

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8024 of 2022

Sanjeev Kumar Jha, Advocate Son of Late Dhruv Narayan Jha Resident of Village- Hvihour, P.S.- Bahera, District- Darbhanga, C/o Benipur Bar Association, Benipur, Sub Divisional Civil Court, Benipur, Darbhanga.

... .. Petitioner/s

Versus

1. The Bihar State Bar Council, Patna through its Chairman, Bihar State Bar Council, Bihar Bar Council Bhawan, Patna.
2. The Secretary Bihar State Bar Council, Bihar Bar Council Bhawan, Patna.
3. The Executive Committee Bihar State Bar Council through its convenor of Executive Committee, Bihar State Bar Council, Bihar Bar Council Bhawan, Patna.
4. The Convenor of the Executive Committee Bihar State Bar Council, Bihar Bar Council Bhawan, Patna.
5. The Sub Divisional Bar Association Civil Court Benipur District- Darbhanga, through its General Secretary, Sub Divisional Bar Association, Benipur, P.S.- Bahera, District- Darbhanga.
6. The President Sub- Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
7. The Returning Officer/ Election Officer, Sri Sebati Kumar Prasad Advocate, Father Name not known to petitioner, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
8. The Assistant Returning Officer, Sri Chaudhary Rama Nand Roy Advocate, Father Name not known to petitioner, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
9. Assistant Returning Officer, Sri Raj Nath Yadav Advocate, Father Name not known to petitioner, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
10. Chaudhary Shyam Chandra Roy Advocate, Father Name not known to petitioner, Member of Three Men Committee, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
11. Hare Krishna Lal Dev, Advocate Father Name not known to petitioner, Member of Three Men Committee, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
12. Manoj Kumar Jha, Advocate Father Name not known to petitioner, Member of Three Men Committee, Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
13. Chakrapani Chaudhary, Advocate Father Name not known to petitioner, (President Elect.), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
14. Umesh Nath Jha, Advocate Father Name not known to petitioner, (Vice President Elect.), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.



15. Sushil Kumar Chaudhary, Advocate Father Name not known to petitioner, (Secretary declared elected by Executive Committee), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
16. Ram Kumar Jha, Advocate Father Name not known to petitioner, (Joint Secretary Elect.), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
17. Binod Kumar Mishra, Advocate Father Name not known to petitioner, (Treasurer), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
18. Md. Haidar Ali, Advocate Father Name not known to petitioner, (Auditor), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
19. Indra Kumar Jha, Advocate Father Name not known to petitioner, (Executive Member), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
20. Nawaz Ahmad, Advocate Father Name not known to petitioner, (Executive Member), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
21. Md. Gulam Jainul Abedin, Advocate Father Name not known to petitioner, (Executive Member), Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
22. Ram Chandra Yadav, Advocate Father Name not known to petitioner, Member Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
23. Ravindra Kumar Chaudhary, Advocate Father Name not known to petitioner, Member Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
24. Amresh Jha, Advocate Father Name not known to petitioner, Member Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
25. Upendra Sahni, Advocate Father Name not known to petitioner, Member Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.
26. Dev Kumar Chaudhary, Advocate Father Name not known to petitioner, Member Sub Divisional Bar Association, Civil Court, Benipur, P.S.- Bahera, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Adv.
For the Resp. No.1 to 4 : Mr.Shantanu Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 03-07-2024

1. The present writ petition has been filed seeking the



following relief(s):-

“1.(i) For quashing the decision of General Body, Bihar State Bar Council, Patna, dated 24.04.2022, issue vide ref. no.725 of 2022 dated 06.02.2022 whereby and whereunder election petition of the petitioner has been dismissed as wholly misconceived, where the Convenor of the Executive Committee has been arrayed as party, which is deliberate and also misjoinder of party, without going in to the merit of Election petition.

(ii) For setting aside the decision of Executive Committee of the Bihar State Bar Council held on 27.03.2022 issued vide ref. no.499/22 dated 30.03.2022 by the Secretary, Bihar State Bar Council, whereby and whereunder it has been directed to the returning office of Sub-Divisional Bar Association, Benipur to issue the winning certificate for the post of General Secretary of Sub-Divisional Bar Association, Benipur to Mr. Sushil Kumar Chudhary, Advocate.

(iii) For a direction to conduct re-election for all the office bearers, especially for the post of General Secretary of the Sub-Divisional Bar Association, Benipur, Darbhanga.

(iv) For quashing the letter dated 12.03.2022 by the Convenor, Executive Committee, Bihar State Bar Council, issued vide Ref. No.367/2022 dated 12.03.2022, as without any authority of law and not sustainable in the eyes of law.”



2. At the outset, the learned counsel for the parties, though agree that the present writ petition has been rendered infructuous with the efflux of time, however it is submitted unanimously that the aspersion casted against the petitioner vide letter dated 06.05.2022, issued by the Bihar State Bar Council may be directed to be expunged. It is directed accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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