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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5034/2026**
GAURAV KUMAR GUPTA

.....Petitioner

Through: Mr. B L Gupta, Advocate.

versus

THE BAR COUNCIL OF INDIA AND ORS

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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16.04.2026

1. The petition is for the following reliefs:

- a) *Issue a writ of mandamus or any other appropriate writ thereby directing Respondent No. 1 to verify and take enrolment number of Respondent No.4 of any state of Bar Council and to file before this Hon'ble Court;*
- b) *Issue a writ of mandamus or any other appropriate writ thereby directing Respondent No.2 to verify and take enrolment of Respondent No.4 and to file before this Hon'ble Court;*
- c) *Issue a writ of mandamus or any other appropriate writ thereby directing Respondent No.3 to verify and take registration number of Respondent No.4 and to file before this Hon' ble Court;*
- d) *Issue a writ of mandamus or any other appropriate writ thereby directing Respondent No.1 to 3 to take on record the complaint of Petitioner made U/s 35 of The Advocate Act, 1961 if Respondent No.4*



is enrolled they be directed to take appropriate steps as per provision of law against the Respondent No.4;

Or

e) Issue a writ of mandamus or any other appropriate writ thereby directing Respondent No. 1 to 3 to take appropriate steps against Respondent No .4, if he is not found enrolled with any state of Bar Council;

f) The Respondent No.4 be directed to refund the entire amount of Rs.1,11,000/- along with interest @ 12% per annum with case file of the Petitioner;

2. The petitioner is stated to be a litigant, involved in civil proceedings relating to a property dispute at Rohini, Delhi, for which he had engaged respondent no. 4, who allegedly represented himself to be an advocate.
3. It is the case of the petitioner that a sum of ₹1,11,000/- has been paid to respondent no. 4 towards professional fee and court expenses for filing and pursuing the petitioner's case. However, according to the petitioner, no case was filed on his behalf and no court fee was deposited.
4. The petitioner further submits that, upon making inquiries regarding respondent no. 4, no record of his enrolment could be traced with any Bar Council or Bar Association and despite the same, respondent no. 4 is portraying himself to be a registered advocate, thereby allegedly committing fraud.
5. The Court finds that the petitioner will have to take necessary remedy available in accordance with law. If the respondent no. 4 is an enrolled Advocate, the Bar Council will have to take action otherwise, the petitioner has to initiate the private complaint against the said respondent.
6. The Court, however, in writ jurisdiction cannot examine the allegation of alleged fraud or cheating etc. These allegations would fall within the domain of competent forum/ authority.
7. For the aforesaid reasons, the petition stands disposed of.



8. All rights and contentions of the parties are left open.

PURUSHAINDR KUMAR KAURAV, J

APRIL 16, 2026

Aks/ss