

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

WRIT PETITION NO.3095 OF 2026

Prakash Rajaram Jagtap

.. Petitioner

Vs.

The High Power Committee

Bar Council of Maharashtra & Goa & Anr.

.. Respondents

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Mr. Vijay Kurle i/b. Mr. Sangharsh V. Waghmare,
Advocates for the Petitioner

Mr. Samir A. Vaidya a/w. Ms. Zainab Khan, Mr. Kaivalya
Raul and Ms. Chandarani Gore, Advocates for
Respondent No.2

Mr. Yogendra Ragjor, Advocate for Respondent No.3

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM ANKHAD, J.**

DATE : 6th MARCH 2026

P.C. :

The petitioner who is contesting the Bar Council of Maharashtra and Goa Election-2026 is aggrieved by the order dated 4th March 2026 vide Exhibit-C at running page no.25 of the paper-book passed by the High-Powered Election Committee for Maharashtra & Goa in Appeal No.7 of 2026. The order dated 4th March 2026 is reproduced below:

"1. This is the objection received in view of the Returning Officer not rejecting the candidature of two individuals, viz., (1) Advocate Ravi Prakash Jadhav; and (2) Advocate Syed Asif Abbas Naqi for their nomination for 2026 BC Elections.

2. Mr. Vaidya submitted that both Mr. Ravi Jadhav and Mr. Syed Asif Abbas Naqi are disqualified from Bar Council of Maharashtra & Goa Elections under Chapter III of BCI Rules which provides "an advocate, who is an officer bearer of any bar association (SCBA) shall not be eligible to contest the election of the State Bar Council... the Returning Officer shall reject the nomination papers of any such persons (candidate) who

were/are office bearers of any bar association on the date of notification of elections of the concerned State Bar Council. Mr. Vaidya submitted that this disqualification won't be applicable if such office bearer has resigned from his post before the date of notification of the elections of the State Bar Council. Indisputably, these two candidates viz. Mr. Ravi P. Jadhav and Mr. Syed Asif Abbas Naqvi who are president and secretary, respectively of the Bombay City Civil & Session Court Bar Association have not resigned from their post before the date of notification of the elections because the valid nomination list after scrutinising the nomination forms issued by the Returning Officer itself states that these candidates are presently office bearers of the bar association and their candidature is subject to the final decision of the Bar Council of India in view of the decision of the Supreme Court in W.P. No. 226 of 2026 dated 9th February 2026. These two names of Mr. Ravi P. Jadhav and Mr. Syed Asif Abbas Naqvi figure at Sr. No. 60 and 138, respectively.

3. On facts we would certainly agree with Mr. Vaidya. The list released by the Returning Officer does indicate these two candidates to be office bearers of the Bar Association. The Apex Court, in its order dated 19th February 2026, has prima facie observed that it sees no justification for creating such an artificial distinction under the rules and directed the Bar Council of India to reconsider the provisions and to carry out suitable amendment within 1 week. We are informed by Mr. Rajgor that there is no such information from Bar Council of India that it has reconsidered the provision or carried out any suitable amendment. The one week period, we must note expired on 27th February 2026.

4. We are informed by Mr. Rajgor that even a letter dated 28th February 2026 addressed to the Charman of BCI was sent by email seeking clarification in this regard particularly in view of time bound direction issued by the Hon'ble Supreme Court of India. Mr. Rajgor stated that there has been no response from BCI

5. In the circumstances, as the rules stand, these two candidates would stand disqualified.

6. We are informed by Mr. Rajgor that there are other candidates who are similarly placed as Mr. Ravi P. Jadhav and Mr. Syed Abbas Naqvi. Those candidates would also fall in the same bracket and consequently would get disqualified. The Returning Officer is directed to take necessary steps in this regard.

7. The Application is disposed.”

2. Mr. Vijay Kurle, the learned counsel for the petitioner submits that the petitioner was not served any notice, he was not afforded any opportunity of hearing and the impugned order dated 4th March 2026 came to be passed in Appeal No.7 of 2026.

3. To recapitulate, the High-Powered Committees for supervising the elections of different State Bar Councils were constituted by the

Hon'ble Supreme Court by an order dated 18th November 2025 in Writ Petition (Civil) No.1319 of 2023 titled “*M. Varadhan v. Union of India & Anr.*”. As we glance through the said order, we observe that High-Powered Committees for a cluster of two or more State Bar Councils have been constituted to look into the allegations and counter-allegations made by various stakeholders. We further find that the Hon'ble Supreme Court has been pleased to constitute a three-member High-Powered Election Supervisory Committee consisting of (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, on a pan-India basis. It is observed in the order dated 18th November 2025 that the State Bar Councils and the High-Powered Election Committees shall adhere to the time schedule. In paragraph no.20 of the order dated 18th November 2025, the Hon'ble Supreme Court has directed that any person aggrieved by the decision of the High-Powered Election Committee shall be at liberty to approach the High-Powered Election Supervisory Committee.

4. With the aforesaid mechanism for redressal of the grievance in the forthcoming elections of the State Bar Councils, we think that the appropriate remedy for the petitioner is to approach the High-Powered Election Supervisory Committee.

5. With the aforesaid observations, Writ Petition No.3095 of 2026 is dismissed.

[GAUTAM ANKHAD, J.]

[CHIEF JUSTICE]