



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 15832 OF 2026 (GM-RES)

C/W

WRIT PETITION NO. 15252 OF 2026 (GM-RES)

WRIT PETITION NO. 17256 OF 2026 (GM-RES)

IN W.P. No. 15832/2026

BETWEEN:

1. SMT SANDYA U PRABHU
W/O SRI. NAVEEN HEGDE K,
AGED 46 YEARS,
ADVOCATE,
NO. 72/1, 9TH CROSS,
MARGOSA ROAD, MALLESWARAM,
BANGALORE-560 003

... PETITIONER

(BY SMT. SANDYA U. PRABHU - PARTY IN PERSON)

AND:

1. THE RETURNING OFFICER
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
2. THE CHAIRMAN,
HIGH POWERED ELECTION COMMITTEE (HPEC),
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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3. THE SECRETARY,
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
4. THE SECRETARY,
BAR COUNCIL OF INDIA,
NO.21, ROUSE AVENUE INSTITUTIONAL AREA
NEAR BAL BHAVAN,
NEW DELHI-110 002

... RESPONDENTS

(BY SRI. K.N. PHANINDRA, SENIOR ADVOCATE FOR
SRI CHAITANYA S.G., ADVOCATE FOR R1 AND R3;
MS. ANUBHA SRIVASTAVA, ADVOCATE FOR R4;
SRI KIRAN V. RON, ADDL. ADVOCATE GENERAL A/W
SRI MOHAMMED JAFFAR SHAH, AGA FOR R2)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF
MANDAMUS DIRECTING THE RESPONDENT NO.1 TO 2 TO REFER THE
COMPLAINTS GIVEN BY THE PETITIONER DATED 11/03/2026,
20/03/2026, 05/05/2026, 14/05/2026, 19/05/2026 PRODUCED AT
ANNEXURE-E, F, G, H, K, M, N TO CONCERN ELECTION TRIBUNALS
AS DIRECTED HON'BLE APEX COURT AND ETC.

IN W.P. NO. 15252/2026

BETWEEN:

1. HEMA KARIYAPPA GOWDA
D/O SHRI. KARIYAPPA S.M.,
AGED ABOUT FORTY NINE YEARS
ADVOCATE AND CONTESTING CANDIDATE
(SL. NO. 36), KSBC ELECTION 2026,
NO. 4, FIRST FLOOR, VASANTHAPPA BLOCK,
10TH CROSS, CBI ROAD, R.T. NAGAR,
BENGALURU - 560 032.

... PETITIONER

(BY SRI. HEMA KARIYAPPA GOWDA - PARTY IN PERSON)



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AND:

1. THE CHAIRMAN,
HIGH POWERED ELECTION COMMITTEE (HPEC),
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
 2. THE RETURNING OFFICER
HIGH POWERED ELECTION COMMITTEE (HPEC)
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
 3. THE SECRETARY,
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 021.
 4. THE SECRETARY,
BAR COUNCIL OF INDIA,
REPRESENTED BY ITS SECRETARY,
21, ROUSE AVENUE INSTITUTIONAL AREA,
NEAR BAL BHAWAN,
NEW DELHI - 110 002.
 5. THE CHAIRMAN,
CENTRAL ELECTION TRIBUNAL/
HIGH-POWERED ELECTION SUPERVISORY
COMMITTEE OF INDIA,
BAR COUNCIL OF INDIA,
21, ROUSE AVENUE INSTITUTIONAL AREA,
NEAR BAL BHAWAN, NEW DELHI-110 002.
- ... RESPONDENTS

(BY SRI. K.N. PHANINDRA, SENIOR ADVOCATE FOR
SRI CHAITANYA S.G., ADVOCATE FOR R3;
MS. ANUBHA SRIVASTAVA, ADVOCATE FOR R4;
SRI KIRAN V. RON, ADDL. ADVOCATE GENERAL A/W
SRI MOHAMMED JAFFAR SHAH, AGA FOR R1 AND R2)



THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE RESPONDENTS NOS.1 AND 2 TO REFER THE COMPLAINTS RELATING TO ELECTORAL MALPRACTICES AND IRREGULARITIES TO RESPONDENT NO. 5 TO DECIDE THE CASE ON MERITS, IN ACCORDANCE WITH LAW, BEFORE DECLARATION OF THE RESULTS OF THE KARNATAKA STATE BAR COUNCIL ELECTIONS - 2026 AND ETC.

