

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

WRIT PETITION NO.3096 OF 2026

Ravi Prakash Jadhav

.. Petitioner

Vs.

The High Power Committee

Bar Council of Maharashtra & Goa & Anr.

.. Respondents

...

Mr. Partho Sarkar i/b. Mr. Sangharsh V. Waghmare,
Advocates for the Petitioner

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.

2. In an application filed by Mr. Syed Ejaz Abbas, the following order was passed by the Returning Officer:-

"Scrutiny and hearing conducted to the Candidates on 28/02/2026. The Candidates had filed their respective Nomination Paper from 22/02/2026 to 26/02/2026. On 27/02/2026 & 28/02/2026, the Nomination papers were scrutinized. Notices were issued to the Candidates in whose Nomination Paper defects were found and also complaint has been received against the Candidate. The following nomination papers were found with certain minor defects and also complaints have been received against the Candidate and accordingly, the Candidates were informed. The Returning Officer given notice to the Candidates for hearing. The hearing is conducted through hybrid mode. Some of the Candidates appeared in person and some appeared online.

The Candidate Ravi Prakash Jadhav had filed Nomination paper of Election to the Bar Council of Maharashtra & Goa, 2026. The Nomination Form of the candidate after scrutiny, it is found in order.

Adv. Syed Ejaz Abbas had filed an objection on Nomination Paper filed by Ravi Prakash Jadhav in the forthcoming election of BCMG on 24/03/2026

Digitally
signed by
JAYANT
VISHWANATH
SALUNKE
Date:
2026.03.11
11:46:25
+0530

vide letter dated 26/02/2026. In the Complaint the Complainant has raised the ground that the candidate has holding the President Post in Bombay City Civil & Session Court Bar Association since last 2 consecutive terms from 2023 to 2025 & from 2025 to 2027 respectively. And as per the Rules of Bar Council of India, the Candidate have to be resigned from the post of President and the Notification dated 22/02/2026 of Bar Council of Maharashtra & Goa. Hence his name be disqualified from contesting the Election of BCMG

He admits that he is an elected office bearer of Bombay City Civil & Session Court Bar Association. In his reply, he has made a submission that:

(a) the Bar Council of India Rules, 2023 (as amended) constitute the exclusive governing framework for the present elections. Rule 4's exhaustive list of disqualifications does not include being an office-bearer of a Bar Association. Rule 13 expressly gives the 2023 Rules overriding effect over all previous rules, including the 2016 Rules

(b) The order dated 19.02.2026 in Dhanya Kumar Jain (supra) is binding on all authorities, including the Returning Officer. The Court's prima facie finding that pre-election disqualification of office bearers lacks legal justification renders any reliance on Chapter III of the 2016 Rules legally untenable

(c) The Bar Council of Maharashtra and Goa, in its Election Notification No. 258/2026 dated 22.01.2026 and in the prescribed affidavit format, has recognized and applied the 2023 Rules framework. The complainant cannot be permitted to challenge a framework that the BCMG itself has adopted and implemented.

The Candidate appeared before me on 28/02/2026. I have heard the Candidate The Hon'ble Supreme Court of India in Writ Petition(s) (Civil) No. (s) 226 of 2026 passed the following order:

Since the impugned rule deprives Office-bearers of the Bar Associations of High Courts, District Courts or Sub-Divisional Courts from contesting the State Bar Council Elections, we, prima-facie, see no jurisdiction for creating such an artificial distinction under the Rules. Consequently, we direct the Bar Council of India to reconsider the provision and carry out a suitable amendment within one week

Prima facie, in my opinion, the candidate is a present office bearer of the Bombay City Civil & Sessions Court Bar Association and has submitted a nomination paper for the election of BCMG 2026. This is subject to the final outcome and decisions of the Bar Council of India. In view of the direction by the Apex Court, the complaint of the Complainant is subject to the outcome and decisions of the Bar Council of India. Therefore, the Nomination Paper of the Candidate is accepted and accordingly, the Complaint is disposed of."

3. This order was challenged in Appeal No.7 of 2026 before the High-Powered Election Committee for Maharashtra & Goa and the following order has been passed on 4th March 2026:-

"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 Naqvi for their nomination for 2026 BC Elections.

2. Mr. Vaidya submitted that both Mr. Ravi Jadhav and Mr. Syed Asif Abbas Naqvi 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.”*

4. Mr. Partho Sarkar, 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.

5. To recapitulate, the High-Powered Committee 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 Justice Sudhanshu Dhulia, former Judge, Supreme Court of India (Chairperson), 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 further 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.

6. 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.

7. With the aforesaid observations, Writ Petition No.3096 of 2026 is disposed of.

[GAUTAM ANKHAD, J.]

[CHIEF JUSTICE]