



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9229 OF 2024

**SHUBHANGI VYANKANTESH VALSANGKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

....

Mr. B. S. Shinde, Advocate for the Petitioner
Mr. M. M. Nerlikar, AGP for Respondent – State
Mr. S. R. Yadav – Lonikar, Advocate for Respondent Nos. 3 and 4

....

**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 29.08.2024

PER COURT :-

1. A disturbing event has taken place in this matter, before the Court. When this matter was called out on 27.08.2024, we noticed from the record that Advocate Pradeep Vikramrao Tapse Patil, had appeared on behalf of Respondent no.3, the Chief Executive Officer, Zilla Parishad, Parbhani and Respondent No.4 Education Officer, Zilla Parishad, Parbhani and addressed the Court. Since he was not able to answer even one question of the Court and was totally uninformed and was not rendering any

assistance, we granted an adjournment for today to enable him to take instructions.

2. Today, the learned Advocate Shri S. R. Yadav - Lonikar, appeared in this matter. He submits that he has been appointed as a Standing Counsel for the Zilla Parishad along with Advocate Shri Bhavthankar. He has been instructed in this matter. He tenders a copy of the decision of the Zilla Parishad dated 15.03.2024, indicating the list of empaneled Advocates to appear in various Courts and various proceedings. The same is taken on record and marked as "X-1" for identification.

3. We find from the B file of the Court, that a note of appearance was entered by Shri P. V. Tapse Patil, dated 16.08.2024, on his letter head mentioning that he is a Standing Counsel for Respondent Nos. 3 and 4. The appearance note indicates that he is appearing for Respondent Nos. 3 and 4.

4. On 27.08.2024, after hearing the learned Advocate for the Petitioner, we were about to pass an order. Since Shri Tapse Patil was not able to comprehend the issue involved in this Petition, that we adjourned the matter. Had we not adjourned the matter and

passed an order or disposed off the matter, it would have been after hearing an advocate for a State instrumentality without he being authorised to represent the said litigant.

5. Today, in the light of the above, it became obvious that Mr. Tapse Patil is neither a Standing Counsel for the Zilla Parishad, nor an empaneled Advocate, nor was he instructed to appear in this matter. He pleaded that he will not commit any such act again.

6. The above conduct of Advocate Shri Tapse Patil, is nothing short of playing a fraud on the Court.

7. In view of the above, we are referring the case of Adv. Tapse Patil to the Bar Council of Maharashtra and Goa, for treating it as a professional misconduct. We direct the Registry to forward this order to the Chairman and the Secretary of the Bar Council of Maharashtra and Goa, for initiating an appropriate procedure as is prescribed in law.

8. Advocate Tapse Patil, now submits that he wants to withdraw his appearance. The fact that he was not authorized and empowered to appear, does not require us to respond to his request.

This issue would be looked into by the Bar Council of Maharashtra and Goa.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS