



2025:DHC:10987



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 03.12.2025**+ **W.P.(C) 18355/2025 & CM APPL. 75995/2025****SURENDAR KUMAR**

.....Petitioner

Through: Ms. Jagrati Singh, Mr. Rajpal, Mr. Vikram Saini, Mr. R.S. Meena, Advocates along with petitioner in person (M:9250208553)

versus

**BAR COUNCIL OF DELHI & ANR.**

.....Respondents

Through: Mr. T. Singhdev, Mr. Tanishq Srivastava, Ms. Yamini Singh, Mr. Sourabh Kumar, Mr. Vedant Sood, Advocates for R-1(M:9999012345)

**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (ORAL):**

1. At the outset, this Court notes that the Chairman of the Special Committee, constituted by the Bar Council of India ("BCI"), i.e., the Additional Solicitor General of India, has been impleaded as respondent no. 2 in the present petition.
2. Considering the submissions made before this Court, respondent no. 2 is deleted from the array of parties.
3. The present writ petition has been filed seeking directions to the Bar Council of Delhi ("BCD") to make arrangements for polling/casting of votes for election of members of BCD, scheduled to be held on 13<sup>th</sup> and 14<sup>th</sup> February, 2026, in the High Court as well as the District Courts in Delhi, i.e., Dwarka District Court, Tis Hazari District Court, Saket District Court



and Karkardooma District Court or any other Court, in view of the large voter strength of more than 1,05,000 advocates.

4. It is submitted that the Supreme Court *vide* order dated 24<sup>th</sup> September, 2025, in *W.P.(C) 1319/2023* has directed that elections to all State Bar Councils be completed by 31<sup>st</sup> January, 2026. The BCD, *vide* its Resolution dated 09<sup>th</sup> October, 2025, has issued the tentative schedule for election of members of BCD, according to which, the dates of polling are 13<sup>th</sup> and 14<sup>th</sup> February, 2026.

5. Learned counsel for the petitioner submits that the total number of eligible voters for the upcoming BCD elections is more than 1,05,000 advocates.

6. Thus, it is submitted that as per the prevalent past practice, polling has been conducted only at the premises of the Delhi High Court, which has resulted in overcrowding, long queues stretching for several hours, security concerns, etc. This also creates difficulty for advocates who have matters listed in different Courts.

7. Thus, it is submitted that the management of such huge public and number of vehicles is impossible, and that it will affect the casting of votes in a fair manner.

8. Learned counsel appearing for the petitioner submits that on the contrary, District Courts in Delhi are well equipped with requisite amenities to make arrangements for polling in the election in question. This would not only make it easy for the advocates to cast their votes who are mainly practicing in those District Courts, but will also put lesser pressure on all other resources. Thus, it is submitted that in view of the impracticality involved in conducting the election in question, wherein, the expected



number of voters, other persons involved in conducting the election and supporters are put in one place, it is more feasible to make arrangements in District Courts of Delhi for smooth, free and fair election.

9. Thus, the petitioner seeks directions for establishing polling booths at District Court in feasible locations.

10. *Per contra*, learned counsel for the respondent-BCD has handed over to this Court an order dated 18<sup>th</sup> November, 2025, passed by the Supreme Court in *W.P.(C) 1319/2023*, which is taken on record.

11. The relevant portions of the aforesaid order passed by the Supreme Court, reads as under:

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*9. For the purpose of holding timely elections, the Bar Council of India had earlier submitted the Election Schedule as per its Rules, which would have taken a long time to conclude. Since the time line proposed therein was contrary to the very ethos of timely elections, the BCI has today submitted a written note, proposing expedited election schedule. While we broadly agree with the time-line recommended therein, it seems to us that elections of all the State Bar Councils must, in all circumstances, be concluded before 30.04.2026.*

*10. On a consideration of the time required for completion of different stages of the election process, we find it necessary and appropriate to invoke the powers vested in this Court under Article 142 of the Constitution and prescribe the following model time line, to be followed for each State Bar Council election that would take place hereafter:*

- (i) Preparation and publication of provisional electoral rolls (after or pending verification) – 15 days from the date of election notification;*
- (ii) Inviting objections to the electoral rolls – 7 days from (i);*
- (iii) Publication of final electoral rolls – 7 days from (ii);*
- (iv) Filing of nominations – 7 days from (iii);*
- (v) Scrutiny of nomination documents – 2 days from (iv);*
- (vi) Publication of list of candidates – 1 day from (v);*
- (vii) Withdrawal of candidature and publication of the final list of candidates – 3 days from (vi);*
- (viii) Elections as per preferential system of votes – 20 days from*



(vii).

**11. The entire election process, including counting of votes, shall be controlled and monitored through their direct supervision by the High-Powered Election Committees, constituted hereinafter.**

12. With a view to facilitate the effective conduction of these elections, we deem it appropriate that elections to different State Bar Councils ought to take place in a phased manner. To that end, we issue the following directions:

I. The State Bar Councils of Telangana and Uttar Pradesh, where the elections have already been notified, shall conclude their elections by 31.01.2026. The counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 28.02.2026. The elections will be conducted under the direct supervision of the High-Powered Election Committee – Phase I, comprising the following three members:

- (i) Justice Ravi Ranjan, former Chief Justice, Jharkhand High Court (Chairperson);
- (ii) Justice A.R. Masoodi, former Judge, Allahabad High Court; and
- (iii) Justice Rekha Palli, former Judge, Delhi High Court.

