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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

WRIT PETITION NO.9513 OF 2025

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VASANT
ANANDRAO
IDHOL
Date: 2025.11.17
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Latika Belindage,	)	
Age :57 years, Occ : Professional	)	
Residing at C-2, Jagruti Krupa,	)	
Karve Road, Dombivali (West).	)	...Petitioner
	)	
...Versus...	)	
	)	
1. Bar Council of India,	)	
Having its office at 21, Rouse Avenue	)	
Institutional Area, Near Bal Bhawan,	)	
New Delhi – 110 002.	)	
	)	
2. Bar Council of Maharashtra & Goa,	)	
Having its office at PWD Building,	)	
Bombay High Court, Bombay.	)	
	)	
3. Salamat Ali Zahid Ali Shaikh,	)	
Age : 40 years, Occu : Salesman,	)	
Nurani Store, Shop No.1,	)	
Maharashtra Co-op Society, Near	)	
Nuri Masjid, 10 th Foot Road,	)	
Dharavi, Mumbai.	)	...Respondents

Mrs.Manjula Rao, Senior Advocate with Mr.Manmohan Amonkar i/b Mr.Rohan Deshmukh for the Petitioner.

Mr.Prasad L. Gajbhiye for the Respondent No.1 – BCI.

Mr.Yogendra Rajgor for the Respondent No.2 – BCMG.

Mr.Ajinkya M. Udane for the Respondent No.3.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 13TH NOVEMBER, 2025.**

ORDER (Per Sandesh D. Patil, J.) :-

1. The Petitioner is a practicing Advocate, practicing in this Court. The Respondent No.1 – Bar Council of India has passed an *ex-parte* order dated 21st January, 2024 thereby imposing fine of Rs.50,000/- upon the Petitioner and further granting Rs.50,000/- as compensation to the Complainant. This order was passed pursuant to the complaint, which was lodged by the Respondent No.3 with the Respondent No.2 i.e. Bar Council of Maharashtra & Goa. It appears that the matter was thereafter transferred to the Respondent No.1 and was numbered as Case No.789 of 2022.

2. Mrs.Manjula Rao, learned Senior Advocate appearing for the Petitioner states that the order passed by the Respondent No.1 is bereft of any reasons and or merits. She states that the

order is an *ex-parte* order and that the Petitioner was never served with the copy of the disciplinary proceedings, because of which the Petitioner could not attend and further defend the same. She further states that the order passed is shockingly disproportionate and contrary to the factual as well legal position. Learned Senior Advocate states that the impugned judgment and order is passed only because, the Advocate was not present and that there was no reply filed by the Petitioner to the complaint filed by the Complainant.

3. Learned counsel for the Respondent No.1 on instructions fairly states that the order passed is an *ex-parte* order and that the impugned judgment and order be quashed and set aside and the matter be remanded back to the Respondent No.1 for fresh consideration on merits.

4. Learned counsel for the Respondent No.3 on instructions from the Respondent No.3, who is present in the Court, also agrees for setting aside the impugned judgment and

order passed by the Respondent No.1 and hearing the matter afresh on merits. He however, states that the Respondent No.1 be directed to decide the matter expeditiously.

5. Having heard the learned counsels for the respective parties, we set aside the impugned judgment and order dated 21st January, 2024 passed by the Respondent No.1 and remand the matter back to the Respondent No.1 to decide the same afresh on merits.

6. The Respondent No.1 shall give fresh notice to the Petitioner at the address given in the title cause of the present Writ Petition.

7. The disciplinary proceedings which are pending before the Respondent No.1 bearing Transfer Case No.789 of 2022 are restored to the file.

8. The Respondent No.1 after giving notice to the

Petitioner and after ascertaining service of the same upon the Petitioner, shall give an opportunity to the Petitioner to file her affidavit in reply.

9. The proceedings be decided by the Respondent No.1 as expeditiously as possible after giving fair opportunity to the Petitioner.

10. In the light of the aforesaid directions, nothing survives in the present Writ Petition and the same is disposed off in the aforesaid terms.

11. We make it clear, that we have not gone into the merits of the Respondent No.2's complaint and as such keep all contentions of all parties on merits open.

12. There shall be no order as to costs.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)