Binodini Devi, Hon'ble Member proposed that the endorsement fee be reduced to Rs.2000/- (Rupees two thousand) only.

Shri Kh. Iboyaima Singh, Shri A. Jagajit Singh, Shri L. Jayanta Roy, K. Modhusudan Singh and F.A. Khalid Hon'ble Members endorsed the opinion that the fee already levied by the Bar Council of Manipur does not call for any modification and not to review and rescind the existing notification and order of the Bar Council of Manipur.

Accordingly, upon consideration of the application dated 29-11-2025 submitted by Shri I. Lalitkumar Singh, Hon'ble Member of the Council, it is resolved that the endorsement fee already levied by the Council does not call for any modification.

Resolution No.3:-

All the Hon'ble Members present unanimously resolved to await the verdict of the Hon'ble High Court of Manipur

Resolution No.4:-

The Hon'ble Members present unanimously resolved that the request to grant the title "Dr" to Rabi Khan, Advocate be approved, as the Degree Certificate (Sl.No. 36502) of Md Rabi Khan having Enrollment No. MGU/202/P/0016 of Doctor of Philosophy (Law) has been verified and found to be genuine and correctly issued by the Mahatma Gandhi University, Meghalaya vide Ref.No. MGU/2026/Veri/714, dated 03.02.2026.

S. Jyoti Singh

The Secretary is entrusted to take the necessary steps and to do the needful.

Resolution No.5

The Hon'ble Members present unanimously resolved to approve the request of Rajkumar Deepak Singh, Senior Advocate for use the academic title consequent upon the award of the Ph.D. Degree by Jawaharlal Nehru University New Delhi subject to verification of the genuineness of the Ph.D. Certificate issued in his favour.

The Secretary is entrusted to take the necessary steps to carry out for verification of the Ph.D. Certificate issued to him.

Resolution No.6:-

While taking up the Agenda No.6 regarding Complaint dated 04-02-2026 filed by Huirongbam (N) Thokchom Ongbi Inaocha Devi, the Hon'ble Members present carefully examined the complaint and unanimously resolved that the Council has reason to believe that Nongmaithem Tejpriya, Advocate (BCM-00045/2015) have been guilty of profession or other misconduct. As such, the said Complaint has been referred to the Disciplinary Committee-II for further proceedings.

The meeting concluded with the permission of the Hon'ble Chairman by delivering Vote of Thanks to all Hon'ble Members who attended the meeting.

S. B. Singh
Chairman.

[5] Adverting to afore-referred proceedings, learned senior counsel submitted that Agenda No. 3 is of relevance to the captioned contempt case and drew the attention of this Court to the Resolution on the same i.e., Resolution No. 3. Furthering his submissions in this direction, on instructions, learned senior counsel submitted the following :

- i) Afore-referred Resolution No. 3 of Agenda No. 3 continues to operate and will continue to operate i.e., BCM would await verdict of this Court in WP(C) No. 802 of 2025 and MCs thereat.

- ii) Afore-referred 08.03.2026 Resolution as regards Agenda No.3 supersedes all other Resolutions of BCM pertaining to Agenda No. 3 and any matter pertaining to subject matter of WP(C)No.802 of 2025. This submission is recorded.
- iii) Aforementioned Agenda No. 3 and/or any other issue touching upon subject matter of WP(C) No. 802 of 2025 will not be tabled until Verdict is returned by this Court in WP(C) No. 802 of 2025 and MCs thereat.

[6] If only the afore-referred Resolution dated 08.03.2026 had been brought to the notice of this Court, this Court would have been saved of the unpleasant task of issuing notice to respondents in the captioned contempt case. On this note, recording the stated position of the respondents, captioned contempt case is given a closure by writing that the same is disposed of as closed discharging all respondents from contempt case. There shall be no order as to costs.

CHIEF JUSTICE

FR/NFR

Sushil

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P.S. II : All concerned will stand bound by web copy uploaded in High Court website *inter-alia* as the same is QR coded.