

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 25327 of 2021 (O&M)

Date of decision:- 15.12.2021

Rikhi Ram and others

.....Petitioners

Versus

Bar Council of Punjab and Haryana at Chandigarh and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Shalender Mohan, Advocate, for the petitioners.
Mr. Keshav Partap Singh, Advocate, for respondent No.1.
(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioners assailing an order dated 06.12.2021 passed by respondent No.1, whereby their representation for not debarring them from voting in the election of District Bar Association, Hansi, District Hisar on the ground of delayed payment of dues/subscriptions has been rejected by Bar Council of Punjab and Haryana at Chandigarh.

Learned counsel for the petitioners submits that the executive of District Bar Association, Hansi has the power to modify the election programme/schedule notified by the State Bar Council vide communication dated 28.10.2021 (Annexure P-1) under the byelaws of the Association. Therefore, he submits that the last date to clear the dues or subscriptions by the members of the Bar Association could always be extended. It is urged that Bar Council itself had granted similar extensions to the other Bar Associations in the past. He submits that these aspects though raised were not considered by the Bar Council while passing the impugned order dated 06.12.2021.

Per-contra, learned counsel for respondent No.1 (Bar Council) submits that the petitioners had cleared the subscriptions/dues much after the last date prescribed in this regard vide notification (Annexure P-1). Rather, he asserts that few of the petitioners even obtained the law degrees after 03.11.2021 (i.e. the last date fixed to clear the dues). Therefore, he submits that the grievance being expressed by the petitioners was wholly misconceived. He, however, concedes that these aspects have not been mentioned in the impugned order nor it has been explained if the Bar Council had extended the benefit in extending the last date to submit the dues qua the other Bar Associations. It is urged that time being the essence, the Bar Council would pass a fresh order taking into consideration every possible aspect within a day.

In view of the aforesaid facts and circumstances and without commenting upon the merits of the case and in view of the statement made by learned counsel for respondent No.1, the petition is disposed of directing respondent No.1 to pass a fresh order in the matter within a day, as stated by learned counsel for respondent No.1. As agreed, the petitioners shall be free to even appear personally before the Bar Council, if so advised, on 16.12.2021 at 10.00 A.M. qua their concerns/grievances.

With these observations, the petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.12.2021
ravinder

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No