

D/L 68
22.01.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 1216 of 2025
(CAN 1 of 2025)

Md. Aniqul Rahaman
Vs.
The Bar Council of India & Ors.

Mr. Sankarnath Mukherjee
Ms. Madhumita Chatterjee
Mr. Saikat Pal

...for the Petitioner.

Ms. Sabnam De

...for the Bar Council of West Bengal.

Mr. Prabal Mukherjee, Sr. Adv.
Mr. Sukanta Chakraborty
Mr. Jahangir Alam
Ms. Jenifar Alam Megha

...for the Chanchal Bar Association.

1. Chanchal Bar Association is represented by the learned senior counsel. It has been submitted that the Bar Association is not a registered one. The provisions of the West Bengal Advocates Welfare Fund Act, 1991 is applicable only to a registered association. As the association is yet to be registered, the members of the association will not get the benefit of the said Act.
2. Learned senior counsel appearing for the Bar Association fairly submits that, the Bar Association will not stand in the way of the right to practice of the subject advocates who have been debarred from using the facilities of the Bar Association.
3. Since the Bar Association is an unregistered private body, the writ Court is not inclined to interfere in the matter.
4. The writ petition is disposed of with the observation that the advocates who are enrolled with the State Bar Council will not be restrained from performing their legal practice by the Bar Association, in any manner whatsoever.

5. Since the writ petition is being disposed of without calling for any affidavits, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

In Re:- CAN 1 of 2025

1. An application has been filed for addition of party. The applicants claim to be similarly placed as the petitioner in the subject writ petition. The allegations of the applicants are also the same.
2. In view of the above, application for addition of party stands allowed, and the same stands disposed of.
3. The order passed in the writ petition shall be made applicable in respect of the applicants also.
4. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities

(Amrita Sinha, J.)