



2024:DHC:5993



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment pronounced on: 12.08.2024+ **W.P.(C) 3244/2024**

NARESH CHAND GUPTA

..... Petitioner

Through: Mr. Rajiv Khosla, Mr. Surendra
Singh Chauhan, Mr. Gaurav Singh,
Advvs. along with petitioner in person.

versus

BAR COUNCIL OF DELHI & ORS.

..... Respondents

Through: Mr. Sanjeev Sagar, Ms. Nazia
Parveen, Mr. Ajay Kumar Aggarwal,
Advvs. for R-1/BCD.Mr. Sacchin Puri, Sr. Adv. along with
Ms. Shobhana Oberoi, Mr. Ravi
Chawla, Mr. Praveen Sharma, Mr.
Mukesh Drall, Mr. Bobby Sanjay
Sharma, Mr. Rajesh Sharma, Mr.
Puneet Sharma, Ms. Rashmi, Mr.
Ravi Srivastava and Mr. Fardeen
Khan, Advvs.Mr. Chetan Sharma, ASG along with
Mr. Preet Pal Singh, Mr. Amit Gupta,
Mr. Vinay Yadav, Mr. Saurabh
Tripathi, Mr. Saurabh Sharma and
Mr. Vikramaditya Singh, Advvs. for
BCI.

Mr. H.S. Kohli, Adv. for R-4.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****JUDGMENT**

1. The present petition has been filed by the petitioner seeking the



following prayers:-

“a. Issue the writ of Quo Warranto as to under which authority the Respondent no.3 is holding the post of Vice Chairman of Respondent no.1 as the LL.B degree which the Respondent no.3 have acquired is a forged and fabricated for the purpose of enrollment as an Advocate under the Advocates Act, 1961.

b. Further, issue a writ of mandamus or any other appropriate writ(s), order's or direction's to Respondent no. 1 & 2 to struck off the names of Respondent no. 3 & 4 from the roll of advocate having been obtained on the basis of forged and fabricated academic documents with further directions to Respondent no. 1 & 2 to take appropriate action, including the registration of FIR against Respondent No.3 & 4 and others found to be involved in the racket for using the forged documents as genuine for the purpose of cheating and forgery, in accordance with law.”

2. The petitioner is a practising advocate at Delhi/New Delhi, duly enrolled with respondent no.1/Bar Council of Delhi (hereinafter referred to as 'BCD') and has been a former President of the Delhi Bar Association, besides being a member of respondent no.1/Bar Council of Delhi.

3. The petition is premised on the allegation that respondent no.3 is holding the position of Vice-Chairman of respondent no.1, although he is not qualified to remain in office since the documents upon which he has been enrolled as an advocate by respondent no.1 are not genuine and have been forged.

4. Similarly, it is alleged that the documents, based on which respondent no.4 obtained enrolment with respondent no.1, are also not genuine and are forged and fabricated. It is alleged that the respondent no.1, with oblique motives, is not taking any action against the respondent nos.3 and 4.

5. It is pointed out that a Writ Petition (CRL.) 2302/2015 titled as



Yashpal Singh v. Bar Council of Delhi & Ors., which was filed in the year 2015, wherein, it was alleged that the respondent no.4 herein was enrolled with the respondent no.1 on the basis of a “fake degree”. An order dated 13.10.2015 came to be passed in the said writ petition, which reads as under:-

“The present petition seeks a direction to the Bar Council of Delhi to consider and dispose of in accordance with law the petitioner’s complaint dated 25.07.2015 alleging that one Sh. Dalip Kumar Rana, Advocate, has enrolled himself with the Bar Council of Delhi on the basis of a fake degree.

Mr Aman Nandrajog, learned counsel appearing on behalf of the Bar Council of Delhi, on advance notice, states that the complaint received from Mr Yashpal Singh, Advocate, the petitioner herein, shall be considered in accordance with law within a period of six weeks from today.

In view of the above the petitioner, who appears in person, seeks leave to withdraw this petition at this stage with liberty to initiate appropriate proceeding in accordance with law in the event he is aggrieved by the decision taken on behalf of the Bar Council of Delhi.

Leave and liberty granted. The writ petition is dismissed as withdrawn and disposed of accordingly.”

