

W.P.Nos.574/2016, 2826/2016 & 7551/2016

3.05.2016

Shri Ravindra Kumar Gupta, Advocate for the petitioner in W.P. No.574/2016.

Shri Manish Kumar Verma, Advocate for the petitioner In W.P. No.2827/2016.

Shri Vasant Roland Daniel, Advocate for the intervenor in W.P. No.574/2016.

Shri Rakesh Kumar Sahu, Advocate for respondent/State Bar Council of Madhya Pradesh.

Shri Shashank Shekhar, Advocate for respondent/Jabalpur District Bar Association.

Shri Sanjay Verma, Advocate for the respondent/Madhya Pradesh High Court Bar Association.

The Bar Council of Madhya Pradesh has requested for further time to complete the process of verification. The outer limit fixed by the Bar Council for that purpose is 10.5.2016, which is self-imposed. The Bar Council is hopeful of completing the verification process before that date.

Our attention has been invited to one of the issue that may arise on account of the observation made in paragraph No.6 of the order dated 24.2.2016, to the effect that the election results of the concerned Bar Association(s) should be declared before 1st week of May, 2016. Since the Bar

Council is still in the process of verifying the applications made by the respective Advocate members and would be completing that process by 10.5.2016, only thereafter the Adhoc Committee may implore upon the Returning Officer nominated by them for conduct of free and fair elections and to expedite the process and complete the election process at the earliest within the shortest possible/permissible time frame. For the time being, nothing more is required to be said about the time frame within which the election of the concerned Bar Association must be completed.

It is pointed out to us that although the agreement recorded in the order dated 29.2.2016 is on the basis that the Advocates who are members of more than one Bar Association would not qualify to participate in election process on the principle of one Bar one vote, Respondent No.4 Association has hastened the election process even before the finalization of verification by the Bar Council. In that context, it is submitted that the members of respondent No.4 Bar Association may not be eligible to participate in the election process of other Bar Associations within the State and, in particular, High Court Bar Association.

It was, however, brought to our notice that the respondent No.4 Association is not affiliated to Bar Council. It is submitted that the restriction obviously applies to the

members of the Associations which are affiliated to the Bar Council. Hence, limitation regarding one Bar one Vote cannot be *stricto sensu* invoked against the members of respondent No.4 Bar Association. These are matters which may have to be considered and answered, if required, for which we direct issuance of notice to the Secretary and President of respondent No.4 to evoke their response in this regard.

Notice is returnable on **11.5.2016**.

All these matters be listed on **11.5.2016** under caption “**Top of the List**”.

W.P. No.5193/2016:

Not on board; taken up upon mentioning by Shri Satish Verma, counsel for the petitioner.

As prayed, list on **11.5.2016** along with W.P.No.574/2016 and companion matters.

(A.M. KHANWILKAR)
CHIEF JUSTICE

(SANJAY YADAV)
JUDGE

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