

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.1820 OF 2026

Prasad Gurunath Shelke

....Petitioner

Versus

Satish M. Atre and ors.

....Respondents

Mr. Ashutosh Gole a/w Mr. Nikhil Waje and Mr. Pratik Thorat for
the Petitioner.

Mr. Yogendra Rajgor a/w Ms. Megha Gewalani, Mr. Shrikishan
Denge i/b. Bar Council of Maharashtra and Goa for Respondent
No.2.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 6th FEBRUARY, 2026

P.C. :-

1. After this matter was heard for quite sometime, when
we had made up our mind and informed the learned Advocate for
the Petitioner that we were not inclined to entertain this Petition,
even then, the learned Advocate for the Petitioner desired to
continue arguing the Petition.

2. We, therefore, warned the learned Advocate for the
Petitioner that we would be imposing costs for wasting the time of

Court, when the Court's board consists of more than 200 matters. The learned Advocate for the Petitioner submitted that the Petitioner is a practicing Advocate, and he desires to continue to argue. Nevertheless we have almost lost 20 minutes in this matter.

3. The Petitioner is before the Court seeking issuance of Writ of Mandamus. He himself claims to have filled in his nomination Form for the post of President of Ambernath Advocates Bar Association at Chikhholi, Taluka Ambernath, District Thane.

4. His contention is that there is no Bar Association by the said name registered till today. Because there is no such Bar Association, there is no question of registering it under either Maharashtra Public Trust Act, 1950, or the Societies Registration Act, 1886.

5. The Petitioner contends that the Bar Association of Maharashtra and Goa ("BCMG") is interfering in the Election of Ambernath Advocates Bar Association at Chikhholi. Multiple directions are issued by BCMG. Respondent No.1 is an Election Officer. The Election Schedule is already declared. Voting is

scheduled tomorrow i.e. 7th February, 2026. The counting of votes and declaration of result is scheduled on 8th February, 2026.

6. Firstly, on the one hand, the Petitioner submits that there is no Bar Association, and on the other hand, the Petitioner concedes that he himself is contesting for the post of the President of the same Ambernath Advocates Bar Association at Chikhloli. Secondly, also, the programme of the Election is already declared. Thirdly, this Court has delivered a Judgment in ***Rajghor Ranjhan Jayantilal Vs. Election Scrutiny Committee of Bombay Bar Association and another (2024) 4 Mah LJ 288***; and on 21st April, 2025 in ***Shri Abhijeet Appasaheb Bacche-Patil Versus The Bar Council of Maharashtra and Goa and anr in Writ Petition No.5368 of 2025***. These Judgments are cited and relied upon by the learned Advocate for the BBMG.

7. The learned Advocate for the Petitioner relies upon the Judgment delivered by the Hon'ble Supreme Court in the case of ***Supreme Court Bar Association and Ors. Vs. B. D. Kaushik (2011) 13 Supreme Court Cases 774***; and the Judgment delivered by this Court in the case of ***Gulabchand alias Gulabrao Shivram Gawand***

and others Vs. Thane District Courts Bar Association, Through its President and others (2019) 2 AIR Bom R 133. Reliance is also placed by the Petitioner on *Bar Association Lahar, District Bhind Vs. State Bar Council of M.P. and another in Writ Petition No.750 of 2017*, decided by the High Court of Madhya Pradesh at Jabalpur vide order dated 9th January, 2018, to support his contention that there should be Rule of “One Bar, One Vote”.

8. Since the Election is scheduled tomorrow, and the counting of votes would take place on 8th February, 2026, we find that if the Petitioner is aggrieved, he may approach an appropriate Court, where he could lead oral and documentary evidence in support of all his contentions, especially that several voters have voted in several Bar Association Elections and have also voted in Ambernath Advocates Bar Association at Chikhholi. All contentions are kept open.

9. On the point of costs, since the Petitioner is a practising Advocate for the last 20 years and he is almost a mid senior, we are imposing costs of only Rs.10,000/-, to be donated to the Bar Council of Maharashtra and Goa, to be spent on the second Wing of the

‘Bharat Ratna Dr. Babasaheb Ambedkar Advocate Training and
Research Centre (BBATRC), Taloja, Navi Mumbai.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)