6. It is submitted that despite a period of more than eight years having been elapsed since the date of the aforesaid order, no action has been taken against the respondent no.4. It is submitted that the same is incongruous since the name of the respondent no.4 appeared in the same result chart next to the name of one, Jitender Singh Tomar (previously Law Minister of NCT of Delhi) who was from the same university and whose mark-sheets and provisional certificate were found to be forged and fabricated, culminating into an FIR bearing No.605/2015, P. S. Hauz Khas under Section 420/467/468/471/120-B IPC.

7. It is submitted by the petitioner that even the respondent no.3 has



publicly taken an inconsistent stand as to the university from which he obtained his law degree. With regard to the provisional certificate/degree of the respondent no.3, the following specific allegations have been made in the petition :-

“12. That sometime in the month of April, 2023 the Petitioner received an anonymous envelop with the photocopies of documents with a consequent call from an unknown number that Respondent No.3 is protecting his strong supporter Sh. Dalip Kumar Rana as Respondent no.3 also has a fake degree and Dalip Kumar Rana knows the reality very well. As such the Petitioner has reasons to believe as to why the Respondent no.3 who unfortunately has been elected as the sitting Vice Chairman, is bent upon protecting a fake lawyer. The Petitioner thereafter started verifying the certificates and upon close scrutiny of the photocopies of documents so received noticed many discrepancies which were got confirmed by the Petitioner from various sources.

a. Respondent no.3 seems to have applied for an enrolment as an Advocate with Bar Council of Delhi by submitting the Provisional Certificate of LL.B Hons. issued by Devi Ahilyabai Vishwavidyala, Indore, A degree of B. Com Hons. along with 10th class certificate as proof of date of birth. Surprisingly, no mark sheet of LL.B degree was filed by the Respondent No.3, though as per the information revealed to the Petitioner that all enrolments at that time even in Madhya Pradesh Bar Council were done on the basis of marksheet and it was further revealed at that time no provisional certificate was issued to any law graduate that too by the Registrar of University. The handwriting appearing on the provisional certificate seems to have been forged and a plain reading of the same indicates that it has been filled not by any Official but by a novice who is not even well versed with the English language so far written English is concern.

b. That as per the information of the Petitioner the provisional certificates are generally issued by the institution where the student studies and complete the LL.B Course and not by the university, which caused grave suspicion to the Petitioner. Further, the Provisional certificates are always supported by marksheet of complete three years or five years course. It seems that the Respondent no.3 have also filed the photo copy of his degree certificate at a later stage with Bar Council of Delhi, as the envelop received by the Petitioner also had a degree issued by the university as the same were found to be duly self- attested by the



Respondent no.3 like the Provisional Certificate The Petitioner enquired from his colleague to provide the signature of the then vice chancellor of Devi Ahilya Bai Vishwavidyala, Indore as the Petitioner noticed that the Vice Chancellor generally has a stamp to affix upon the degree certificates and not put his signature individually on each degree of thousand students passing the university exam each year. The Petitioner received a signature on his whats app number and got a shock that the signature appearing upon the degree filed by Respondent No.3 and the one received by Petitioner are absolutely different and the vice chancellor's only uses his abbreviated initials of his name "M. Soda" and not "Mahender Soda". Further the stamp of the signature is provided on each degree instead of the signature in original which is apparent from the information obtained from various sources.

c. It is also noticed that the Degree certificate generally has the particulars of students Enrolment no. with university and the Roll Number of the student and the same are not found anywhere in the Photo Copy of the law Degree submitted by the respondent no. 3 with the Respondent no. 1."

8. It has been further alleged in the petition as under :-

"15. That the Petitioner meantime has also got information that the Respondent no. 3 had some close links in the University, therefore, was able to bring an email from the University along with some other lawyers about verification of his documents in the year 2018 which was shown as positive. The said fraudulent information was provided to the Bar Council with the help of some persons closely associated to the Petitioner. In fact as per the information there are two registers kept at the University, the main register is in the custody of the Vice Chancellor and the other register is kept outside with the employees for General Information including details sought under RTI and Petitioner has reasons to believe that there are definite manipulation with the register kept outside by the University. The said information can be easily obtained by the Respondent no. 1 & 2 in order to unearth the manipulation for taking necessary action against all those who are involved in such crime. However, the case of fake degree on the Respondent no. 3 is not only based on the manipulation of the register kept outside but the case of forged documents in respect of Respondent no. 3 is very straight and specific which is proved from the facts mentioned in Para 12 which are sufficient to prove that Respondent no. 3 is a fake lawyer."

