



2026:DHC:104



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

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Date of decision: 7th January, 2026+ **W.P.(C) 158/2026 with CM APPL. 818/2026 & CM APPL. 819/2026**

UMESH KUMAR & ORS.

.....Petitioners

Through: Mr. Vikas Pahwa, Senior Advocate with Mr. Rohit Yadav, Mr. Kavesh Bidhuri, Mr. Suraj Pratap Singh, Mr. Harshit Singh Bedi, Mr. Bablo Yadav, Mr. Kunal Israney, Mr. Nandlal Singh & Mr. Vishesh Goel, Advocates with petitioners in-person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Himanshu Pathak, SPC & Mr. Rudhra Paliwal, GP for UoI/R-1.
Mr. Preet Pal Singh, Ms. Medha Navami & Ms. Tanupreet Kaur, Advocates for Bar Council of India/R-2.
Mr. T. Singhdev, Mr. Tanishq Srivastava, Ms. Yamini Singh, Mr. Abhijit Chkravarty, Mr. Saurabh Kumar, Mr. Bhanu Gulati, Mr. Vedant Sood, Advocates for Bar Council of Delhi/ R-3.



CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

AMIT BANSAL, J. (Oral)

1. The present writ petition has been filed on behalf of three advocates *inter-alia* seeking a direction that their names be added in the electoral roll for the ensuing election to the Bar Council of Delhi.
2. It is stated that the petitioners have obtained their LLB degrees and were provisionally enrolled as Advocates on the state roll maintained by the Bar Council of Delhi in August 2025. The petitioners have also appeared in All India Bar Examination-XX (AIBE), the results of which are yet to be declared.
3. Mr. Vikas Pahwa, senior counsel appearing on behalf of the petitioners, submits that the petitioners have submitted their respective Online Verification Forms with the Bar Council of Delhi. He further submits that all the petitioners have been verified and have received WhatsApp communication in this regard.
4. The grievance of the petitioners in the present petition is that their names have not been included in the electoral roll for the election of the Bar Council of Delhi as the results of All India Bar Examination (AIBE) have not been declared.
5. Mr. Preet Pal Singh, counsel appearing on behalf of the Bar Council of India/ respondent no.2, on instructions, submits that AIBE results are likely to be declared today.
6. Mr. T. Singhdev, counsel appearing on behalf of Bar Council of Delhi/ respondent no.3, submits that the Supreme Court is seized of the



matter regarding holding of elections to various Bar Councils in India, including the modalities thereof. In this regard, attention of this Court has been drawn to the order passed by the Supreme Court on 18th November, 2025 in W.P.(C) No. 1319/2019 titled ***M. Varadhan v. Union of India & Anr.***

7. The relevant extracts from the said order are set out below:

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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)

8. A perusal of the aforesaid order passed by the Supreme Court shows that to conduct the elections to the Bar Council of Delhi, a Special Committee has been constituted.

9. A perusal of paragraph 19 of the aforesaid order passed by the Supreme Court also demonstrates that in case of any grievance by any individual with regard to elections or any other issues, such an individual



may approach the High-Powered Election Committee which, in case of Delhi, is the Special Committee itself.

10. The aforesaid order also provides that any aggrieved person may challenge a decision of the High-Powered Election Committee/ Special Committee before the High-Powered Election Supervisory Committee and no civil court or high court shall have the power to entertain any petition against such decision.

11. Based on the aforesaid order passed by the Supreme Court, a coordinate bench of this Court *vide* order dated 3rd December, 2025 in W.P.(C) 18355/2025 titled ***Surendar Kumar v. Bar Council of Delhi & Anr.*** has directed the petitioner therein to approach the High-Powered Election Committee for the grievance raised by the petitioner therein.

12. In light of the aforesaid, it is directed that the petitioners shall file a representation before the Special Committee by tomorrow.

13. To be noted, as per the schedule of the election of Bar Council of Delhi, the publication of the final electoral roll is to be done on or before 17th January, 2026.

14. Accordingly, the aforesaid representation shall be considered and decided by the Special Committee on or before 12th January, 2026.

15. The petition along with all pending application(s) stands disposed of.

AMIT BANSAL, J

JANUARY 7, 2026

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