

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6544 of 2014

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Kiran Kumari, D/o Deo Narayan Yadav, Resident of Village- Khojuri, P.S. Saurbazar, District - Saharsa At Present Residing With C/o Sri Shiv Shankar Yadav, at Village - Purani Sahibganj, P.S. Sahibganj (Town), District - Sahibganj (Jharkhand).

.... Petitioner/s

Versus

1. The Bihar State Bar Council Patna through it's Chairman.
2. The Secretary, Bihar State Bar Council, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	
For the Bar Council	:	Mr. Rajendra Prasad Singh, Sr. Advocate Mr. Shantanu Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-12-2016

Heard learned counsel for the petitioner, and Mr. Rajendra Prasad Singh, learned senior counsel assisted by Mr. Shantanu Kumar, learned counsel for the Bihar State Bar Council.

The petitioner has moved the Court seeking a direction to the Bihar State Bar Council to issue enrollment certificate in her favour for which she has also applied on 23.01.2012.

The petitioner passed her Intermediate and took admission in Ram Deo Singh Yadav Law College, Munger in the year 1996 in the five years LLB degree course. After two years, she abandoned the course and thereafter she took admission in Vishwanath Singh Institute Legal Studies (though referred to as Vishwanath Singh Law College, Munger) in the year 2008 in the



three years LLB course and thereafter completed the course and applied to the Bihar State Bar Council for her enrollment as an advocate. The same has not been granted till date by the Bihar State Bar Council resulting in the petitioner moving the Court in the present writ application.

From the counter affidavit filed today, the stand is that Ram Deo Singh Yadav Law College, Munger was never recognized by the Bar Council of India for the LLB five years degree course, though in the year 1994, it was recognized for the three years LLB course, but only till 1996-97. Vishwanath Singh Institute of Legal Studies, which was established in the year 1992, is recognized by the Bar Council of India for imparting legal education for three years LLB course and affiliation is still continuing. The stand is that Ram Deo Singh Yadav Law College, Munger, from where the petitioner has done the two years initial law was neither recognized for such law course, and in any view of the matter, could not have formed the basis of joining in the three years law course in Vishwanath Singh Institute of Legal Studies, since, for the said three years course, the minimum requirement is of Graduation and the two years of studies done by the petitioner in Ram Deo Singh Yadav Law College, Munger did not satisfy such requirement.

Based on the same, learned counsel submitted that



the certificate obtained by the petitioner cannot be approved for her being enrolled. Though copy of the counter affidavit has been served on learned counsel for the petitioner on 28.11.2016, there is no rejoinder to the same.

For the reasons aforesaid, the Court does not find any occasion to interfere in the matter and the stand taken by the Bihar State Bar Council appears to be justified, both in law as well as on facts.

Accordingly, the writ application stands dismissed.

However, before parting, the Court would require the Bar Council of India to enquire as to how the petitioner was allowed admission in Vishwanath Singh Institute of Legal Studies without possessing the minimum qualification and take appropriate action, for maintaining the sanctity and standard of the legal profession.

Registry shall communicate the order to the Bar Council of India forthwith.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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