9. In the above backdrop, it is submitted that the inaction by the



respondent nos.1 and 2 on the complaint filed by the petitioner *qua* the educational qualification/degree of the respondent nos. 3 and 4, is disconcerting and suggests that the said respondent nos.1 and 2 were not desirous to unearth the manipulation/illegality allegedly committed by the respondent nos. 3 and 4.

10. When the present petition came up for hearing on 11.03.2024, the following order was passed by this Court :-

“ORDER

11.03.2024

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1. *At the outset, learned counsel for the respondent no.1/Bar Council of Delhi, who appears on advance notice submits that there is no merit whatsoever in the present petition. He further submits that the petition has been filed with oblique and malafide intentions. He submits that there is no merit whatsoever in the allegations made by the petitioner qua respondent no.3/Mr. Sanjeev Nasiar.*

2. *To allay the concern of the petitioner, he seeks leave to file an affidavit as regards the exercise conducted by the respondent no.1/Bar Council of Delhi qua the complaint against the respondent no.3/Mr. Sanjeev Nasiar, and the conclusion/s drawn thereupon.*

3. *He further seeks some time to take instructions qua the allegations against the respondent no.4. He submits that the action taken with regard to the complaint against the said respondent shall also be brought out in the affidavit, to be filed by the respondent no.1.*

4. *Let the affidavit, as aforesaid, be filed by the respondent no.1 within a period of one week from today, with advance copy to learned counsel for the petitioner and to learned counsel appearing for the Bar Council of India.*

5. *List on 22.03.2024 in the category of ‘supplementary matters’.*”

11. Thereafter, an affidavit dated 18.03.2024 in compliance with the order dated 11.03.2024 of this Court came to be filed by the respondent no.1 *qua* the allegations against the respondent no.3. On 04.04.2024, this Court further directed the respondent no.1/Bar Council of Delhi to file a further



affidavit setting out the steps taken for verifying the law degree of the respondent no.4 and the outcome of the aforesaid exercise. Pursuant thereto, another affidavit dated 12.04.2024 was filed on behalf of the Bar Council of Delhi. With regard to the same, vide order dated 16.04.2024, it was directed as under :-

1. *Although, an affidavit has been filed on behalf of the Bar Council of Delhi pursuant to directions contained in the order dated 04.04.2024, the same is very sketchy and bereft of necessary details/annexures.*

2. *Learned counsel for the Bar Council of Delhi is directed to file a better affidavit. Let the same be filed within a period of one week from today.*

3. *List on 24.04.2024 in the category of "supplementary matters".*

12. Subsequently, another affidavit dated 23.04.2024 came to be filed by the Bar Council of Delhi.

13. In the affidavit dated 18.03.2024 filed by the Bar Council of Delhi, with regard to the provisional certificate/degree of the respondent no.3, it has been stated as under :-

"2. I say that the LL.B degree verification in respect of Sh.Sanjeev Nasiar Advocate having Enrolment no. D/ 627/1988 was initiated in the year 2017.

3. I say that the LL.B degree issued by Devi Ahilya Vishwavidyalaya, Indore, University House, Indore- 452001 was verified vide verification certificate dated 31/05.2017 whereby the University has confirmed the degree of Sh.Sanjeev Nasiar as "Genuine & Regular".

4. I say that the certificate dated 31/05/2017 issued by university verified status of other advocates as genuine besides Sh.Sanjeev Nasiar.

5. I say that the Hon'ble Chairman of Bar Council of Delhi took initiative to once again verify the status of degree (Provisional and Original) issued in favour of Sh. Sanjeev Nasiar. He deputed issued email cum communication dated 13/03/2024 and 18/03/2024 to the university.

