

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

CWP-25895-2021 (O&M)
Date of decision:- 21.04.2022

Harjot Singh Harikay

...Petitioner(s)

Versus

Bar Council of Punjab and Haryana, Chandigarh and others

...Respondent(s)

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

Present: Mr. Vishal Sharma, Advocate,
for the petitioner.

Mr. C.M. Munjal, Advocate,
Ms. Seema, Advocate,
for respondent No. 1.

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RAVI SHANKER JHA, C.J. (ORAL)

This writ petition has been filed by the petitioner alleging non-compliance of the provisions of Rule 6(B)(i) of the Bar Associations (Constitution and Registrations) Rules, 2015 (hereinafter referred to as the Rules).

It is alleged that the elections are held in the District Bar Association, Ludhiana without complying with the provisions of the Rules (**ibid**) and without obtaining the necessary affidavit/declaration from the members of the Bar as required by the Rules. It is further alleged that in the last elections, the voter list was finalized without obtaining any such affidavit/declaration which is also contrary to the provisions of the Rules. And in such circumstances, when this issue was raised, the Bar Council of Punjab and Haryana ordered that the Returning Officers (ROs) should obtain an affidavit/declaration from the voters prior to permitting them to vote which is in derogation of the provisions of the Rules.

Learned counsel, appearing for respondent No. 1, submits that the aforesaid issue had cropped up at the eleventh hour of the elections being conducted by the District Bar Association, Ludhiana. And, in any case, the Bar Council of Punjab and Haryana shall look into the matter and take necessary steps for streamlining the procedure contained in the Rules and, if necessary, call a meeting of the Bar Council of Punjab and Haryana for this purpose and take a decision well in advance, preferably within a period of two months, so

that such like situations do not arise in future or if at all arises, there is an effective mechanism to address them.

In view of the aforesaid submission made by learned counsel for the petitioner as well as the statement of learned counsel for respondent No. 1 – Bar Council of Punjab and Haryana, the writ petition stands disposed of in terms thereof.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

21.04.2022
Amodh Sharma

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