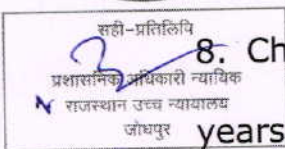


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

S.B. Civil Writ Petition No.11300/2018

1. Jagmal Singh Choudhary s/o Sh. Lichhman Ram Choudhary, Aged 73 years, resident of 78 Laxmi Nagar, Paota C Road, Jodhpur.
2. Naurang Singh Choudhary S/o Sh. Jhuntha Ram, aged about 64 years, R/o Ward No.12, Purani Abadi, Sri Ganganagar.
3. Suresh Chandra Shrimali S/o Sh. Natwar Lal Shrimali, aged about 62 years, R/o Shastri Nagar, Bhilwara.
4. Kuldeep Kumar Sharma S/o Sh. Nand Kishore Sharma, aged about 61 years, R/o 2, Raj Vilas Colony, Rathkhana, Bikaner.
5. Syed Shahid Hasan S/o Sh. Farook Hasan, aged about 56 years, R/o A-6-B, Suraj Nagar West, Civil Lines, Jaipur.
6. Sushil Kumar Sharma S/o Ghanshyam Sharma, aged about 55 years, R/o B-27, JP Colony, Tonk Phatak, Jaipur.
7. Sanjay Sharma S/o Sh. Om Prakash Sharma, aged about 48 years, R/o 1 Gopalpura Goan, Gopalpura Bypass, Jaipur.
8. Chiranji Lal Saini S/o Sh. Bhoja Ram Saini, aged about 52 years, R/o Plot No.5, Raja Ram Marg, Brampuri Khura, Jaipur.
9. Ram Prasad Singaria S/o Sh. Raju Ram, aged about 48 years, R/o Parihar Nagar, Bhadwasiya, Jodhpur.
10. Harendra Singh Sinsinwar S/o Sh. B.S. Sinsinwar, aged about 44 years, R/o 50-A, Nehru Nagar, Panipench, Jaipur.
11. Rajesh Panwar S/o Sh. H.R. Panwar, aged about 45 years, R/o Kanishka Resort, Near DPS, Pal Bye Pass, Jodhpur.
12. Sunil Beniwal S/o Sh. J.R. Beniwal, aged about 44 years, R/o 6-B-2 Road, Paota, Jodhpur.



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13. Ghanshyam Das Bansal S/o Sh. Prem Chand Bansal, aged about 45 years, R/o 118, Mahesh Colony, Tonk Phatak, Jaipur.

-----Petitioners

Versus

1. The Bar Council of India through its Secretary having its office at 21 Rouse Avenue, Near Bal Bhawan, Institutional Area, New Delhi.

2. The Secretary/Returning Officer, Bar Council of Rajasthan, High Court Building, Jodhpur (Raj.)

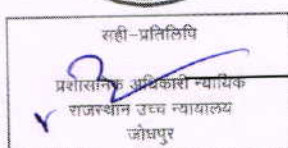
-----Respondents

For Petitioner(s) : Mr.M.S.Singhvi, Senior Advocate assisted by Mr.Hemant Dutt and Mr.Rajat Dave

For Respondent(s) : Mr.M.R.Singhvi, Senior Advocate assisted by Mr.Bhavit Sharma Mr.S.S.Ladreacha, Additional Advocate General with Mr.Vikas Choudhary Mr.Ranjeet Joshi

Mr.R.P.Malik, Secretary, Bar Council of Rajasthan present in person.

Dr.Mahesh Sharma applicant in person.



HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

सत्यमेव जयते
Order

02/08/2018

1. This writ petition under Article 226 of the Constitution of India has been preferred claiming the following reliefs:

"(i) the impugned order dated 01.08.2018 (Annexure-9) passed by the respondent No.1 may kindly be declared illegal, arbitrary, unjust and

malafide one and same may kindly be quashed and set aside.

(ii) the respondents may kindly be directed not to interfere in the election of the Chairman, Vice Chairman and other office bearers of the Bar Council of Rajasthan.

(iii) the respondent No.2 may kindly be directed to hold the election as per notification dated 27.07.2018.

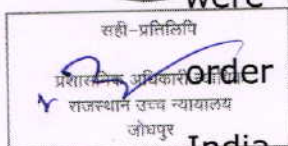
(iv) any other relief which the Hon'ble Court considers just and proper in the facts and circumstances of the case may be passed in favour of the petitioners."

2. This petition was filed today and the same day's permission was granted by this Court, looking into the urgency of the matter.

3. Brief facts of this case, as noticed by this Court are that the elections of the members of the Bar Council of Rajasthan were held on 28.03.2018 for electing 25 members of the State Bar Council. The results of such elections of the State Bar Council were declared on 03.06.2018. However, there was an interim order granted by the Election Tribunal No.3 of the Bar Council of India, and therefore, the related notification was kept in abeyance.

4. The Election Tribunal No.3 of the Bar Council of India was pleased to dismiss the complaints vide its order dated 07.07.2018. Subsequently, the list of elected candidates was notified in the Official Gazette on 17.07.2018.

5. The election schedule for electing the Office Bearers of the Bar Council of Rajasthan was declared by the Bar Council of India and the same was communicated to the Secretary, Bar Council of Rajasthan vide the letter dated 21.07.2018. The



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election schedule, as declared on 21.07.2018 was modified, and another communication was issued by the Bar Council of India vide its letter dated 24.07.2018 addressed to the Secretary, Bar Council of Rajasthan.

6. On 26.07.2018, another communication was addressed to the Secretary, Bar Council of Rajasthan, whereby Joint Secretary, Bar Council of India communicated that the election may be held as per the scheduled programme dated 21.07.2018. However, in addition to the Chairman and Vice Chairman, six Co-Chairmen were to be elected zone-wise. However, another letter bearing No.2952/2018 (CL) dated 27.07.2018 was addressed by the Joint Secretary, Bar Council of India to the Secretary, Bar Council of Rajasthan, whereby the number of persons to be elected as Co-Chairmen was revised from six to seven for seven zones of the State.



In pursuance of the aforementioned orders/communications dated 26.07.2018 and 27.07.2018, the Secretary, Bar Council of Rajasthan published the notification on 27.07.2018, whereby the election for electing the Chairman, Vice Chairman and seven Co-Chairmen zone-wise as well as Member

representatives to the Bar Council of India from the State Bar Council was notified.

8. The schedule, which was to be applied in accordance with the letter dated 24.07.2018 and the notification dated 27.07.2018, reads as follows:-

For the post of Chairman, Vice-Chairman and Seven Co-Chairmen (Zone wise) of this State Bar Council.

2 nd August 2018	Nomination for the post of office bearers of Rajasthan State Bar Council from 10.00 am to 4.00 pm on 2 nd
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