6. I say that the hon'ble chairman authorised two representatives of BCD



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Sh.Kumar Mukesh Hony. Secy BCD and Sh. Piyush Gupta Member BCD along with one staff Sh.Dharamveer to visit the University, they met the officials of University on 14/03/2024 and apprised the university officials that they are seeking verification of degree issued to Sh.Sanjeev Nasiar. The university officials informed that the degree is Genuine and however the representatives insisted that verification report pursuant to their representation dated 14/03/2023 be issued on mail as well as post on the official address of Bar Council of Delhi.

7. I say that the University once again vide communication dated 15/03/2024 and email communication dated 18/03/2024 has confirmed that the degree (Provisional and Final) of Sh.Sanjeev Nasiar is "Genuine and Regular".

14. Thus, the concerned university has taken a clear stand that the degree (provisional and final) of the respondent no.3 is “genuine and regular”. The communication dated 15.03.2024, addressed by the concerned university i.e., Devi Ahilya Vishwavidyalaya, Indore to the Secretary, Bar Council of Delhi, reads as under :-

“DEVI AHILYA VISHWAVIDYALAYA, INDORE

UNIVERSITY HOUSE
INDORE-452-001

No.Exam/Gen/2024/221

Date:- 15 Mar 2024

To,
Secretary
Bar Council of Delhi
2/6, Siri Fort Institutional Area,
Khel Goan Marg,
New Delhi – 110 049

Subject :- Verification of Education Certificate Degree & Provisional Certificate.

Reference:- You're Ref. No.90/Gen/SF/2024/Date:-13.03.2024

Sir,

Kindly refer to above letter where verification of certificate of the following student has been sought for.



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2/ In this connection I am to inform you that Certificate of following student has been verified and found to be correct as detailed below :-

S. N.	Name of Student	Name of Exam	Year	Enrolment No. & Roll No.
01	Sanjeev Nasiar	L.L.B. (Hons.) Final	April – 1988	Enr. No.DL/85/00094 Roll No.-3686

Yours Faithfully

Enclosed – As above

Sd/-
Asst. Registrar (Exam)”

15. Even on an earlier occasion, a communication dated 31.05.2017 was addressed by the aforesaid university to the BCD, which reads as under :-

“DEVI AHILYA VISHWAVIDYALAYA, INDORE

No.Exam/Gen/2017/613

UNIVERSITY HOUSE,
INDORE-452-001
Dated: 31 May 2017

To,
Bar Council of Delhi
2/6, Siri Fort Institutional Area,
Khel Gaon Marg, New Delhi-49.

Subject:- Verification of Education Certificate
Reference:- You're E-MAIL DATE 13. 16. 17/05/2017

Sir,

Kindly refer to above letter where verification of Certificate of the following Student has been sought for.

2/ In this connection I am to inform you that Certificate of following student has been verified and found to be correct as detailed below :-



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S.No.	Name of Student	Name of Exam	Status	Year	Roll No.
01	Vedpal Lathwala	L.L.B. (Hons.)	Regular	April-1984	03224
02	Madanlal Sharma	L.L.B. (Hons.)	Regular	May-Jun 1985	638
03	Hansraj Verma	L.L.B. (Hons.)	Regular	Aug-1983	3116
04	Satyadev	L.L.B. (Hons.)	Regular	Sept-1989	3731
05	Dharamveer Goyal	L.L.B. (Hons.)	Regular	April-1989	3345
06	Prakash Vir Dembla	L.L.B. (Hons.)	Regular	Apr-May 89	2417
07	Suneeti Sharma	L.L.B. (Hons.)	Regular	May-1991	2608
08	Ashok Kumar Bansal	L.L.B. (Hons.)	Regular	April-1987	52616
09	Smt. Sunena Virmani	L.L.B. (Hons.)	Regular	April-1987	5166
10	Sudhir Siwas	L.L.B. (Hons.)	Regular	May-June 1991	2840
11	Nandlal Barjo	L.L.B. (Hons.)	Regular	Sep-1986	0728
12	Rajendra Singh	L.L.B. (Hons.)	Regular	Mar-Apr 1984	3660
13	Sanjeev Nasir	L.L.B. (Hons.)	Regular	April-1988	3686

Enclosed-As above

Yours Faithfully,
Sd/-
Asst. Registrar (Exam)"

16. In view of the communications issued by the concerned university, there is no basis for the assertion/presumption in the writ petition that the L.L.B. Degree of the respondent no.3 is "forged and fabricated".