IN W.P. NO. 17256/2026

BETWEEN:

1. RAMANA GOWDA H K
ADVOCATE
AGE 52 YRS.
AT GOGI K,
TQ: SHAHAPUR
DIST: YADGIR-585 309
MOBILE: 9632020909

... PETITIONER

(BY SRI. DANAPPA P PANIBHATE., ADVOCATE)

AND:

1. THE RETURNING OFFICER
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
2. THE CHAIRMAN,
HIGH POWERED ELECTION COMMITTEE (HPEC),
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021
3. THE SECRETARY,
KARNATAKA STATE BAR COUNCIL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 021 .



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4. THE SECRETARY,
BAR COUNCIL OF INDIA,
NO.21, ROUSE AVENUE INSTITUTIONAL AREA
NEAR BAL BHAVAN,
NEW DELHI-110 002

... RESPONDENTS

(BY SRI. K.N. PHANINDRA, SENIOR ADVOCATE FOR
SRI CHAITANYA S.G., ADVOCATE FOR R1;
SRI G. NATARAJ, ADVOCATE FOR R3;
MS. ANUBHA SREEVASTAVA, ADVOCATE FOR R4;
SRI KIRAN V. RON, ADDL. ADVOCATE GENERAL A/W
SRI MOHAMMED JAFFAR SHAH, AGA FOR R2)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA, PRAYING TO A) DIRECTING THE
RESPONDENT NO. 1 TO 2 TO REFER THE REPRESENTATION
DATED 21-05-2026, 28-05-2026, AND 06-06-2026 PRODUCED
AT ANNEXURE-B, C AND H TO CONCERN ELECTION
TRIBUNALS/COMPETENT AUTHORITY AS DIRECTED HON'BLE
APEX COURT AND ETC.

THESE PETITIONS, COMING ON FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN
AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. In W.P. No.15832/2026, the petitioner is before this

Court seeking for the following reliefs:

*a) Issue a writ of mandamus directing the
respondent No.1 to 2 to refer the complaints given
by the petitioner dated 11/03/2026, 20/03/2026,
05/05/2026, 14/05/2026, 19/05/2026 produced at
Annexure-E, F, G, H, K, M, N to concern election
Tribunals as directed Hon'ble Apex Court*



b) Issue a writ of mandamus directing the respondent No.1 and 2 to furnish complete CCTV Footages of the City civil court complex, Bengaluru from the entrance of the polling area to the exit gate on the day of election held on 11/03/2026 produced at Annexure-K.

c) Issue a writ of mandamus directing respondent No.1 to provide CCTV Footage of the counting hall from date of counting i.e 23/03/2026 till 19/05/2026 to the petitioner.

d) Issue a writ of mandamus directing the respondent No.1 to provide the soft copies of the ballot papers wherein different inks are used for marking indicating the rigging of votes to the petitioner.

e) Issue a writ of mandamus directing the respondent No.1 to provide the soft copies of the all ballot papers of the KSBC Election 2026 to the petitioner.

f) Issue a writ of mandamus directing respondent No.1 not to declare the results of the KSBC elections 2026 till all the issues regarding malpractice and rigging are satisfactorily solved.

g) Grant any other relief as this Hon'ble court deems fit in the facts and circumstances of the case including awarding costs, in the interest of justice and equity.

2. In W.P. No.15252/2026, the petitioner is before this Court seeking for the following reliefs:

i. Issue a writ of mandamus or any other appropriate writ, order, or direction directing the Respondent Nos.1 and 2 to refer the complaints relating to electoral malpractices and irregularities to Respondent No. 5 to decide the case on merits, in accordance with law, before declaration of the results of the



Karnataka State Bar Council Elections - 2026.

- ii. Issue a writ of mandamus or any other appropriate writ, order, or direction directing Respondent Nos. 5 to dispose the said transferred complaints as early as possible before declaring the results of Karnataka State Bar Council Elections - 2026.*
- iii. Issue a writ, order or direction directing Respondent Nos. 1 and 2 to furnish/provide to the Petitioner the complete CCTV Footage/videos/clippings relating to the Karnataka State Bar Council Elections 2026 held on 11.03.2026 at the Bangalore polling booth situated in the City Civil Court premises, Bengaluru, as well as all other polling booths across Karnataka, including the entire footage covering the election process from commencement till completion of polling as early as possible before declaring the results of Karnataka State Bar Council Elections 2026.*
- iv. Pass such other order or direction as this Hon'ble Court may deem fit in the interest of justice and equity.*

3. In W.P. No.17256/2026, the petitioner is before this Court seeking for the following reliefs:

- a) Issue a writ of mandamus directing the respondent No. 1 to 2 to refer the representation dated 21-05-2026, 28-05-2026, and 06-06-2026 produced at Annexure-B, C and H to concern election Tribunals/Competent Authority as directed Hon'ble Apex Court;*
- b) Issue a writ of mandamus directing the respondent No.1 to provide the soft copies of the all*



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ballot papers of the KSBC Election 2026 to the petitioner.

c) Issue a writ of mandamus directing respondent No.1 not to declare the results of the KSBC Elections 2026 till all the issues regarding malpractice and rigging are satisfactorily solved.

d) Grant any other relief as this Hon'ble court deems fit in the facts and circumstances of the case including awarding costs, in the interest of justice and equity.

4. The grievance of the petitioners in the above matters pertains to the elections conducted to the Bar Council of Karnataka on 11.03.2026 and the subsequent process of counting of votes and declaration of results. The said elections were conducted pursuant to the directions issued by the Hon'ble Supreme Court in ***M.Varadhan Vs. Union of India and Another¹*** as also the directions issued by the Bar Council of India for reconstitution of the elected body of the Bar Council of Karnataka in accordance with the provisions of the Advocates Act, 1961 and the Rules framed thereunder.
5. The petitioners, who are contesting candidates and members of the electoral roll, have approached this Court raising various grievances in relation to the conduct of the election, the counting process and the

¹ WP(Civil).No.1319/2023 dated 18.11.2025



declaration of results. According to the petitioners, certain irregularities are alleged to have occurred during the process of scrutiny, counting and tabulation of votes, affecting the fairness and transparency of the electoral process.

6. It is their contention that the election to the Bar Council is a statutory election conducted under the provisions of the Advocates Act, 1961 and the Rules framed thereunder and that the integrity of the electoral process is of paramount importance, since the elected body represents the legal fraternity of the State and discharges several statutory functions affecting advocates and the administration of justice.
7. It is in the above background that the petitioners have sought various reliefs relating to the conduct of the election, counting of votes, declaration of results and consequential actions taken by the Election Committee and the Bar Council authorities.
8. The said elections to the Bar Councils across the country are being held in pursuance of the directions which have been issued by the Hon'ble Supreme Court of India in ***M.Varadhan Vs. Union of India and Another***¹



9. The Hon'ble Supreme Court, while issuing the aforesaid directions, has comprehensively considered the various issues arising in relation to elections to the State Bar Councils across the country. The Hon'ble Supreme Court has not only prescribed the manner in which such elections are required to be conducted but has also put in place a structured mechanism for addressing grievances that may arise during the electoral process. The directions issued encompass matters relating to preparation of electoral rolls, conduct of polling, counting of votes, declaration of results and the procedure to be followed for adjudication of objections and disputes raised by voters, candidates or other stakeholders.
10. The principal submission initially advanced on behalf of the petitioners was that Rule 7 of the Bar Council of India Rules, as amended by Notification No. BCI:D:3429/2023, had not been complied with in the conduct of the election and the subsequent counting process. It was contended that the alleged non-compliance with the said Rule had materially affected the fairness and transparency of the electoral process and consequently vitiated the election proceedings.



11. It is in the aforesaid background that this Court called upon the Bar Council of India to place on record the procedure prescribed for redressal of grievances arising out of elections to the State Bar Councils and to indicate the mechanism available to candidates and voters for ventilating their grievances. The said direction was issued in view of the specific contention urged by the petitioners that the election process had suffered from procedural irregularities and that there was no effective consideration of the objections raised by them.
12. Pursuant thereto, the Bar Council of India has placed before this Court the relevant Rules, notifications and the procedure governing election disputes and grievances. The same indicates that a comprehensive statutory and regulatory framework exists for addressing complaints relating to the conduct of elections, counting of votes, scrutiny of ballots and declaration of results. The framework also contemplates adjudication of disputes through specially constituted authorities and forums under the Rules framed by the Bar Council of India.
13. It is therefore necessary for this Court to examine whether the grievances now raised by the petitioners fall within the ambit of the said statutory mechanism



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and, if so, whether the petitioners ought to be relegated to the remedy so provided or whether the facts of the present case warrant exercise of the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

14. The effect of Rule 7 was dealt with by this Court vide its order dated 10.06.2026 which reads as under:

"ORAL ORDER

1. Connect the above petition along with W.P. No.15252/2026.
2. The writ petitions contain numerous allegations pertaining to the conduct of the Bar Council elections. Significantly, Annexure-L, which is a communication issued by the Returning Officer, indicates that no fewer than sixteen complaints were received by him regarding various aspects of the electoral process.
3. Rule 7 of The Bar Council of India notification bearing No.F No.BCI:D:3429/2023 reads as under:

