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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L)NO. 1483 OF 2018**

Uday Prakash Warunjikar

...Petitioner

V/s.

Bar Council of India & Ors.

...Respondents

.....

Mr. Nitesh Bhutekar for the Petitioner.

Mr. Jagdish Mali a/w. Mr. Saiprasad Mahadik i/b.Mr. Makarand Bakore for
Respondent nos. 2 to 6.

.....

CORAM : A. K. MENON &

SMT. BHARATI H. DANGRE, JJ.

(VACATION COURT)

DATE : 9TH MAY, 2018

P.C.

1. This petition challenges a communication dated 17th April, 2018 at Exhibit E by which the Bar Council of Maharashtra & Goa has referred a complaint received against the petitioner for detailed adjudication to the Election Tribunal No. 1 constituted by the Bar Council of India.

2. The grievance of the petitioner is that prior to the complaint being so referred he was not given an opportunity of being heard, while at the same time in a complaint filed by the petitioner against complainant/respondent no. 7 both sides were heard. Furthermore the petitioner has made a grievance that copy of the complaint filed by respondent no.7 has till date not been provided to

the petitioner.

3. At the hearing today, the learned counsel of the respondent no. 2 states that a copy of the complaint has been provided to the petitioner today and that the respondent concerned will now grant a hearing to the petitioner after issuing a fresh show cause notice. It is further stated that the reference made to the Election Tribunal No.1 vide letter dated 17th April, 2018 will now stand withdrawn on the advice of the state Bar Council.

4. In the circumstances, we find that the petition can be disposed of finally with the following directions :

(i) Fresh show cause notice, if any, issued to the petitioner will be heard after the petitioner files a reply. Reply, if any, to be filed within one week of such show cause notice being served upon the petitioner.

(ii) In view of the statement made by the counsel for the respondent no. 2 to 6 today the Election tribunal of the Bar Council of India shall not act upon the reference made to it vide reference 17th April, 2018.

(iii) Petition disposed of in the above terms.

(SMT.BHARATI H.DANGRE, J.)

(A. K. MENON, J.)