

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION LODGING NO. 15524 OF 2021

Amritpal Singh Khalsa ....Petitioner  
**Versus**  
Bar Council of India and ors. ....Respondents

Mr. Harekrishna Mishra i/b. Mr. Amritpal Singh Khalso (Petitioner-in-person).

Mr. Amit Sale, advocate for respondent No.1.

Mr. Makarand Bakare, advocate for respondent No.2

Mr. Milind Sathe, senior advocate along with Mr.Nitin Thakkar, senior advocate with Mr. Mukul Tally and Ms.Sayali Gharpure, advocate for respondent No.5.

Mr. Sanjeev Kadam along with Mr.Kuldeep Patil, advocate for respondent No.6.

Mr. Anil Singh -Additional Solicitor General along with Mr.Aditya Thakkar and Mr. D. P. Singh, advocate for respondent No.8.

Mr. A. A. Kumbhakoni, Advocate General along with Mrs. A. A. Purav, AGP for the State.

**CORAM : PRASANNA B. VARALE &  
MADHAV J. JAMDAR, JJ.**

**DATE : 29<sup>th</sup> OCTOBER, 2021.**

**P.C. :**

1. Heard Mr. Mishra appearing for the petitioner.

2. By way of present petition, the petitioner raises a challenge to the notification dated 25<sup>th</sup> June, 2021, issued by respondent No.1 – Bar Council of India. Mr. Singh, learned Additional Solicitor General invited our attention to the document at Annexure 'C' page 24. This document is a press release dated 30<sup>th</sup> June, 2021 issued by the Bar Council of India.

It may be useful to refer to the relevant portion of the said press release which reads as under :

*“ The Bar Council of India had recently amended rules relating to misconduct in Part-VI, Chapter-II of Bar Council of India Rules and added Section-V; Duties towards Society and Bar and Section VA : Code of conduct and Disqualification for members of Bar Councils and had published the same in Gazette Notification in Extraordinary Part-III-Section-4 on 26.06.2021.*

*A writ petition was filed in High Court of Himachal Pradesh, challenging the said amendments, but, the High Court of Himachal Pradesh refused to entertain the writ petition challenging the above referred recently notified and Amended rules relating to misconduct; however, to address the concerns expressed by some members of the Bar, the Bar Council of India has decided to review the said Rules relating to Misconduct.*

*Accordingly, the Council has resolved to constitute a Committee to review the Rules. The Chairman has been authorised to constitute the Committee. The Committee shall consist of some senior Advocates, representatives of State Bar Councils and High Court and other Bar Associations, besides five Members of Bar Council of India. The Committee shall be requested to submit its report within 3 weeks. Thereafter, the Council will proceed to act in accordance with the provisions of Advocates Act, 1961.*

*In view of the above, it has been resolved that till the report of the Review Committee is received, considered and acted upon by the Council, the operation/implementation of the amended rules published in Gazette Notification dated 26.06.2021 in*

*Extraordinary Part-III-Section-4 with respect to Amendment in Part-VI, Chapter-II of Bar Council of India Rules relating to the conduct of Advocates **shall be kept in abeyance.***

The press release then concludes with the statement which reads as under :

*“The Review Committee will take into consideration the representations received from some of the Associations and it will frame the Rules after noticing the issues raised by all concerned.”*

Considering the press release, in our opinion, the grievance raised in the petition, no more survives at this stage as the review committee is expected to take a decision.

3. On instructions, learned counsel for the petitioner prayed that the petitioner be permitted to submit his representation in view of the press release dated 30<sup>th</sup> June, 2021. In case, such representation is submitted within two weeks, respondent No.1 – Bar Council of India shall accept the same and place it before the review committee for considering the same. The petitioner is at liberty to avail appropriate remedies, in case, the petitioner is aggrieved by the final decision taken by the Bar Council of India. **The writ petition is, accordingly, disposed of.**

4. We make it expressly clear that this Court has not made any observations on the contentions or the merits of the petition.

**( MADHAV J. JAMDAR, J.)**

**(PRASANNA B. VARALE, J.)**