17. During the course of arguments, it was suggested by Mr. Chetan Sharma, who appeared on behalf of the respondent no.2/Bar Council of India (hereinafter referred to as "the BCI") that there is an apprehension that some universities may also be complicit in issuance of "fake degrees"/certificates. It has also been pointed out that communications dated 06.02.2024 and 01.03.2024, were addressed by the BCI to the BCD seeking that the original records pertaining to the enrolment of the respondent no.3 be sent to the BCI. However, the relevant record/ certificates have not been forwarded by the BCD.

18. It is also pointed out that the BCI has revisional authority under Section 48A of the Advocates Act, 1961 and has also been conferred with certain powers and responsibilities under the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015, and there is no



justification in not supplying the relevant documents/ records to the BCI.

19. The respondents have not been able to point out any circumstance which inhibits the BCD/respondent no.1 from acceding to the request made by the BCI/respondent no.2. The BCD is, accordingly, directed to provide the requisite documents/ certificates/records to the BCI. Needless to say, it would be open for the BCI to conduct inquiry/take action, as it may deem appropriate, in any event of any wrongdoing being uncovered on the part of the concerned university.

20. At present, however, there is no basis to accede to the prayers made by the petitioner in the present petition *qua* the respondent no.3. The petition *qua* the respondent no.3 is, therefore, dismissed.

21. As regards the respondent no.4, it is noticed that a contempt petition bearing CONT.CAS(C) 811/2016 was filed in this Court alleging non-compliance with the directions contained in the above reproduced order dated 13.10.2015 passed by this Court. The said contempt petition was disposed of by this Court vide order dated 25.04.2023 as under :-

“CONT.CAS(C) 811/2016 & CM APPL. 20549/2023 (for impleadment)

1. This is an application filed by Mr. Dalip Kumar Rana, Advocate, seeking impleadment in this petition.
2. The learned senior Counsel appearing for the Applicant relies upon the communication dated 12.03.2021 received from an Associate Professor of T.N.B. Law College, Bhagalpur, enclosing therewith the investigation report dated 30.08.2019.
3. This Court observes that this investigation report finds no mention in the affidavit filed by T.M. Bhagalpur University, Bhagalpur ('University') on 18.10.2019 in these proceedings. In this affidavit the University has stated that it is still verifying the degree of Mr. Dalip Kumar Rana.
4. This contempt petition has been filed by the Petitioner aggrieved by



the non-adjudication of the compliant dated 25.07.2015 filed by him before the Bar Council of Delhi ('BCD'), against Mr. Dalip Kumar Rana, Advocate despite the time bound directions dated 13.10.2015 issued by a coordinate Bench of this Court in W.P.(CRL) 2302/2015. The subject matter of the compliant is the veracity of the law degree held by Mr. Dalip Kumar Rana. The order dated 13.10.2015 reads as under:

"The present petition seeks a direction to the Bar Council of Delhi to consider and dispose of in accordance with law the petitioner's complaint dated 25.07.2015 alleging that one Sh. Dalip Kumar Rana, Advocate, has enrolled himself with the Bar Council of Delhi on the basis of a fake degree.

Mr Aman Nandrajog, learned counsel appearing on behalf of the Bar Council of Delhi, on advance notice, states that the complaint received from Mr Yashpal Singh, Advocate, the petitioner herein, shall be considered in accordance with law within a period of six weeks from today.

In view of the above the petitioner, who appears in person, seeks leave to withdraw this petition at this stage with liberty to initiate appropriate proceeding in accordance with law in the event he is aggrieved by the decision taken on behalf of the Bar Council of Delhi.

Leave and liberty granted. The writ petition is dismissed as withdrawn and disposed of accordingly."
(Emphasis Supplied)

5. This Court has been informed that the compliant filed by the Petitioner continues to remain pending (after 8years) with the BCD as it has been unable to verify the authenticity of the Law degree of Mr. Dalip Kumar Rana from the University. In fact, no notice has been issued in the said complaint by BCD to Mr. Dalip Kumar Rana till date.