"7. Procedure regarding complaint/disputes. The complaint of mal or corrupt practice or violation of Code of Conduct if made during or prior to the election of State Bar Council, may be made by any Advocate or anybody to the Returning Officer who shall report the matter to the Returning Officer (R.O.) or Observer and the R.O. or the Observer (as the case may be) shall refer the matter to the Central Election Tribunal/Committee alongwith the complaint and the other decision. The complaints/Reports/Recommendations may be made online or offline or materials both. for the final

The Central Election Tribunal/Committee shall give the complainant and the candidate/member (as the case may be) an opportunity of hearing before cancelling the candidature of the candidate or before taking a final decision on the complaint. The Central Election Commission/Tribunal shall assign the reason for its



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decision. The hearings shall be made in hybrid mode depending on the convenience of the parties."

- 4. A plain reading of Rule 7 makes it abundantly clear that upon the receipt of any complaint alleging malpractice, corrupt practice, or violation of the Code of Conduct in connection with the election to a State Bar Council, the Returning Officer or the Observer is under a mandatory obligation to immediately refer the same to the Central Election Tribunal/Committee. The language employed in the Rule leaves little room for discretion in this regard. The Rule specifically provides that the Returning Officer or the Observer, as the case may be, "shall refer the matter" to the Central Election Tribunal/Committee along with the complaint and other relevant material. The use of the expression "shall" indicates that the requirement is mandatory and not merely directory.*
- 5. The scheme of Rule 7 further demonstrates that the adjudicatory function has been consciously entrusted to the Central Election Tribunal/Committee and not to the Returning Officer. The role assigned to the Returning Officer or the Observer is limited to the receipt of complaints, collection of the relevant material, and transmission of the same to the Central Election Tribunal/Committee. The Rule does not confer upon the Returning Officer any authority to undertake an adjudication of the allegations, assess their correctness, determine their merits, or render any final finding thereon.*
- 6. The reason for such a procedure is not difficult to discern. Allegations of malpractice, corrupt practice, or violation of the Code of Conduct may have a direct bearing on the fairness, transparency, and legitimacy of the electoral process. The Bar Council of India, therefore, has provided for an independent mechanism whereby such complaints are to be considered by a specialised body, namely, the Central Election Tribunal/Committee. The object appears to be to ensure that complaints affecting the electoral process are examined by a body distinct from the authorities conducting the election, thereby securing fairness, impartiality, and public confidence in the process, which examination has to be made immediately on receipt of the complaint.*
- 7. Rule 7 also incorporates the essential requirements of natural justice. Before cancelling the candidature of a candidate or before taking any final decision on a complaint, the Central Election Tribunal/Committee is*



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required to afford an opportunity of hearing to both the complainant and the candidate/member concerned. The Rule further mandates that reasons be assigned for the decision ultimately taken. Thus, the Rule contemplates not merely a mechanical consideration of complaints but a structured adjudicatory process involving notice, hearing, consideration of the material placed on record, and the rendering of a reasoned decision.

- 8. In the present case, Annexure-L discloses that as many as sixteen complaints were received by the Returning Officer. Having regard to the mandate contained in Rule 7, the receipt of such complaints necessarily attracted the obligation to place the same before the Central Election Tribunal/Committee for its consideration. Whether the allegations contained in the complaints were ultimately sustainable or otherwise is a matter falling within the exclusive domain of the Central Election Tribunal/Committee. What assumes significance is that the Rule envisages that such complaints should be subjected to scrutiny by the competent forum designated under the Bar Council of India Notification and not be dealt with in a manner inconsistent with the procedure prescribed therein.*
- 9. Prima facie, therefore, compliance with the procedure prescribed under Rule 7 assumes considerable importance, particularly in a case where multiple complaints relating to the conduct of the election were admittedly received. Since the Rule constitutes a self-contained mechanism for the examination and adjudication of election-related complaints, adherence thereto is essential for preserving the integrity of the electoral process and ensuring that all stakeholders have confidence in the fairness and legality of the election.*
- 10. The procedure prescribed under Rule 7 marks a significant departure from the principles ordinarily governing election disputes. As a general rule, courts exercising jurisdiction in electoral matters refrain from interfering with an ongoing election process. Any person aggrieved by the conduct of an election is ordinarily relegated to the remedy of an election petition after the declaration of the results. Judicial intervention during the currency of the election process is generally discouraged in order to ensure that the electoral process is not interrupted or derailed.*
- 11. Rule 7, however, provides for a distinct mechanism in relation to elections to the State Bar Councils. The Rule*



expressly contemplates the filing and consideration of complaints relating to malpractice, corrupt practice, or violation of the Code of Conduct during the course of the election itself and even prior to the declaration of the results. Such complaints are not required to await the conclusion of the election process. On the contrary, the Rule mandates their immediate consideration by the Central Election Tribunal/Committee.

