

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1209 OF 2015
IN
WRIT PETITION NO.10919 OF 2014**

Mr. Shashank C. Thatte & Ors.Applicants

In the matter between

Parasmal U. JainPetitioner

V/s

Bar Council of Maharashtra & GoaRespondents.

Mr. G. Vishwanatha alongwith Mr. Ranjit Agashe for the Applicants.

Mr. Parasmal Jain – original Petitioner, present.

Mr. Sudam Kale for Bar Council of Maharashtra & Goa.

**CORAM: V. M. KANADE &
M.S. SONAK, JJ.**

**DATE: 9th February, 2016
(In Chamber at 2.35 P.M.)**

P.C.:-

1. By this Review Application, Applicants seek review of the orders passed by this Court dated 5th and 19th December, 2014.

2. Grievance of the Applicants is that without making the Applicants as party-respondents and by suppressing material facts, the original Petitioner has obtained these orders from this Court. It is submitted that it is well settled principle of law that no order which affects rights of the parties should be passed without giving them hearing. It is therefore submitted that the said orders may be recalled.

3. On the other hand, the learned Counsel appearing on behalf of the Bar Council of Maharashtra submitted that this Review Application has become infructuous since the Bar Council Proceedings which were initiated were dismissed and the order was passed in favour of the Applicants. Secondly, it is submitted that no adverse order was passed against the Applicants and therefore no case is made out for recalling the said orders.

4. We have perused the impugned orders. By the said orders, we had merely directed the Bar Council of Maharashtra to expeditiously decide the complaint which was pending before it. In the order dated 5th December, 2014 itself, we have noted that pending proceedings are expedited and therefore we felt that it was not necessary to serve the Respondent or give personal hearing. Therefore, no prejudice is caused to the Applicants herein by not making them as party-respondents or giving them notice

before the impugned orders were passed. Secondly, on account of directions given by this Court, Bar Council of Maharashtra heard the disciplinary proceedings and the review Applicants were exonerated from the charges which were levelled against them.

5. Hence, we do not find any substance in the submissions made by the learned Counsel appearing on behalf of the Applicants. Review Application is dismissed.

(M.S. SONAK, J.)

(V.M. KANADE, J.)