6. After some arguments, learned counsel for the Petitioner, the University and the Chairperson, Bar Council of Delhi ('BCD'), are agreeable that the Petitioner's pending compliant dated 13.10.2015, be placed before the High-Powered Committee constituted by the Supreme Court in W.P.(C) No. 82/2023 in the matter of Ajay Shankar Srivastava v. Bar Council of India and Anr vide order dated 10.04.2023. The said Committee has been constituted to monitor the process of verification of the degrees of the enrolled lawyers by the State Bar Councils.

7. This Court has considered the submission of the parties and perused



the record. The Petitioner's compliant has remained pending for eight (8) years and the statement made before this Court on 13.10.2015 has not been complied with by BCD. Without opining on the reasons for the delay, this Court is of the opinion that the ends of justice would be served if the Petitioner's compliant is placed before the committee of High-Powered Committee ('Committee') for issuing appropriate directions to BCD and the University for verification of the Law degree of Mr. Dalip Kumar Rana.

8. The order of the Supreme Court directs that the Secretary to the Bar Council of India shall be the Nodal Officer to facilitate logistical assistance to the Committee.

9. The Registry is directed to place the entire paper book of this contempt petition before the Secretary, Bar Council of India within two (2) weeks. In addition, the BCD is directed to place the entire proceedings of the complaint dated 25.07.2015, maintained by it before the Secretary, Bar Council of India within two (2) weeks.

10. The Secretary, Bar Council of India is directed to place this order and the entire paper book before the Committee for issuance of appropriate directions to the BCD and the University for verifying the Law degree of Mr. Dalip Kumar Rana.

11. The learned senior counsel appearing for Mr. Dalip Kumar Rana states that since Mr. Dalip Kumar Rana has not received any formal notice from the BCD in the complaint dated 25.07.2015 filed by the Petitioner and therefore, he has not had any opportunity to file his response to the said complaint.

12. This fact is taken on record and the Secretary General is requested to grant an opportunity of hearing to Mr. Dalip Kumar Rana to file his response to the complaint dated 25.07.2015, as per the rules.

13. With the consent of the Petitioner, the Respondents, University and the applicant Mr. Dalip Kumar Rana, the present petition is disposed of in terms of the aforesaid direction."

22. In the affidavit dated 12.04.2024, filed on behalf of the respondent no.1/BCD qua the respondent no.4/Mr. Dalip Kumar Rana, it has been clearly stated that in terms of the order dated 25.04.2023 passed in CONT.CAS(C) No.811/2016, the Secretary of Bar Council of India, being



the Nodal Officer of the High-Powered Committee, has to take steps in respect of the respondent no.4.

23. Further, vide affidavit dated 23.04.2024 filed on behalf of the BCD, it has been stated as under :-

“2. I say that all the documents relating to enrolment, LL.B. Degree pertaining to Mr. Dalip Kr. Rana, Advocate have been forwarded to Bar Council of India by the deponent. The details of documents so provided are as under :

(a) The copy of the order dated 24.05.2023 passed by the Hon'ble High Court of Delhi in Cont. Cas(C) 811 / 2016 & CM Appl. 23026/2016 titled Yashpal Singh Vs. Maninder Singh, Chairman, Special Committee, Bar Council of Delhi.

(b) Letter of Bar Council of Delhi bearing Ref. No. Verification/140/595/2023 dated 18.04.2023 written to the Vice-Chancellor, TM Bhagalpur University, Bihar seeking verification of LLB. Degree/ Marksheet of Mr. Dalip Kumar.

(c) Copy of Enrolment Application of Mr. Dalip Kumar submitted by him on 20.12.2001, alongwith documents.

(d) Relevant portion of the minutes of the meeting of the Special Committee of Bar Council of Delhi dated 20.11.2015, held by Sh.Maninder Singh, Chairman regarding seeking verification of Law Degree of Mr.Dalip Kumar.

(e) Copy of Note No.76 of Bar Council of Delhi put up before the Chairman Sh. Maninder Singh alongwith the letter dated 19.01.2016 received from T.M. Bhagalpur University, whereby the Controller of Examinations expressing their inability to verify the Law Degree of Mr. Dalip Kumar stating that Tabulation Register containing the name of Dalip Kumar is in the custody of Delhi Police, Hauz Khas Thana, New Delhi.

