



2026:AHC-LKO:40103-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW

WRIT - C No. - 6175 of 2026

Love Yadav

.....Petitioner(s)

Versus

Bar Council Of India Thru. Chairman Near Bal Bhawan
New Delhi

.....Respondent(s)

Counsel for Petitioner(s) : Shakti Kumar Sharma, Deepali Yadav, Jatin Raheja, Shobhit Harsh
Counsel for Respondent(s) : Shailesh Kumar Pathak

Court No. - 2

**HON'BLE SHEKHAR B. SARAF, J.
HON'BLE ABDHESH KUMAR CHAUDHARY, J.**

1. Heard learned counsel appearing on behalf of the parties and perused the materials available on record.
2. This is a writ petition under Article 226 of the Constitution of India, wherein the writ petitioner has sought for the following substantial reliefs:-

"(I). Issue a Writ, order or Direction in the nature of certiorari quashing and setting aside the impugned result of the Petitioner in the All India Bar Examination-20, whereby the Petitioner has been Declared "Fail", being ex-facie arbitrary, erroneous, and violative of article 14 of the constitution of India.

(II). Issue a writ, order or directions in the nature of mandamus commanding to the opposite party / B.C.I. to produce the original O.M.R. Sheet / answer sheet no. 6182424, final answer key uploaded by the Bar Council of India and the evaluation records of the Petitioner before this Hon'ble Court for Physical Verification and re-tallying by this Hon'ble Court.

(III). Issue a Writ, Order or Direction in the nature of Mandamus directing the opposite party to correct the technical / Clerical error in evaluation, re-tally the marks of the petitioner in accordance with

final verified answer key, and consequently declared the petitioner as "Pass" in the A.I.B.E.-20 Examination."

3. The learned counsel for the petitioner has submitted that although the petitioner has marked 'D' in the fourth column of the OMR sheet provided for question booklet set code, however, for bonafide reasons missed to darken the reciprocal oval. He further submits that no doubt there had been an inadvertence error in marking the said OMR, however, the role of the invigilator had been negligent as the OMR sheet specifically mentions under the heading 'Important Instructions for Invigilator' that before signing he had to ensure that the candidate has filed his/her correct Roll Number, Question Booklet Set Code & Language.
4. We have heard the counsel for the parties. The defect in the OMR answer sheet of the petitioner was that, in the fourth column, he did not darken in the oval area with regard to the question booklet set code. Consequently, the machine evaluated his answers incorrectly and declared him unsuccessful.
5. We have inquired from the learned counsel appearing on behalf of the respondent—Bar Council of India as to whether, upon manual verification with reference to Question Booklet No. D, which was the correct booklet, the petitioner had actually passed the All India Bar Examination. Learned counsel for the respondent has fairly submitted that the petitioner had, in fact, passed the examination.
6. In view of the above and in the peculiar facts and circumstances, wherein we have found that the petitioner has actually passed, we direct the Bar Council of India to reconsider its decision and have the petitioner's answer sheet manually verified, keeping in view that successful clearing of AIBA Examination has been made mandatory for obtaining Certificate of Practice (COP), which legally permits an individual to practice and appear before any Court of Law in India.
7. We also direct that, if, upon such verification, the petitioner is found to have passed the examination, he shall be declared successful and treated as a pass candidate.
8. With the aforesaid observations/directions, the writ petition is

disposed of.

9. It is made clear that we have not examined the rules and regulations of AIBA Examination and disposed of the matter in the peculiar facts and circumstances of the present case and as such, the same may shall not be treated as a precedent in any other case.

June 3, 2026

Praveen

(Abdhesh Kumar Chaudhary,J.) (Shekhar B. Saraf,J.)