R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2262 OF 2018

Naveen Kumar Sharma .. Petitioner

Versus

Bar Council of Maharashtra & Goa & Anr. .. Respondents

.....

- Mr. Naveen Kumar Sharma, the Petitioner-in-Person
- None present for the Respondents

.....

CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : JULY 16, 2019.

P.C.:

1. The petitioner is an Advocate. He has made a written complaint to the Bar Council making allegations of misconduct against respondent No. 3 who happened to be representing the wife of the petitioner in matrimonial proceedings. For the present, we are not concerned with the allegations of the petitioner in such letter which was registered as Disciplinary Case No. 172 of 2016. Respondent No. 2 passed an order on 27.10.2017 and dismissed the complaint without referring it to the Disciplinary Committee on the ground that the petitioner had not made out any

prima facie case against the said respondent No.3. The petitioner had thereafter filed an application dated 16.11.2017 to the Bar Council contending that on the date of the hearing, he was suffering from Dengue and was admitted in hospital; he therefore could not participate in the proceedings. The proceedings were closed without hearing. Since there was no response to this communication, the petitioner has filed this petition.

2. At the first instance, we would request respondent No. 2 herein to take into account the petitioner's said communication dated 16.11.2017. If the petitioner has made out sufficient ground for non participation in the proceedings due to unavoidable reasons, we are sure respondent No. 2 shall grant said hearing to the petitioner. In any case, he shall pass an order disposing off the said request of the petitioner expeditiously.

3. In the present proceedings, we have not examined the petitioner's allegation of malafides against respondent No. 2

4. With these observations, petition is disposed of.

[S.J. KATHAWALLA, J.] **[AKIL KURESHI, J]**