

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL No.932 OF 2024

UTTAM KUMAR HALDER

... APPELLANT

Versus

ANIRUDHA ALAM & ORS.

... RESPONDENTS

O R D E R

1. This statutory appeal is directed against the order dated 24.07.2023, passed by the Disciplinary Committee of the Bar Council of India, whereby the appellant's appeal against the order of the State Bar Council, has been disposed of in the following terms:

"Firstly, the criminal complaints lodged by the parties against each other are already subject matter of trial before the concerned Court and it would not be appropriate for this committee to make any observation about the allegations made by the parties against each other in the present proceedings. Hence, the view taken by the DC of the State Bar Council thereby stating that a final outcome of the proceedings before the criminal court mentioned above would only ultimately lead to a final conclusion about the correctness or otherwise of the rival contentions made by the parties against each other appears to be correct.

The committee therefore, does not find any merit in the present appeal and the same is disposed off with the observation that in case in the final conclusion of the trial the respondents are held guilty of the offences complained against them, the complainant shall be at liberty to move the State Bar Council afresh with a complaint u/s 35 Advocates Act 1961."

2. As has been noticed in the impugned order, and is not disputed by learned counsel for the appellant, the alleged unfortunate incident in which two groups of lawyers indulged in violence against each other, is a subject matter of trial before the court of competent jurisdiction in FIR No.2834/2019 under Sections 341, 323, 325, 506, 341 IPC. The allegations and counter-allegations are, thus, under judicial scrutiny of the Trial Court. That being so, the State Bar Council as well as the Bar Council of India, keeping in view the facts and circumstances of this case, have rightly declined to express their opinion in favour or against the version of the appellant. The Bar Council of India has adequately protected the right of the appellant by granting him liberty that if the respondents are held guilty of the offences in the pending trial, in that event, the appellant may approach the State Bar Council afresh with a complaint under Section 35 of the Advocates Act, 1961.

3. In view of the aforementioned liberty, we find no ground to entertain this appeal, which is, accordingly, dismissed.

4. As a result, the pending interlocutory application also stands disposed of.

.....J.
(SURYA KANT)

.....J.
(K.V. VISWANATHAN)

NEW DELHI;
FEBRUARY 05, 2024.

ITEM NO.7

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).932/2024

UTTAM KUMAR HALDER

Appellant(s)

VERSUS

ANIRUDHA ALAM & ORS.

Respondent(s)

(FOR ADMISSION and IA No.20218/2024-EXEMPTION FROM FILING O.T.)

Date : 05-02-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) Ms. Mohini Priya, AOR
Mr. Shiv Shanker Banerjee, Adv.
Ms. Madhurima Ghosh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed order.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed order is placed on the file)