

Case :- MISC. BENCH No. - 23328 of 2018

Petitioner :- Yash Bharadwaj

Respondent :- U.O.I. Thru. Secy. Min. Of Electronics & I.T.
And Others

Counsel for Petitioner :- Yash Bharadwaj(In Person)

Counsel for Respondent :- A.S.G.,Abhimanyu
Shandilya,Abhishek Bhatnagar,Abhishek Khare,Ajit Kumar
Dwivedi,Alok Singh,Amit Srivastava,Anilesh Tewari,Dr. V.K.
Singh,Gantavya,Kumar Abhishek,Nirmit Srivastava,Pushpila
Bisht,Ravi Kumar,Ritwik Rai,Shailesh Kumar
Pathak,Subhash Chandra Pandey,Sunil Sharma,Surangama
Sharma,U. Rajeswaran,Vikram Singh Chauhan

Hon'ble Munishwar Nath Bhandari,J.

Hon'ble Vikas Kunvar Srivastav,J.

Heard Sri Yash Bhardwaj the petitioner-in person, Sri Ajit Kumar Dwivedi, counsel appearing for opposite party no. 1 & 22, Sri Subhash Chandra Pandey and Sri Shailesh Pathak, counsels appearing for opposite party no. 2, Ms. Surangama Sharma, counsel appearing for opposite party no. 4, Sri Vikram Singh Chauhan, counsel appearing for opposite party no. 6, Sri Anilesh Tiwari, counsel appearing for opposite party no. 10, Sri Sunil Sharma, counsel appearing for opposite party no. 12 and Dr. V.K. Singh, counsel appearing for opposite party no. 18.

This writ petition was filed to seek direction in consonance with Rules 2, 36 & 37 of the Bar Council of India Rules. The notice on the writ petition was issued. After service, only few respondents engaged the lawyer for their representation leaving others.

The writ petition was taken for consideration by this Court on 13.11.2019 when other than the representation of opposite party nos. 4, 6, 7, 11 & 15 apart from Bar Council of India and Uttar Pradesh Bar Association, none appeared though appearance was made for the Union of India.

Today, learned counsels have put in appearance on behalf of opposite party nos. 1 ,2, 4, 6, 10, 12, 18 & 22. They prayed for time to file counter affidavit though on 13.11.2019, it was made clear that no further time would be given to file counter affidavit.

The prayer is allowed for the ends of justice though it is seriously opposed by the petitioner-in person. The prayer is that if time is given for filing counter affidavit, at least an interim order may be passed to protect the right of the petitioner.

Considering the fact that counter affidavit has not been filed by those who are now appearing, the permission for

filing of the counter affidavit is given though it was closed on the last date of hearing. It is for the ends of justice.

To balance the equities, the matter has been heard for interim relief. The prayer for interim relief is nothing but for compliance of Rules 2, 36 & 37 of the Bar Council of India Rules.

The prayer aforesaid has been opposed by learned counsel for the opposite parties mainly on the ground that they are not violating Rules 2, 36 & 37 of the Bar Council of India Rules.

In view of the aforesaid, we pass an interim order to the effect that the opposite parties would not indulge in the practices opposed to Rule 2, 36 & 37 of the Bar Council of India Rules. Rule 36 provides for certain restrictions on the Advocates and accordingly whatever restrictions have been imposed therein, would apply on all the opposite parties till further hearing. They are restrained to act in violation of Rules 2, 36 & 37 of Bar Council of India Rules.

Let the counter affidavit be filed by the opposite parties within three weeks. Matter to come up for hearing on 06.01.2020.

It is made clear that no further time would be given for filing of the counter affidavit.

Order Date :- 12.12.2019
Nitesh