- 12. This assumes considerable significance because the consequence contemplated under Rule 7 is not merely the setting aside of an election after the declaration of results, which is the remedy commonly available under election laws. The Rule empowers the Central Election Tribunal/Committee to cancel the candidature of a candidate upon consideration of the complaint and after affording an opportunity of hearing to the concerned parties. The object of the Rule is therefore preventive as much as corrective. The intention appears to be to preserve the purity of the electoral process by addressing allegations of malpractice at the earliest possible stage rather than postponing their consideration until after the election has concluded.*
- 13. The timing of such cancellation may itself have substantial electoral consequences. If the candidature is cancelled prior to the conduct of polling, the candidate's name would necessarily stand excluded from the ballot and the electorate would not have the opportunity to cast votes in favour of such a candidate. On the other hand, if the candidature is cancelled after polling but before the declaration of results, the votes cast in favour of the disqualified candidate cannot simply be ignored. The consequences of such cancellation would have to be worked out in accordance with the electoral system governing elections to the State Bar Council.*
- 14. Elections to the State Bar Council are not elections to a single office or post. They are elections to a representative body comprising multiple members. The electoral process is based upon a system of preferential voting, and the successful candidates are determined through successive rounds of counting and elimination. In such a system, every preference expressed by a voter assumes significance, and the exclusion of a candidate at any stage may materially affect the electoral prospects of all remaining candidates.*
- 15. Consequently, where the candidature of a candidate is cancelled after polling, the votes polled in favour of such*



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candidate cannot be viewed in isolation. The elimination of that candidate from the electoral contest would necessarily require the redistribution or transfer of the preferences expressed in those ballot papers in accordance with the prescribed counting methodology. Such redistribution may directly influence the order of elimination, the transfer of preferences and, ultimately, the determination of the candidates who secure election to the Council.

- 16. The consequences become even more significant if the cancellation of candidature occurs after the commencement of the counting process. In a system founded upon successive rounds of elimination and transfer of preferences, the exclusion of a candidate during counting would have a cascading effect on the entire electoral exercise. The candidate would stand excluded from the contest altogether, requiring the counting process to be revisited from the stage at which such candidate ought to have been eliminated, which is at the stage of polling. The votes polled in favour of that candidate and the consequential transfers of preferences would require to be reworked in accordance with the applicable rules. Such an exercise may necessitate a complete recount and a fresh redistribution of preferences amongst the remaining candidates.*
- 17. This is not a matter of mere arithmetic. The process would require a fresh application of the statutory counting methodology at every stage of elimination and transfer of preferences. The administrative burden involved is substantial. The present election itself illustrates the complexity of the process. Though polling has already concluded in April 2026, the counting process is stated to be continuing several months thereafter and is still not completed as on date. If a candidature were to be cancelled at this stage, the inevitable consequence would be a recount after excluding the candidate concerned and a fresh determination of the transfer of preferences. Such an exercise would not only consume considerable time and resources but may also materially alter the position of several candidates in the order of elimination and eventual selection.*
- 18. It is therefore evident that a decision under Rule 7 is capable of producing consequences extending far beyond the individual candidate against whom the complaint is made. The cancellation of a candidature may alter the entire matrix of vote distribution and preference transfers and thereby impact the electoral prospects of several*



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other candidates. It is precisely for this reason that Rule 7 entrusts the decision-making function to the Central Election Tribunal/Committee, incorporates the requirements of natural justice, and mandates the recording of reasons. Given the far-reaching ramifications that may flow from the cancellation of a candidature, strict adherence to the procedure prescribed under Rule 7 assumes critical importance and cannot be treated as a mere procedural formality.