(f) Copy of letter ref. No. 1481/SF/2015 dated 23.11.2015 sent by the Bar Council of Delhi to the Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur seeking verification of Law Degree of Mr. Dalip Kumar, enclosing therewith the LL.B. Provisional Certificate, Illrd yr. marksheet and order dated 13.10.2015 passed by the Hon'ble High Court of Delhi.

(g) Copy of letter ref. NO.422/SF/2016 dt. 03.03.2016 addressed to the



SHO, P.S. Hauz Khas, enclosing therewith order dated 13.10.2015 of Hon'ble High Court, communication of BCD dt. 23.11.2015 with marksheets of Dalip Rana and requesting the SHO, P.S. Hauz Khas to provide complete attested copy of the Tabulation Register of LLB. Part-Ill Examination 1998, VNS Law Collete, Munger with a copy of seizure memo.

(h) Letter ref. No. 654 / SF / 2016 dated 19.04.2016 from Bar Council of Delhi to the SHO, P.S. Hauz Khas seeking to provide verification report of LLB of Mr. Dalip Kumar.

(i) Letter Despatch No.693 dated 10.03.2016 received from SHO, P.S. Hauz Khas, expressing their inability to provide information at this stage.

(j) Letter ref. No.422 / SF/ 2016 dated 03.03.2016, which has been sent to the SHO, P.S. Hauz Khas, New Delhi.

(k) BCD Note No.163 put up before its Chairman Sh.Maninder Singh alongwith letter ref. No.693 / SHO / HKS dt. 10.03.2016 sent to Vice-Chancellor, Tilka Manjhi, Bhagalpur University alongwith marksheets etc. of Mr. Dalip Kumar.

(l) Letter No. 1127 / SF/ 2015 dated 09.08.2015 sent by Bar Council of Delhi to Sh. Satbir Singh, SI, P.S. Subzi Mandi informing them about the enrolment of Mr. Dalip Kumar as an advocate with the Bar Council of Delhi.

(m) Communication No. 355 PP THC dated 26.08.2015 sent by SI Satvir Singh, P.S. Subzi Mandi seeking information about Mr. Dalip Kumar.

(n) Communication No .936 / SF/ 2015 dated 15.07.2015 sent by the Bar Council of Delhi to Sh. Yash Pal Singh, Advocate as reply to his RTI application.

(o) Reminder Communication No . 392 PP TH dated 16.09. 2015 sent by SI Satvir Singh, P. S . Subzi-Mandi seeking information about Mr . Dalip Kumar .

(p) Draft Reply No .1207 / SF / 2015 dated 30.09.2015 to Sh.Yashpal Singh, to his RTI application dated 08.09.2015.

q) RTI Application dated 08.09.2015 of Mr. Yashpal Singh, Advocate addressed to Chairman, BCD.



(r) Letter dated 16.11.2015 of Mr. Yashpal Singh, Advocate addressed to Chairman, BCD, enclosing therewith the order dt.13.10.2015 and marksheets etc. of Dalip Kumar, seeking to take action on his complaint against Dali Kumar in terms of the order of Hon'ble High Court dated 13.10.2015.

(s) RTI Application of Mr. Yashpal Singh, Advocate dated 06.07.2015 seeking information about Mr. Dalip Kumar, Advocate

(t) Copy of letter No. 936 / SF / 2015 from Bar Council of Delhi, addressed to Mr.Yashpal Singh dated 15.07.2015, whereby Mr. Yashpal Singh received it.

(u) Copy of letter dated 06.07.2015 of Sh. Yashpal Singh, Advocate seeking information about Dalip Kumar.

(v) Copy of complaint of Mr. Yashpal Singh, Advocate dated 14.09.2015 addressed to Commissioner of Police and copies to Lieutenant Governor of Delhi, Chief Minister of Delhi, Home Minister, Govt. of India and Bar Council of India alongwith copies of his previous complaints.

(w) Photocopy of enrolment application of Mr. Dalip Kumar bearing enrolment No. D / 1978/ 2001, alongwith documents.

(x) Copy of Representation of Mr. Dalip Kumar dated 17.04.2023, alongwith documents.

