



\$~FB-2

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

+ W.P.(C) 6338/2023

P K DASH ADVOCATE

..... Petitioner

Through: Mr.Gautam Das, Advocate (through
VC) along with Petitioner through
VC.

versus

SAKET BAR ASSOCIATION AND ORS

..... Respondents

Through: Mr.T.Singhdev, Advocate with
Mr.Tanishq Srivastava, Mr.Abhijit
Chakravarty, Mr.Bhanu Gulati,
Ms.A.Hussain, Mr.Aabhaas
Sukhramani, Mr.Sourabh Kumar,
Mr.Ajay Kumar Agarwal and
Ms.Ramanpreet Kaur, Advocates for
BCD.

Mr.Satyakam, ASC for GNCTD.

Mr.Anurag Ahluwalia, Advocate with
Mr.Abhay Singh and Mr.H.Sharma,
Advocates for DHC.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR.JUSTICE RAJIV SHAKDHER

HON'BLE MR.JUSTICE SURESH KUMAR KAIT

ORDER

%

23.08.2024

CM APPL. 47174/2024

1. Present application has been filed on behalf of the Petitioner-Applicant seeking action against malpractice of marking appearance of advocates without their presence in the Court.
2. Learned counsel for the applicant states that in terms of para 11.9 (iv) of the judgment dated 19th March, 2024, advocates who have twelve (12)



appearances before Courts in a year shall be considered as bona fide advocates and will be eligible to vote in elections. He states that appearance of advocates is being marked despite their absence in Courts, thereby defeating the purpose of this requirement. He points out that in a recent incident in the Court of learned District Judge, North, Rohini Courts, presence of one hundred thirty (130) advocates have been marked in a single order. He also alleges that advocates are fabricating soft copies of the order sheets by editing their names. According to him, there should be reasonable check in the methodology for the validation of eligible voters.

3. This Court is of the view that if the Petitioner-Applicant or any other individual has any complaint, he/ she should file the same with the Election Committee within ten days who shall decide the same and pass appropriate order as well as make recommendation, if required, in accordance with law.

4. In the event, any party is aggrieved with the decision of the Election Committee, he/ she shall be at liberty to challenge the same in accordance with law after the elections are over.

5. With the aforesaid direction, the present application stands disposed of. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

RAJIV SHAKDHER, J

SURESH KUMAR KAIT, J

AUGUST 23, 2024
TS