- 19. The legislative intent underlying Rule 7 appears to be that complaints relating to malpractice, corrupt practice or violation of the Code of Conduct should be addressed with expedition so that questions relating to the eligibility or continuance of a candidature are resolved at the earliest possible stage. Failure to do so may result in serious complications during or after the counting process, affecting not only the candidate against whom the complaint is made but potentially the entire electoral outcome itself.*
- 20. In the present matter, the first aspect which requires consideration is whether the complaints admittedly received by the Returning Officer were, in fact, forwarded to the Central Election Tribunal/Committee in terms of Rule 7. If such forwarding has taken place, it would further be necessary to ascertain the action taken thereon by the Central Election Tribunal/Committee. Annexure-L merely records the receipt of the complaints and does not disclose whether they were transmitted to the Central Election Tribunal/Committee. Neither has any material been placed before this Court indicating that the Central Election Tribunal/Committee has considered the complaints or taken any decision thereon. In the absence of such material, this Court is unable, at this stage, to ascertain whether the procedure prescribed under Rule 7 has been duly complied with.*
- 21. It is relevant to note that a similar situation arose in relation to the elections to the Bar Council of Delhi, where complaints concerning the electoral process had been raised. The matter came to be considered by the Hon'ble Supreme Court and with the consent of the parties, the Hon'ble Supreme Court entrusted the adjudication of the disputes to a Division Bench of the High Court of Delhi by requesting the Hon'ble Chief Justice of the High Court of Delhi to constitute an appropriate Special Bench for that purpose. The Hon'ble Supreme Court, while doing so, directed that the counting of the ballot papers be kept in abeyance, while reserving liberty to all parties to raise*



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their respective contentions before the forum designated for adjudication.

22. The aforesaid course of action underscores the importance of ensuring that complaints affecting the integrity of the electoral process are examined and adjudicated before the election results attain finality. Having regard to the serious nature of the allegations raised in the present petitions, the receipt of multiple complaints as reflected in Annexure-L, and the apparent absence of material demonstrating compliance with Rule 7, this Court is of the prima facie view that appropriate interim measures may be required to safeguard the sanctity of the electoral process and preserve the rights and contentions of all concerned parties.

23. However, before any such order is passed, this Court deems it appropriate, in the interests of fairness, to afford a further opportunity to the Returning Officer and the concerned authorities to place on record the steps taken pursuant to the complaints received. In particular, they shall indicate whether the complaints referred to in Annexure-L were forwarded to the Central Election Tribunal/Committee, the dates on which such forwarding was made, and the action, if any, taken by the Central Election Tribunal/Committee thereon. The said exercise shall not be confined merely to the complaints referred to by the petitioners but shall also encompass any other complaints received by the Returning Officer in relation to the conduct of the election.

24. Respondent Nos.1 and 2, as also respondent No.4, are directed to file their respective statements of objections setting out their stand in the matter. The response of respondent No.4 assumes particular significance, having regard to the fact that the issues raised in the present proceedings concern the conduct of elections to a statutory body governing the legal profession and directly impinge upon the integrity of the institutional framework established for the regulation of advocates.

25. Learned counsel appearing for respondent No.4, the Bar Council of India, shall also place on record the complete mechanism envisaged under the applicable Rules and Notifications as also relevant judgements and directions issued by the Hon'ble Supreme Court for the resolution of election-related complaints and disputes. The Bar Council of India shall specifically indicate the hierarchy of authorities involved, the respective functions of the Returning Officer, Observer, Central Election



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Tribunal/Committee and any other authority concerned, the procedure to be followed at each stage, and the time frame within which action is required to be taken on complaints received during the electoral process. Such information would assist the Court in determining whether the statutory framework has been adhered to in the present case and whether any further directions are warranted.

26. *At the request of all counsels, relist on **12.06.2026 at 2.30 pm.***

27. *In the unlikely event of the counting being completed, the results shall be subject to the result of the above petitions.*

28. *Hand delivery ordered."*

15. Smt. Anubha Srivastava, learned counsel for the Bar Council of India had filed an affidavit of the Additional Secretary of the Bar Council of India, categorically stating that it is the directions issued by the Hon'ble Apex Court read with Rule 7, which are required to be followed harmoniously and there is no conflict between the rule or the directions. This was dealt with by this Court vide its order dated 12.06.2026, which is reproduced hereunder for easy reference.

"ORAL ORDER

1. *Smt. Anubha Srivastava, learned counsel for the Bar Council of India has filed a memo enclosing a photocopy of the counter affidavit filed by the Additional Secretary of the Bar Council of India. She submits that this was received by her on email. The original is awaited to be received.*
2. *Considering the urgency of the matter, the said printout of the scanned copy of the affidavit received by her is taken into consideration.*
3. *On a reading of the said affidavit, it is seen that the elections to the Bar Councils of various States are*



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*being held in terms of the directions issued by the Hon'ble Supreme Court of India in the case of **M.Varadhan vs. Union of India & anr.**, In the said matter, directions had been issued by the Hon'ble Supreme Court, mandating the manner of conduct of election and the authorities to deal with various aspects.*

