

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

104+227

**CM-14136-CWP-2022 AND
CM-14137-CWP-2022 IN/AND
CWP-13855-2019 (O&M)
Date of Decision: 31.10.2022**

NIRMAL SINGH

... Petitioner

VERSUS

BAR COUNCIL OF PUNJAB AND HARYANA & ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Vikram Singh, Advocate with
Mr. Rakesh Gupta, Advocate
for the non-applicant-petitioner.

Ms. Seema Arora, Advocate
for applicant-respondent No.1.

Mr. Sudhir Nar, Sr. Panel Counsel
for respondents No.2 and 4.

VINOD S. BHARDWAJ, J. (ORAL)

CM-14136-CWP-2022

The instant application has been filed for recalling the order dated 26.08.2022 to the extent of imposing costs of Rs.10,000/- against the respondent- Bar Council of Punjab and Haryana.

In view of the averments made in the application and the reasons given for failure on the part of the applicant-respondent No.1 to put in appearance, the instant application is allowed. The costs of Rs.10,000/- imposed vide order dated 26.08.2022 is hereby waived off.

CM-14137-CWP-2022

The instant application has been filed for placing on record the short reply on behalf of the respondent No.1 by way of affidavit to the present writ petition.

For the reasons mentioned in the application, the same is allowed subject to all just exceptions.

The short report by of affidavit on behalf of the respondent No.1 is ordered to be taken on record. Registry is directed to tag the same at appropriate place of the paper book and page mark the same.

MAIN CASE

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Certiorari for setting aside the election/result dated 05.04.2019 (Annexure P-24) alleging that the same was conducted without jurisdiction and in an unfair, bias and illegal manner and in violation of the Bar Association (Constitution and Registration) Rules, 2015 and the District Bar Association Rules.

Undisputedly, the tenure of the Executive Body so elected pursuant to the election held on 05.04.2019 has already come to an end and even subsequent election of the Executive Body of the Bar Association has also been held. The dispute, if any, is only academic and there is no subsisting real grievance.

The present petition is accordingly disposed of at this stage as having been rendered infructuous.

Liberty is, however, granted to the petitioner for seeking revival of the present petition in case any real subsisting grievance still survives.

31.10.2022
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No