



**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**PUBLIC INTEREST LITIGATION (PIL) No. - 996 of 2026**

Girdhari Lal Yadav

.....Petitioner(s)

Versus

Bar Council of U.P. Thru. its Chairman/Secy. Distt. Prayagraj and another

.....Respondent(s)

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**Along with :**

**1. Writ - C No. 5189 of 2025:**

Raja Ram Rawat

Versus

Bar Council of India Thru. Prin. Secy. and 4 others

**2. Public Interest Litigation (pil) No. 995 of 2026:**

Rajesh Kumar Kashyap and 4 others

Versus

Bar Council of U.P. Prayagraj Thru. Chairman Lko and 3 others

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|---------------------------|----------------------------------------------------------------------------------|
| Counsel for Petitioner(s) | : Divyarth Singh Chauhan, In Person, Sunendra Kumar                              |
| Counsel for Respondent(s) | : Ajaay Kumar Singh, Shailesh Kumar Pathak, Shishir Jain, Subhash Chandra Pandey |

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**Court No. - 1**

**HON'BLE RAJAN ROY, J.**

**HON'BLE MANJIVE SHUKLA, J.**

1. The Bar Council of India be also impleaded in these petitions by the petitioner appearing in person during course of the day.
2. Heard the petitioner in person, the returning officers for the ensuing elections to the governing body of the Oudh Bar Association, Shri Subhash Chandra Pandey, learned counsel for the Bar Council of UP, Shri Shailesh Pathak, learned counsel for the Bar Council of India and other members of the Bar.
3. Shri Subhash Chandra Pandey, learned counsel for the Bar Council of UP, in furtherance of our earlier order, has placed before us a list of 5,108

members of the Oudh Bar Association who have been found eligible by the returning officers for voting in the ensuing elections. He, however, says that out of these, 155 members have their place of voting mentioned in the COP elsewhere and not in the Oudh Bar Association at Lucknow. The serial numbers at which their names find place have been marked in the aforesaid list. A similar list has been provided to Mohd. Arif Khan, the Returning Officer on 22.10.2026.

4. Apart from the above 155 members there are 145 other persons mentioned in the aforesaid list of 5,108 whose COP as informed by Sri Pandey has not been renewed. Their names are also marked in the list which has been provided to the Returning Officer. According to him, they are also not eligible for voting as per the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015.

5. Although Shri Girdhari Lal, Advocate appearing in person, says that he has obtained a copy of the list of voters of three Bar Associations at Lucknow, namely Central Bar Association, Lucknow Bar Association and Oudh Bar Association and on tallying the same, he says that about 400 persons have already voted at the Lucknow Bar Association and Central Bar Association, therefore, these should be excluded from the list aforesaid for voting in the elections of the Oudh Bar Association.

6. We are faced with a situation where voting is going to be held day after tomorrow, i.e., 28.10.2026 and the elections having been notified on 10.09.2026.

7. As regards the assertions of Shri Girdhari Lal, they would require an examination/inquiry, which is not possible within the next two days, but so far as the data given by the counsel for the Bar Council of UP is concerned, it is based on the data available with the Bar Council and is

displayed on its website, therefore, we can proceed to pass necessary orders on the basis of the information provided by Shri Subhash Chandra Pandey.

8. Our attention has been invited to Rule 9 of the aforesaid rules of 2015 as also Rule 5 thereof. As per Rule 5, an advocate shall not be entitled to practice law unless he holds a valid and verified certificate of practice issued either under All India Bar Examination Rules or under these rules. Rule 9.1 deals with application for verification of certificate of practice issued by State Bar Council and it provides that the certificate of practice issued to an advocate under Rule 13 of these rules or under All India Bar Examination Rules and verification thereof, shall be valid for a period of five years only and is liable to be verified every five years by filing an application for verification in advance within a period of six months before the validity period of "Certificate of Practice" or of its verification, expires.

9. It is informed that unless this verification takes place every five years and the COP is renewed, neither the right to practice nor the right to vote is available to an advocate.

10. We accordingly provide that the 155 persons whose place of voting, as mentioned in the COP, is other than the Oudh Bar Association at Lucknow, shall not be eligible for voting in the ensuing elections. In addition to it, those 145 persons whose COP has not been renewed, they shall also not be eligible for voting, in view of the Rules of 2015, unless they are able to submit valid proof of renewal before the Returning Officer, we are of the opinion that, subject to the above, these 300 persons/members would not be entitled to vote in the ensuing elections.

11. The aforesaid shall be affixed on the notice board of the Oudh Bar

Association and such other conspicuous places as the Returning Officer decides , which shall be sufficient notice to all and the elections will accordingly be held day after tomorrow i.e. 28.10.2026.

12. For the future, we are of the opinion that the Bar Council of U.P. should come up with a software/mechanism by which the COP at the time of its issuance to the member of the Bar Council of U.P., a true copy thereof should be uploaded on the website in a manner that whenever the registration number or name of the person is clicked, then the COP should also get reflected on the website of the Bar Council of U.P. This will avoid this entire exercise of collecting lists from various bar associations to ascertain as to whether the voters of the Oudh Bar Association or any other bar association have voted in any other bar association and thus have become ineligible or not, as their entitlement can be verified from the website of the U.P. Bar Council itself and if there is any discrepancy, the concerned voter can always apply to the Bar Council of U.P. for its correction as per rules. Further, we are of the opinion that if any change is made in the COP, then the nature of the change, as also the date on which the change is made, should also be reflected on the website corresponding to the name/registration number of the member/advocate. This, in our opinion, will facilitate the election process and the eligibility of members to vote there atin future and will also curtail unnecessary litigation which gets generated regarding such elections, before the courts. We accordingly direct the Bar Council of U.P. to do the necessary within a period of six months from today. An affidavit of compliance shall be filed by the Bar Council of U.P. on the expiry of the period of six months. In future elections, a member of the Oudh Bar Association instead of being allowed to vote based on the COP card, would be entitled to vote only after showing the COP certificate as possibility of manipulation in these

certificates is minimal and this will ensure free and fair elections. This requirement should be implemented for future elections and shall not apply to the ensuing elections of 2026, unless the Returning Officer decide otherwise for the election of 2026.

13. The list of 5,108 members with the necessary markings made by the Bar Council of U.P., as provided by Shri Pandey, its counsel, is taken on record. Copy thereof has already been provided to the Returning Officer, who shall now act accordingly in light of what has been directed herein.

14. We further direct the High Court on the administrative side to take cognizance of the ensuing elections, so as to ensure that outsiders who have nothing to do with the elections are not allowed entry on the date of voting and those who are not entitled to vote are not allowed to enter the area where the election is to take place.

15. List after six months.

**(Manjive Shukla,J.) (Rajan Roy,J.)**

**October 26, 2026**

Arti/-