4. *A perusal of the affidavit and as per the submissions of Smt.Anubha Srivastava, it is submitted that Rule 7 of Bar Council of India Rules and the directions issued by the Hon'ble Supreme Court are harmonious to each other and they have to be read together.*
5. *Smt.Anubha Srivastava, learned counsel for Bar Council of India submits that:*
 - 5.1.*Whenever any complaint is received by Returning Officer, it is required to immediately forward it to the High-Powered Election Committee of that respective States. The High-Powered Election Committee is required to consider all the objections which are forwarded and pass necessary orders in terms of Rule 7 of the Bar Council of India Rules.*
 - 5.2.*Her submission is that if any person is aggrieved by the orders passed by the High-Powered Election Committee, the next stage of grievance redressal is before the High-Powered Election Supervisory Committee and thereafter to the Tribunal.*
 - 5.3.*Her submission is that if the grievances still persist, then the candidate would have to approach the Hon'ble Supreme Court of India so long as the grievances are during the conduct of election and prior to the announcement of results. After the announcement of results, she submits that it will be Central Election Tribunal, which would have to consider any grievance filed before it on the declaration of results.*
6. *The above hierarchy of settlement of grievance is required to be followed by all concerned including the candidates, Returning Officer, Committee, so established. In the present matter, the complaints have been filed by the candidates to the Returning Officer, the same are stated to be forwarded by the*



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Returning Officer to the High-Powered Election Committee.

7. *Sri K. N. Phanindra, learned Senior counsel submits that the complaints have been forwarded to the Returning Officer.*
8. *Sri Kiran V.Rohn, learned counsel who appears for the High-Powered Election Committee, submits that many of those complaints have already been considered and orders passed after hearing the concerned candidate.*
9. *In that view of the matter, Sri. K. N. Phanindra, learned Senior counsel is directed to place on record the total number of complaints received with the copies of the complaints and the forwardal orders to the High-Powered Election committee.*
10. *Sri Kiran V.Rohn, learned counsel appearing for the High-Powered Election committee is directed to place on record the orders passed on each of the complaints with copy of the orders as also to place on record the matters where orders are yet to be passed. In respect of complaints filed by the petitioners, the copies of the orders to also be furnished to the respective petitioners.*
11. *If the petitioners are aggrieved by any order passed by the High-Powered Election Committee, they would always have recourse to the Supervisory Committee.*
12. *The Petitioner - Party-in-person in W.P.No.15252/2026 submits that this Court can intervene and stay the counting as also declaration of elections. The Hon'ble Apex Court has categorically held that no Civil Court or High Court shall interfere in the matter. Hence, the request made by the petitioner is rejected. Memo filed by the said party-in-person is taken on record.*
13. *For placing the above documents on record, relist on **15.06.2026 at 2.30 p.m.**"*
16. Certain allegations having been made by the petitioners that the complaints submitted by them had not been forwarded by the Returning Officer to the High Powered Election Committee (HPEC), this



Court had called upon the Returning Officer to place on record the particulars of all complaints received and the action taken thereon.

17. Pursuant thereto, a statement has been filed by the Returning Officer indicating that a total of 40 complaints were received. Out of the said complaints, 27 complaints had already been forwarded to the HPEC for consideration and the remaining complaints were under consideration by the Returning Officer for being placed before the HPEC.
18. The HPEC has also filed an affidavit through its Co-ordinator indicating that 29 complaints had been received by it, that orders had been passed thereon and that the orders so passed had been dispatched to the respective complainants at the addresses furnished by them in their complaints. It is further stated that any person aggrieved by the orders passed by the HPEC would have the benefit of the appellate remedy before the High Powered Election Supervisory Committee in terms of the mechanism evolved pursuant to the directions of the Hon'ble Supreme Court.



19. At this stage, the petitioners appearing in person in W.P.No.15832/2026 and W.P.No.15252/2026 submitted that some of the complaints lodged by them had not been reflected in the statement filed by the Returning Officer and that copies of the orders allegedly passed by the HPEC had not been furnished to them.
20. In response thereto, Sri K.N. Phanindra, learned Senior Counsel, submitted that all complaints received by the Returning Officer had been duly accounted for in the statement placed before this Court. He, however, fairly submitted that if any complaint submitted by the petitioners had inadvertently not been reflected in the statement and copies thereof were furnished by the petitioners, the same would be forwarded to the HPEC for consideration.
21. The In-charge Secretary of the Karnataka State Bar Council has also placed on record a further statement indicating that an additional 11 complaints, which were pending before the Returning Officer, had been forwarded to the HPEC on 15.06.2026. The said statement further indicates that no complaint remains pending consideration before the Returning Officer.



