

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
WWW.LIVELAW.IN  
PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR  
WEDNESDAY, THE 30<sup>TH</sup> DAY OF JUNE 2021/9<sup>TH</sup> ASHADHA, 1943

WP(C) NO. 12953 OF 2021 (T)

PETITIONER:

ADV. RAJESH VIJAYAN, AGED 50 YEARS,  
S/O. LATE K.N.VIJAYAN, RESIDING AT NARAYANEYAM,  
EDAPALLY NORTH P.O., ERNAKULAM, KERALA-682024.

RESPONDENTS:

- 1 BAR COUNCIL OF INDIA,  
21, ROUSE AVENUE INSTITUTIONAL AREA, NEAR BAL BHAWAN, NEW DELHI-  
110002, REPRESENTED BY ITS SECRETARY.
- 2 BAR COUNCIL OF KERALA,  
BAR COUNCIL BHAVAN, HIGH COURT CAMPUS, ERNAKULAM, KOCHI-682031,  
REPRESENTED BY ITS SECRETARY.

WRIT PETITION (CIVIL) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to 1) stay the operation of Sections V and V-A of Chapter II of Part VI of the Bar Council of India Rules, introduced by Ext.P1; 2) Restrain the respondents from taking any coercive action under Sections V and V-A of Chapter II of Part VI of the Bar Council of India Rules, introduced by Ext.P1; 3) Restrain the respondents from taking any steps pursuant to Section V of Chapter II of Part VI of the Bar Council of India Rules, introduced by Ext.P1, until the approval of the Hon'ble Chief Justice of India under the first proviso to Section 49(1) of the Advocates Act, 1961 has been obtained; pending the disposal of this Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.SANTHOSH MATHEW, ARUN THOMAS, JENNIS STEPHEN, VIJAY V. PAUL, KARTHIKA MARIA, ANIL SEBASTIAN PULICKEL, JAISY ELZA JOE & ABI BENNY AREECKAL Advocates for the petitioner and of STANDING COUNSEL for R1 and of STANDING COUNSEL for R2, the court passed the following:

p.t.o

msv/2 1.7.21

W.P.(C) No.12953 of 2021

Dated this the 30<sup>th</sup> day of June, 2021.

**ORDER**

Admit.

Respective Standing Counsel take notice for the respondents.

The learned Standing Counsel for the first respondent submits that the impugned Rule has not taken effect as the approval of the Honourable Chief Justice of India, as required in terms of the first proviso to Section 49(1) of the Advocates Act, is yet to be obtained. This submission is recorded.

Post when moved again.

Sd/-  
**P.B.SURESH KUMAR, JUDGE**

YKB

/TRUE COPY/

  
1/7/2021  
ASSISTANT REGISTRAR

WP(C) NO. 12953 OF 2021 (T)

Exhibit P1

TRUE COPY OF THE NOTIFICATION DATED 25.6.2021 (PUBLISHED IN THE GAZETTE OF INDIA DATED 26.6.2021) ISSUED BY THE BAR COUNCIL OF INDIA IS PRODUCED HERewith AND MARKED AS.

msv/2 1.7.2021