

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.1314 of 2018

Radheshyam Bajranglal Agrawal

Vs

Surendra Gulabrao Potey And Others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.L. Khapre, Sr. Advocate a/b Shri Pushkar Deshpande, Adv. for the
Petitioner

Shri U.J. Deshpande, Advocate for the respondent No.1

Shri Amit Choube, Advocate for the respondent Nos.2 and 3

CORAM : ANIL S. KILOR, J.

DATE : 09.06.2023

1. In the present writ petition, a dispute involved is in respect of suspension of sanad of the petitioner lawyer.
2. The learned counsel for the respondent No.1-complainant argues that there is an alternate remedy available under Section 37 of the Advocates Act, 1961 (for short "the Act of 1961").
3. It is submitted that the Division Bench of this Court vide order dated 06.04.2023 in Writ Petition No.2972 of 2023, has held that, a remedy before the Bar Council of India (BCI) cannot be permitted to bypass by filing writ petition.
4. In view of the above referred judgment, the learned Senior Advocate for the petitioner, on instructions, seeks permission to withdraw the present writ petition with liberty to file an appeal before the BCI under Section 37 of the Act of 1961.

5. He further prays that, as the stay was granted to the suspension of sanad of the petitioner, the same may be continued for eight weeks.
6. The learned counsel for the respondents have no objection to continue the stay for eight weeks.
7. The writ petition is **disposed of** as withdrawn with liberty to the petitioner to approach to the BCI by filing an appeal under the Act of 1961.
8. The interim protection granted by this Court dated 06.03.2018 shall continue for eight weeks from today, thereafter, it shall stand vacated automatically.

[ANIL S. KILOR, J.]