(y) Copy of BCD Enquiry Report dated 12.03.2021 alongwith documents.

3. I say that in terms of order dated 25.04.2023 passed in Cont.Case (C) No.811 / 2016, Secretary, Bar Council of India being the Nodal Officer of High -Powered Committee has to take steps in respect of Mr. Dalip Kr. Rana.

4. I say that the respondent No.1 Bar Council of Delhi shall render all possible assistance to Bar Council of India."

24. It is noticed that the High-Powered Committee was constituted by the Supreme Court to streamline the process of verification of the genuineness of educational certificates and certificates of enrolment.

25. While constituting the committee vide judgment dated 10.04.2023



passed in Writ Petition (Civil) No. 82 of 2023, it was expressly observed by the Supreme Court as under :-

“10 The due verification of advocates who are enrolled with the State Bar Councils, is of utmost importance to preserve the integrity of the administration of justice. Persons who profess to be lawyers, but do not either have the educational qualifications or degree certificates on the basis of which they could have lawfully granted entry to the Bar, pose a grave danger to the administration of justice to citizens. Hence, it is the duty of every genuine advocate of the country to ensure that they cooperate with the Bar Council of India which is seeking to ensure that the certificates of practice are duly verified, together with the underlying educational degree certificates. Unless this exercise is carried out periodically, there is a danger that the administration of justice would be under a serious cloud. The written submission which has been placed on the record by the Bar Council of India indicates that several such persons have been elected to State Bar Councils and some persons have thereafter occupied judicial office in the district judiciary as well.

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13 Having regard to the larger dimensions of this matter and the direct impact which the enrollment of fake degree holders and other persons who are not found to be in possession of the qualifications required for entry into the Bar have on the administration of justice, we accede to the suggestion of the Bar Council of India that a High Powered Committee should be constituted by this Court to monitor the process of verification. In our view, such a High Powered Committee should be chaired by a former Judge of this Court and its members should consist of: (i) two Judges of the High Court; (ii) two senior advocates; and (iii) three members of the Bar Council of India. The above suggestion has been accepted by the Bar Council of India.

14 We accordingly direct that the Committee shall consist of the following persons:

(i) Mr Justice Deepak Gupta, former Judge of the Supreme Court;

(ii) Mr Justice Arun Tandon, former Judge of the High Court of Judicature at Allahabad;

(iii) Mr Justice Rajendra Menon, former Chief Justice of the High Court of Delhi;

(iv) Mr Rakesh Dwivedi, Senior Advocate; and



(v) *Mr Maninder Singh, Senior Advocate.*

The Bar Council of India shall be at liberty to nominate three members. The Secretary to the Bar Council of India shall be the nodal officer to facilitate all logistical assistance to be rendered to the members of the Committee. The honorarium payable to the members of the Committee shall be fixed by the Chairperson in consultation with the Bar Council of India.

15 The Committee constituted by this Court is empowered to monitor the process of verification. The Committee would be at liberty to issue necessary guidelines and directions to ensure that the process of verification of advocates is duly carried out. The process of verification shall encompass both the educational degree certificates and the certificates of enrollment of the advocates concerned. All State Bar Councils shall comply with the directions of the Committee and report compliance.”

26. Vide the aforesaid order dated 25.04.2023 passed in CONT.CAS(C) 811/2016, it has already been directed that the complaint *qua* the respondent no. 4 be placed before the aforesaid High-Powered Committee constituted by the Supreme Court. The said order also specifically directs the Secretary of Bar Council of India to place the entire paper-book before the High-Powered Committee for issuance of the appropriate directions to the respondent no.1 and the university for verifying the law degree of the respondent no.4.

27. The affidavit dated 23.04.2024 filed by the BCD discloses that the requisite documents have already been forwarded to the Secretary of Bar Council of India being the Nodal Officer of the High-Powered Committee.

28. In the circumstances, the High-Powered Committee is requested to expeditiously conclude the verification of the degree/certificate of enrolment of the respondent no.4.

29. Let a copy of this order be placed before the High-Powered



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Committee by the Secretary, Bar Council of India.

30. With the aforesaid directions, the present petition is disposed of.

SACHIN DATTA, J

AUGUST 12, 2024

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