**II. In the second phase, the elections of the State Bar Councils of Andhra Pradesh, Delhi, and Tripura shall be conducted. The entire election programme, including counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 28.02.2026. The elections in Andhra Pradesh and Tripura will be conducted under the direct supervision of the High Powered Election Committee – Phase II, comprising the following three members:**

- (i) Justice Virender Singh, former Chief Justice, Jharkhand High Court (Chairperson);
- (ii) Justice Chander Shekhar, former Judge, Delhi High Court; and
- (iii) Justice D.C. Chaudhary, former Judge, Himachal Pradesh High Court.

**We are informed that, so far as Delhi is concerned, a Special Committee has been constituted to conduct elections to the State Bar Council of Delhi. The three member Special Committee includes two eminent Senior Advocates, one of whom is also serving as Additional Solicitor General of India. We see no reason to interfere in the composition of that Committee, and it shall perform the same function as envisaged for High Powered Election Committees in this order. At the same time, in light of**



the directions passed hereinabove, we impress upon the Special Committee that it may seek guidance from the High-Powered Election Supervision Committee for ensuring fair and transparent elections.

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14. In addition to the High-Powered Election Committees constituted above, we also deem it appropriate to constitute a three-member High-Powered Election Supervisory Committee, on a pan India basis, which shall be headed by a former Judge of this Court and shall also comprise one former Chief Justice of a High Court and one renowned Senior Advocate, who does not contest election(s) of the Bar Councils or the Bar Associations. For the same, in this regard, we appoint the following as members of such Supervisory Committee:

- (i) Justice Sudhanshu Dhulia, former Judge, Supreme Court of India (Chairperson);
- (ii) Justice Ravi Shankar Jha, former Chief Justice, Punjab & Haryana High Court; and
- (iii) Shri V. Giri, Senior Advocate.

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19. During the course of hearing, it is seen that several lawyers have individual and varied grievances. We are afraid such individual grievances cannot be addressed in these proceedings. Liberty is, hence, granted to them to apply before the High-Powered Election Committee(s) for redressal of their individual issue(s).

20. Any person who is aggrieved by the decision of the High Powered Election Committee shall be at liberty to approach the High-Powered Supervisory Committee. The decision taken by the Supervisory Committee shall be final. No civil court or High Court shall entertain any petition(s) against such decision.

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(Emphasis Supplied)

12. Perusal of the aforesaid order passed by the Supreme Court clearly shows that as regards the elections in Delhi, a Special Committee has already been constituted, which shall supervise all the aspects of conduct of elections to the State Bar Council of Delhi, i.e., BCD.

13. The Notification dated 10<sup>th</sup> October, 2025 issued by the BCI in this



regard is on record, wherein, with regard to the constitution of the Special Committee, it is submitted as follows:

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*C. A Special Committee for the State Bar Council of Delhi is constituted under Section 8A of the Advocates Act. The Committee shall consist of the following members: -*

*i. Mr. Chetan Sharma, Additional Solicitor General of India (Chairman)*

*Email ID: chetansharmamailbox@yahoo.co.in*

*Mobile No. +91-9810010757*

*Address: 16, Teen Murti Lane, New Delhi-110011*

*ii. Mr. Maninder Singh, Senior Advocate, Supreme Court of India (Member)*

*Email ID: ms@singhmaninder.com*

*Mobile: as per records on file*

*Address: F-11, Jangpura Extension, New Delhi-110014*

*iii. Mr. Neeraj, Advocate, President, Central Delhi Court Bar Association (Member)*

*Office Rouse Avenue Court Complex, DDU Marg, New Delhi-110002*

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14. Thus, the aforesaid Special Committee already stands constituted, which has the authority to exercise all powers and perform all functions of the BCD.

15. Perusal of the aforesaid order of the Supreme Court further clearly shows that in case of any individual grievance by any person with regard to the elections or any other issue, liberty has been granted to approach the High-Powered Election Committee, which is the Special Committee in the case of Delhi.

16. Further, in case any person is aggrieved by the decision of the High-Powered Election Committee/Special Committee, they have the liberty to approach the High-Powered Election Supervisory Committee, which has



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been constituted by the Supreme Court. Further, the order passed by the Supreme Court is categorical to the effect that no Civil Court or High Court shall entertain any petition against any such decision.

17. Accordingly, considering the aforesaid, it is directed that the present writ petition be considered as a representation by the Special Committee for the State BCD, as constituted under Section 8A of the Advocates Act, 1961.

18. Let the representation be considered by the Special Committee and an order be passed on the representation of the petitioner expeditiously, preferably, within a period of three weeks, from today.

19. With the aforesaid directions, the present writ petition, along with pending application, is accordingly disposed of.

**MINI PUSHKARNA, J**

**DECEMBER 3, 2025/au**