22. Notwithstanding the same, the petitioners appearing in person contended that there were certain additional complaints which had still not been reflected in either of the statements placed before this Court.
23. Sri K.N. Phanindra, learned Senior Counsel, once again fairly submitted that if any complaint is not reflected in either of the statements filed before this Court and if copies thereof are furnished by the petitioners, the same shall also be placed before the HPEC for consideration in accordance with law.
24. Recording the said submission, liberty is reserved to the petitioners to furnish copies of any complaint which does not find place in either of the statements filed before this Court. Such complaints shall be furnished to the Returning Officer on or before the end of the day on 18.06.2026. It is made clear that no further complaints shall be entertained by the Returning Officer after the said date.
25. Sri Kiran Rohn, learned counsel appearing for the HPEC, submits that all complaints received by the HPEC have been considered and appropriate orders have been passed thereon. Insofar as the additional 11 complaints recently forwarded by the Returning



Officer are concerned, he submits that the same shall also be considered expeditiously and appropriate orders passed thereon in accordance with law.

26. Learned counsel further submits that the orders passed by the HPEC shall be communicated to the complainants by Registered Post at the addresses furnished in their respective complaints so as to enable them to avail such remedies as may be available in law.
27. Insofar as the grievance of the petitioners that copies of the orders passed on their earlier complaints have not been furnished to them is concerned, Sri Kiran Rohn fairly submitted that if the petitioners approach the Co-ordinator of the HPEC at 4.00 p.m. on 17.06.2026, copies of the orders passed on their respective complaints shall be furnished to them under acknowledgment.
28. The issue which this Court was required to examine in the present proceedings was a limited one, namely, whether the grievance-redressal mechanism contemplated by the directions of the Hon'ble Supreme Court and Rule 7 of the Bar Council of India Rules bearing Notification No. BCI:D:3429/2023 had been operationalised and was being effectively



implemented. This Court was not called upon, nor would it be appropriate at this stage, to adjudicate upon the merits of the individual election-related complaints raised by the petitioners.

29. The material now placed before this Court indicates substantial compliance with the directions issued by the Hon'ble Supreme Court. The Returning Officer has forwarded the complaints received by him to the HPEC. The HPEC has considered the complaints received by it and has passed orders thereon. Insofar as the complaints which may not have been reflected in the statements are concerned, an opportunity has been granted to the petitioners to place copies thereof before the Returning Officer, who has undertaken to forward the same to the HPEC. Thus, the grievance-redressal framework contemplated by the Hon'ble Supreme Court has been set in motion and is operational.
30. Once a specialised election dispute resolution mechanism has been created pursuant to the directions of the Hon'ble Supreme Court, this Court would refrain from bypassing such mechanism and undertaking an examination of individual election disputes in exercise of its jurisdiction under Article 226 of the Constitution of India. The petitioners must



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first avail the remedies specifically provided under the framework formulated by the Hon'ble Supreme Court.

31. In terms of the order dated 18.11.2025 passed by the Hon'ble Supreme Court in **M. Varadhan's case**, any person aggrieved by the decision of the HPEC has the remedy of approaching the High Powered Election Supervisory Committee before declaration of the election results. Thereafter, upon declaration of the results, the election dispute mechanism before the Central Election Tribunal becomes available.
32. In view of the aforesaid subsequent developments and the substantial compliance now demonstrated with the grievance-redressal mechanism contemplated by the Hon'ble Supreme Court and the Bar Council of India Rules, this Court is of the considered opinion that no further orders are required to be passed in the present proceedings.
33. Sri K.N. Phanindra, learned Senior Counsel, further submits that all video recordings relating to the polling process, counting process and other election-related activities have been preserved and kept in sealed cover in the safe custody of the Secretary of the Karnataka State Bar Council. He submits that the



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same shall be produced before the High Powered Election Supervisory Committee, the Central Election Tribunal or any other competent authority if called upon to do so.

34. The aforesaid statement sufficiently addresses the grievance expressed by the petitioners regarding preservation and production of the video recordings. The statement is accordingly placed on record.
35. Liberty is therefore reserved to the petitioners to avail all remedies available to them before the High Powered Election Supervisory Committee, the Central Election Tribunal or such other authorities as may be permissible in law. It is made clear that this court has not expressed any opinion on the contentions raised. All contentions of the parties on merits are expressly kept open.
36. The petitions are accordingly **disposed of**.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

KTY/List No.: 2 Sl No.: 4