

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO. 52 OF 2015

Bombay Lawyers' Association

...Petitioner

Versus

Union of India & Ors.

...Respondents

Mr. Satyaprakash Sharma, a/w Mr. Ashok Asthane, i/b Abdi & Co.,
for the Petitioner.

Mrs. Neeta Masurkar, for Respondent No. 1.

Mr. Amitkumar D. Sale, for Respondent No. 2.

Mr. M.D. Naik, AGP for Respondent No. 3.

Mr. Sudam Kale, for Respondent No. 4.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 5th July 2016

P.C. :

1 . Learned Counsel appearing for the Bar Council of India on instructions of Mr. Pandey, Joint Secretary states that in terms of letter dated 4th February 2016 addressed to the Bar Council by the Ministry of Law and Justice, appropriate decision will be taken by the Bar Council within a period of six weeks from today.

2. We accept the said statement. Prayer (a) of this Public Interest Litigation reads thus:-

“This Hon'ble Court be pleased to issue appropriate writ or direction or order to the Respondent No. 1 to consider 30% reservation of women advocates in Respondent No. 2 and 4 and Bar Associations.”

3. As far as the prayers sought against the Bar Council of Maharashtra and Goa as well as Bar Associations are concerned, we are unable to issue any direction. For grant of relief against the Union of India, amendment of the Advocate Act, 1961 will be necessary. In a Public Interest Litigation, Writ Court cannot issue a direction to the Legislature to amend the laws in a particular manner. As far as direction to the Bar Associations is concerned, no writ can be issued against the Bar Associations. By accepting the statement made by the learned Counsel appearing for the Bar Council of India, we dispose of this Petition. The decision taken by the Bar Council of India be communicated to the Petitioner.

[A.A. SAYED, J.]

[A.S. OKA, J.]