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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4756/2023

NITIN KUMAR ADVOCATE

.....Petitioner

Through: Appearance not given.

versus

BAR COUNCIL OF DELHI & ORS.

.....Respondents

Through: Mr. T. Singhdev, Mr. Tanishque Srivastava, Mr. Abhijit Chakravarty, Mr. Bhanu Gulati, Mr. Aneem Hussain, Mr. Sourabh Kumar & Ms. Yamini Singh, Advs. for BCD. Mr. Ajay Kumar Aggarwal, Adv. for BCD.

Mr. Kirti Uppal, Sr. Advocate with Mr. Harsh Kumar, Advocate for DHCBA

Mr. Mohit Mathur, Mr. Jatan Singh, Mr. Sandeep Sharma, Mr. Amit Chadha, Mr. Sanjay Dewan, Sr. Advs. with Mr. Naginder Benipal, Mr. Shyam Sharma, Ms. Bandana Kaur Grover, Mr. Dhan Mohan, Mr. Rajat Manchanda, Mr. Siddharth Tripathy and Mr. Sumit Misra for DHC Bar Association.

Mr. Ajit Kakkar, Advocate, Secretary, AFTBA

Mr. Chaman Kumar Gupta, President, DTBA with Mr. Kundan Lal Gupta, Joint Secretary with Mr. Manish Gupta and Mr. Karan Sharma, Advocates for DTBA

Mr. Sanjay Sharma and Dr.



Rakesh Kumar, Advs. for
STBA

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W.P.(C) 10363/2021

LALIT SHARMA AND ORS.

.....Petitioner

Through: Mr. Avnish Rana and Mr. Dhir
Singh Kasana, Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Ruchir Mishra, Mr.
Mukesh Kr. Tiwari, Ms.
Harshita Sharma & Ms. Reba
Jena Mishra, Advs. for R-1.

Mr. Abhigyan Siddhant, GP
with Mr. Rohit Kumar, Adv. for
DHC.

Mr. Mohit Mathur, Mr. Jatan
Singh, Mr. Sandeep Sharma,
Mr. Amit Chadha, Mr. Sanjay
Dewan, Sr. Advs. with Mr.
Naginder Benipal, Mr. Shyam
Sharma, Ms. Bandana Kaur
Grover, Mr. Dhan Mohan, Mr.
Rajat Manchanda, Mr.
Siddharth Tripathy and Mr.
Sumit Misra for DHC Bar
Association.

Mr. T. Singhdev, Mr.
Tanishque Srivastava, Mr.
Abhijit Chakravarty, Mr. Bhanu
Gulati, Mr. Aneem Hussain,
Mr. Sourabh Kumar & Ms.
Yamini Singh, Advs. for BCD.
Mr. Ajay Kumar Aggarwal,
Adv. for BCD.

Mr. Sanjay Jain, Sr. Advocate
with Mr. Piyush Beriwal, Mr.
Kushagra K. Kansal, Mr.
Neeraj, Mr. Vedansh Anand,



Mr. Yash Tyagi, Mr. Satya Ranjan Swain, Mr. Sandip Munian, Mr. Soumyadip Chakraborty, Mr. Sachin Saraswat, Mr. Rudra Paliwal, Mr. Sanjay Pal, Mr. Ankush Kapoor, Mr. Puneet Dhawan, Mr. Virender Khitoliya, Mr. Rajiv Tehlan, Mr. Pankaj Rai, Mr. Bipin Dubey and Mr. Ravi Chauhan, Advs. for applicant in CM No. 61310/2024.

Mr. Amit Nahata & Mr. Ajay Bansal, Advs. along with Mr. Ravi Gupta (applicant in person) for applicant in CM No. 73104/2024.

Mr. Kirti Uppal, Sr. Advocate with Mr. Harsh Kumar, Advocate for DHCBA

Mr. Ajit Kakkar, Advocate, Secretary, AFTBA

Mr. Chaman Kumar Gupta, President, DTBA with Mr. Kundan Lal Gupta, Joint Secretary with Mr. Manish Gupta and Mr. Karan Sharma, Advocates for DTBA

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+ W.P.(C) 11975/2019

ROUSE AVENUE BAR ASSOCIATIONPetitioner

Through: Appearance not given

versus

THE BAR COUNCIL OF DELHI & ORS.Respondents

Through: Mr. T. Singhdev, Mr. Tanishque Srivastava, Mr. Abhijit Chakravarty, Mr. Bhanu Gulati, Mr. Aneem Hussain, Mr. Sourabh Kumar & Ms.



