

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.883 of 2015 (O&M)

Date of Decision: July 17, 2015

Rahul Tanwar

.....Appellant

versus

Bar Council of Punjab and Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Sanjay Kaushal, Senior Advocate, with
Mr.A.P.Setia, Advocate, for the appellant.
Mr.Sukhwinder Singh, Advocate, for respondent No.1.
Mr.Jitender Dhanda, Advocate,
for respondent Nos.2 to 8 and 10.
Mr.Sudershan Goel, Advocate,
Mr.Rahul Jain, Advocate and
Ms.Rupinder Kaur, Advocate, for respondent No.9.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The instant letters patent appeal is directed against the order dated 28.05.2015 whereby learned Single Judge while issuing notice of motion in the writ petition filed by the appellant, has declined the ad-interim stay.

When this appeal came up for hearing before the Vacation Bench on 04.06.2015, Bar Council of Punjab and Haryana was directed to look into the grievance of the appellant as contained in the letter dated 21.05.2015 and take an appropriate decision keeping in view the judgment of the Hon'ble Supreme Court. The decision was expected to be

taken by Bar Council within a period of two weeks.

We have heard learned counsel for the parties and gone through the order passed by the Hon'ble Supreme Court on 08.07.2015 in S.L.P. (Civil) No.15918 of 2015. It appears to us from the spirit of that order that the whole issue as to how the elections of Bar Associations are required to be conducted would largely depend upon the final outcome of CWP Nos.5232 of 2015, 6047 of 2015 and other connected cases pending in this Court.

Since the Hon'ble Supreme Court has desired that the above-stated cases be decided within a period of 30 days, i.e., before 07.08.2015, we request the Bench where CWP No.5232 of 2015 is listed, to take up that lead case for final adjudication. Registry is directed to tag CWP No.6047 of 2015 or other writ petitions including the one filed by the appellant, i.e., CWP No.11212 of 2015 alongwith the lead case, i.e., CWP No.5232 of 2015 so as to avoid conflicting orders.

The other effect of the order dated 08.07.2015 passed by the Hon'ble Supreme Court is that the interim order dated 28.05.2015 of the learned Single Judge has to be set-aside to the extent it declines interim stay. The said order is thus modified and let the aforesaid writ petition be, after notice of motion, heard alongwith CWP No.5232 of 2015. The appellant shall be at liberty to seek appropriate interim relief in the light of the spirit of the previous orders passed by this court read with the order dated 08.07.2015 passed by the Apex Court.

We are, however, surprised to know that the Bar Council of Punjab and Haryana has yet not complied with the directions contained in the order dated 04.06.2015. Its learned

counsel seeks one week's time to do the needful. As of now, we would advise the Bar Council to give effect to the order dated 04.06.2015 and submit the compliance report.

With these directions, the appeal stands disposed of.

Dasti.

**(SURYA KANT)
JUDGE**

July 17, 2015
mohinder

**(P.B.BAJANTHRI)
JUDGE**

105 CM No.2200 of 2015 in
LPA No.883 of 2015

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Rahul Tanwar versus Bar Council of Punjab & Haryana and
others

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for respondent Nos.2 to 8 and 10.
Mr.Sudershan Goel, Advocate,
Mr.Rahul Jain, Advocate, and
Ms.Rupinder Kaur, Advocate,
for the applicant-respondent No.9.

* * *

For the reasons mentioned in the application, the
same is allowed subject to all just exceptions and written
statement filed by respondent No.9 is taken on record.

CM stands disposed of.

(SURYA KANT)
JUDGE

July 17, 2015
mohinder

(P.B.BAJANTHRI)
JUDGE