

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No.15286 of 2006

Dt:26.02.2016

Between:

Ch.Siva Reddy.

... Petitioner

And

Bar Council of State of A.P.

... Respondent

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No. 15286 of 2006

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ORDER:

Heard learned counsel for the parties.

The petitioner is an Advocate, who had applied for a membership of A.P. Advocates Welfare Fund on 07.12.2005. His application was rejected on the basis of the amendment of Section 15 of the Advocates Welfare Fund Act, 1987 (Act 1 of 2006), which was brought in force on 16.01.2006.

Mr.T.Balaji, learned counsel for the petitioner, submits that the Welfare Fund Committee while rejecting his application vide order, dated 24.03.2006, did not take into consideration that the amendment was prospective and since his application was filed before the date of amendment, he was eligible for becoming a member of A.P. Advocates Welfare Fund.

Smt.S.Nanda, learned counsel appearing for the Bar Council, fairly submits that the Bar Council shall consider the petitioner's application afresh.

In the circumstances, I dispose of this writ petition with the following order:

"The order, dated 24.03.2006, passed by the Welfare Fund Committee is set aside. The petitioner's application, dated

07.12.2005, is restored to file. The Welfare Fund Committee shall consider the petitioner's application afresh, as expeditiously as possible and preferably within three months from the date of receipt of this order. The petitioner is directed to place this order before the Secretary of the Bar Council within ten days from today. The Welfare Fund Committee while considering the application of the petitioner, having regard to the fact that it had earlier rejected his application, shall grant him an opportunity of hearing.

Consequently, miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, ACJ

Dt:26.02.2016
kdl

