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

+ W.P.(C) 9046/2023
and CM APPL.34401/2023, 46027/2023, 46028//2023

TARUN SOOD

.....Petitioner

Through: Mr. K.K. Manan, Sr. Adv. alongwith
Mr. Mohit Bangwal, Ms. Yakshi
Kataria and Ms. Savita Sethi,
Advocates.

versus

NEW DELHI BAR ASSOCIATION AND ORS

.....Respondents

Through: Mr. Ashish Garg, Mr. Shiven Banga
and Mr. Navneet Panwar, Advocates
for R1.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

21.04.2025

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1. The present petition assails an order dated 16.02.2023 (Annexure P1) whereby the transfer certificate dated 31.08.2022 issued in favour of the petitioner with regard to the Chamber No. 203, Patiala House Court, New Delhi, was cancelled by the New Delhi Bar Association/respondent nos.1&2.

2. It is pointed out that pursuant to an application dated 30.08.2022 being submitted by the petitioner, the concerned Chamber was duly transferred in the name of the petitioner *vide* a transfer certificate dated 31.08.2022, issued by the New Delhi Bar Association. The said certificate reads as under:

"CERTIFICATE

This is to certify that Chamber No. 203, Patiala House Courts, New Delhi, has been transferred in the name of Sh. TARUN SOOD, Advocate



from today i.e. 31/08/2022, as per existing rules, in place of Late Sh. MAHESH CHANDER SHARMA, Advocate (D/276/1978) & NDBA Membership No. 77, after receiving the necessary No Objection Certificate from Ms. SARITA CHANAN SHARMA (wife) and Sh. K.M. DOGRA (Son). They are the legal heirs of Late Sh. MAHESH CHANDER SHARMA, Advocate, with the conditions as given below:

- *Will not make any partitions in the Chamber.*
- *Will not let-out the chamber.*
- *Will not use for commercial activities such as Photocopy/Typist etc.*
- *Will pay all the dues in time.*
- *If, wishes to vacate the Chamber it should be handed over only to NDBA and not to anyone else.*

Now the said Chamber No. 203, Patiala House Courts, New Delhi, stands in the name of Sh. TARUN SOOD, Advocate (D/675/2019 & NDBA Membership No. 7196) from today i.e. 31/08/2022, in the records of New Delhi Bar Association (Regd.)

3. Admittedly, all the requisite charges were paid by the petitioner pursuant thereto and the petitioner was inducted in possession of the Chamber. Subsequently, however, the New Delhi Bar Association issued a communication dated 20.02.2023 purporting to seal the Chamber. The said notification/notice dated 20.02.2023 reads as under:

“NOTICE

As resolved in the meeting dated 15/02/2023. The transfer letter in the name of Adv. Tarun Sood vide enrolment no. D/675/2019 and NDBA membership No. 7196 stand cancelled due to misrepresentation and illegal means, therefore the Chamber No. 203 has been sealed today on 20/02/2023 at 4:30 PM.”

It is noticed that the aforesaid notice/notification refers to “misrepresentation and illegal means” exercised by the petitioner, however, particulars thereof have not been set out in the said notice.

4. Thereafter, *vide* the impugned letter/communication, the transfer certificate of the petitioner was cancelled by the New Delhi Bar Association.



The said impugned communication/letter reads as under:

*“Mr. TARUN SOOD,
Advocate (D/675/2019),
Mob: 965438645
E-Mail ID: tarun.sood77@gmail.com
Patiala House Courts,
New Delhi - 110001.*

Sir,

This is to inform you that it has been decided in the Executive Meeting held on 15% February, 2023 that the transfer letter of Chamber No. 203 has been cancelled forthwith. As it has been noticed that you obtained the transfer letter of Chamber No. 203, Patiala House Courts, New Delhi, by misrepresentation of facts, hence the possession of the said Chamber No. 203 was not handed over to you.

Therefore, the transfer letter for chamber no. 203 stands cancelled forthwith.

Thanking you.”

5. The above communication refers to “mis-representation of facts” by the petitioner. However, the same also does not contain any particulars thereof. In the above backdrop, the petitioner alleges denial of the principles of natural justice.

6. In the above backdrop, *vide* order dated 16.01.2025, this Court recorded the submissions of the learned counsel for the respondent no.1/The New Delhi Bar Association as under

“1. Learned counsel for the respondent no.1 submits that the executive committee/ President of the New Delhi Bar Association shall grant an audience to the petitioner on 24.01.2025 at 04:30 PM and make an endeavour to redress the grievance of the petitioner.

2. List on 18.03.2025.”

7. Despite the aforesaid directions, it is noticed that the concerned Bar Association has neither granted an audience to the petitioner nor taken



decision in the matter.

8. Today again, learned counsel for the respondent nos.1 and 2 states, on instructions, that the New Delhi Bar Association is actively seized of the matter and shall grant a hearing to the petitioner expeditiously, and thereafter take an appropriate decision by passing a reasoned order.

9. As regards the delay in conducting this exercise despite directions contained in the order dated 16.1.2025, it is submitted that the same has been occasioned on account of the fact that the newly elected Executive Committee of the Bar Association (pursuant to elections held on 21.03.2025) is yet to receive the concerned file from outgoing executive committee. Clearly, the petitioner cannot be made to suffer on account of the administrative difficulty being faced by the respondent nos.1 and 2 in arranging its files etc.

10. Considering the aforesaid circumstances, this petition is disposed of with a direction to the respondent nos. 1 and 2 to take expeditious steps in terms of its aforesaid statement. However, taking into account the attendant circumstances, including the fact that the impugned order dated 16.02.2023 is unreasoned, it is directed that pending grant of hearing to the petitioner and passing of a reasoned order pursuant thereto, the operation of the impugned order dated 16.02.2023 (as also the sealing notice dated 20.02.2023) shall remain stayed.

11. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

APRIL 21, 2025/at