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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 4182 OF 2025

Adv. Partha Sarathy Sarkar

... Petitioner

versus

Adv. Sudeep Pasbola & Ors.

... Respondents

AND

WRIT PETITION NO. 4089 OF 2025

Adv. Nilesh C. Ojha

... Petitioner

versus

Adv. Sudeep Pasbola & Ors.

... Respondents

...

Ms.Nicky Pokar with Mr.Vijay Kurle, Mr.Vikas Pawar and Mr.Shivam Gupta for the Petitioner in WP No. 4182 of 2025.

Mr.Partha Sarkar, Petitioner-in-person is present.

Mr.Nilesh C.Ojha,Petitioner-in-person is present.

Mr.Tanveer Nizam with Mr.Ishwarlal Agarwal, Ms.Meena Thakur, Mr.Abhishek Mishra and Mr.Devkrishna Bhambri for the Petitioner in WP No. 4089 of 2025.

Dr.Uday Warunjikar with Mr.Yogendra Rajgor for Respondent No.6 in WP No. 4089 of 2025 and for Respondent No.3 in WP No. 4182 of 2025.

...

**CORAM : RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ.**

DATE : 5th August, 2025

P.C.:-

1. Considering the submissions of the Petitioners, who are present in the Court, and the order that we are passing by consent of all the parties,

we have, without laying down any precedent, not insisted for the Petitioners-in-Person (hereinafter referred to as the PIP) to get a certificate from the Committee of the learned Registrars for authorization to appear in person.

2. The PIP as well as the Respondents submit that they have no objection if one of us (Ravindra V. Ghuge, J.) deals with these matters.

3. After an exchange of submissions and thoughts, the PIP have stated that their Petitions, which are served on the Bar Council of Maharashtra and Goa, (hereinafter referred to as the BCMG), be treated as their replies to the impugned show causes notices. These Petitions and the case law that are being cited today in the Court Hall, as well as the written submissions and additional documents, shall all be considered as a part of the compilation of their individual written say to the impugned show causes notices.

4. Copies of the case law, written submissions and additional documents are tendered to the Court across the bar and the same are taken on record.

5. The learned Advocate, Dr.Warunjikar, representing the BCMG submits that after these replies of these PIP are received, the BCMG would place the papers before the Disciplinary Committee (DC), which has been constituted. He further states that the DC would thereafter issue notices through the authorized signatory, to the PIP for a personal hearing. Since this is a personal cause, the DC normally prefers to maintain confidentiality of the proceedings when the PIP individually appear before it.

6. The PIP before us submit that they would appear in their individual cases before the DC and would individually present their cases. No other person would accompany them, who is not a recipient of such a show cause notice.

7. Dr.Warunjikar, the learned Advocate, submits that the DC would ensure that there is an individual hearing, and not a common hearing where more than one noticee is permitted to enter the chamber. In short, there will be no common hearing for the noticees.

8. The PIP submit that after the hearing before the DC is concluded, they would be relying upon an order passed by this Court

[Coram: A.S.Chandurkar (as His Lordship then was) & M.M.Sathaye, JJ.] dated 7th May, 2025 on the Interim Application (St.) No. 9865 of 2025 in Writ Petition (St.) No. 6237 of 2024 (***Charanjeet Singh Chanderpal Vs. Advocate General, State of Maharashtra & Ors.***), that if an adverse order is likely to be passed against the noticee, the said adverse order would not be given effect to for fifteen days.

9. Dr.Warunjikar, assures that such a request placed before the DC would be considered by the DC.

10. Before parting with these matters, by consent of the parties, we are recording their additional statements as under:

(a) The PIP have stated that they have no objection if Dr. Warunjikar appears as an Advocate representing the BCMG in these matters and they have no grievances;

(b) The earlier order dated 31st July, 2025, more particularly, paragraph Nos. 2 and 3, would continue, by the consent of the parties;

(c) One of the PIP, Mr.Sarkar, desires to prepare a proposal setting out certain modalities or procedural methods/rules for conducting DC enquiries, to be submitted to the Bar Council of India and forward a copy to the BCMG. His desire is that, in the near future, certain Rules may be prescribed for the purpose of conducting DC enquiries.

11. In view of the above, **both these Petitions are disposed off**, by consent of the parties.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)