

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER (ST.) NO. 30964 OF 2017
WITH
CIVIL APPLICATION (ST.) NO. 30966 OF 2017**

Abdul Rehman Mehdi Raja Bally & Anr. ... Appellants/Applicants
Vs.

Bombay City Civil & Sessions Court
Bar Association & Ors. ... Respondents

Mr. A.M. Saraogi, Advocate for the appellants/applicants.

Mr. S. Murthy a/w. Mr. Deepak Pawar, Advocate for respondent nos.
1 to 11.

Mr. Jagdish Shetty, Advocate for respondent No. 12.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 15th December, 2017.

P.C.:

Admit. By consent, the Appeal is taken up for final hearing and decided at the stage of admission.

2. Unfortunately by this Appeal from Order, the Advocate members of the Bar Association of City Civil Court, Mumbai have taken their internal disputes to Court. Some members want to keep their briefs in the Bar Association and the Managing Committee of the City Civil Court have opposed on the ground of cleanliness. Therefore, they were asked to remove the briefs. Notice of Motion filed by two members of the Bar Association in their suit is dismissed

by a reasoned order dated 11th October, 2017 passed by the learned Judge of the City Civil Court, Mumbai. With a view to give opportunity to the members of the Bar Association to solve their dispute amicably, I requested the learned Principal Judge of the City Civil Court to call the members of the Bar Association and to inspect the premises of the Bar Association and prepare report. Accordingly, he submitted the report dated 24th November, 2017.

3. The learned counsel Mr. Saraogi for the appellants has submitted that he has taken out the praecipe for clarification of the report to the Principal Judge of City Civil Court and raised many queries, however, the erstwhile Principal Judge of City Civil Court is now transferred.

4. The learned counsel Mr. Murthy for respondent nos. 1 to 11 has submitted that the Bar Association of City Civil Court is not registered, however, it is recognized by the Bar Council of Maharashtra.

5. After hearing the submissions of learned counsel for the appellant and the learned counsel for the respondents, I am of the

view that this issue is to be settled on the administrative side, as no person can claim any possession or any right in any manner in the Court premises and the Principal Judge or the Chief Judge of any Court is having complete control over each and every Court premises. In view of this, the order dated 11th October, 2017 passed by the learned Judge of the City Civil Court, Greater Bombay is hereby maintained. The learned Principal Judge of the City Civil Court is requested to look into this matter and may seek guidance, if required, of the Hon'ble Guardian Judges of the City Civil Court.

6. With this, Appeal from Order is dismissed.

7. In view of dismissal of Appeal from Order, Civil Application does not survive and the same is also accordingly disposed of.

(MRIDULA BHATKAR, J.)