Yamini Singh, Advs. for BCD.
Mr. Ajay Kumar Aggarwal,
Adv. for BCD.
Mr. Kirti Uppal, Sr. Advocate
with Mr. Harsh Kumar,
Advocate for DHCBA
Mr. Mohit Mathur, Mr. Jatan
Singh, Mr. Sandeep Sharma,
Mr. Amit Chadha, Mr. Sanjay
Dewan, Sr. Advs. with Mr.
Naginder Benipal, Mr. Shyam
Sharma, Ms. Bandana Kaur
Grover, Mr. Dhan Mohan, Mr.
Rajat Manchanda, Mr.
Siddharth Tripathy and Mr.
Sumit Misra for DHC Bar
Association.
Mr. Ajit Kakkar, Advocate,
Secretary, AFTBA
Mr. Chaman Kumar Gupta,
President, DTBA with
Mr. Kundan Lal Gupta, Joint
Secretary with Mr. Manish
Gupta and Mr. Karan Sharma,
Advocates for DTBA

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER
17.12.2024

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CM APPL. 63390/2024 (Ex.) in W.P.(C) 10363/2021

Allowed, subject to all just exceptions.

The application is disposed of.

CM APPL. 71629/2024 (Impleadment) & CM APPL. 71630/2024
(Quashing of Letter D. 25-11-2024) in W.P.(C) 4756/2023
CM APPL. 61310/2024 (Direction), CM APPL. 63389/2024
(Direction), CM APPL. 70445/2024 (Direction), CM APPL.



73104/2024 (Direction) in W.P.(C) 10363/2021
CM APPL. 57602/2024 (Direction) in W.P.(C) 11975/2019

1. We have been shown a chart which collates the data and indicates the pendency of work relating to scrutiny of applications and other processes at Levels 2 and 3.

2. From the disclosures so made, we find that the pendency of applications at Level 2 stands at 4989 while that at Level 3 is pegged at 2738. We are further informed that as many as 4445 objections in respect of the Level 2 scrutiny and 201 objections insofar as Level 3 is concerned, have been received.

3. We also take note of the order of the Supreme Court passed in **Re: Strengthening and Enhancing the Institutional Strength of Bar Associations¹** on 11 December 2024 and where the following clarification has been rendered: -

“1. These applications are moved by Mr. K.S. Dhaliwal, an advocate who is practicing in the Punjab and Haryana High Court. According to him, the elections of the Punjab and Haryana High Court Bar Association are not being held despite the fact that the one year tenure is over, on the ground that the instant petition re: Strengthening and Enhancing the Institutional Strength of Bar Associations is pending before this Court.

2. It is clarified that there is no interim stay passed by this Court against holding of elections of the High Courts or District Courts Bar Associations, and the same shall be held strictly in accordance with their respective constitution/bye-laws and rules.

3. The Interlocutory Applications are, accordingly, disposed of.

4. List the main case on 22.01.2025.

5. To be taken up at 2.00 P.M.

SLP(C) No.3932/2024 & SLP(C)No.4067/2024

1. List on 22.01.2025.

2. To be taken up at 2.00 P.M.

W.P.(C) No. 697/2024

¹ SLP(C) 3950/2024



1. Issue notice, returnable on 22.01.2025.
2. Ms. Radhika Gautam, learned counsel, accepts notice on behalf of respondent No.1-Bar Council of India.
3. Mr. Jasbir Singh Malik, learned counsel, accepts notice on behalf of respondent No.2-Bar Council of Punjab and Haryana.
4. Let notice be issued to the learned Solicitor General of India to represent respondent No.3-Ministry of Law and Justice.
5. Reply, if any, be filed within four weeks.
6. To be taken up at 2.00 P.M.”

4. In view of the aforesaid, we direct all concerned authorities connected with the conclusion of formalities pertaining to the **Delhi High Court Bar Association**² election to proceed with due expedition and ensure that all processes including disposal of objections are completed forthwith and in accordance with law. We direct all authorities connected with the scrutiny process of the DHCBA to ensure that all steps are taken and completed on or before 10 January 2025.

5. We further direct the competent authorities to ensure that the Election Commission which is to be constituted follows immediately upon closure of the scrutiny process.

6. The elections to all Bar Associations in Delhi shall consequently now be held on 07 February 2025, subject to any legal restraint or impediment impeding that process. The aforesaid date for holding of final elections has been decided after taking into consideration submissions made by counsels appearing for respective sides as well as bearing in mind the various preparatory steps that are liable to be taken for purposes of holding of elections with due expedition.

² DHCBA



7. The date of 07 February 2025 has been fixed with the consent of respective sides and parties present before us.
8. These applications shall stand disposed of.

YASHWANT VARMA, J.

REKHA PALLI, J.

C. HARI SHANKAR, J.

DECEMBER 17, 2024/DR