

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO-_____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA

...PETITIONER IN PERSON

VERSUS

SUPREME COURT BAR ASSOCIATION

...RESPONDENT

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Abhinav Ramkrishna

ABHINAV RAMKRISHNA
PETITIONER IN PERSON

FLAT NO. 51, TOWER NO. 11
SUPREME ENCLAVE COLONY LTD
MAYAPUR VIHAR PHASE 1
DELHI 110021
MOBILE: 997171152
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NEW DELHI
DATED: 23.01.2021

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO- _____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMAKRISHNA




...PETITIONER IN PERSON

VERSUS

SUPREME COURT BAR ASSOCIATION

...RESPONDENT

COURT FEES

 ZK 0000512603 GOVERNMENT OF NCT OF DELHI e-Court Fee 	
DATE & TIME :	22-JAN-2021 16:02:31
NAMES OF THE ACC/ REGISTERED USER :	SHCIL
LOCATION :	SUPREME COURT OF INDIA
e-COURT RECEIPT NO :	DLCT2227A2102Q004
e-COURT FEE AMOUNT :	₹ 100 (Rupees One Hundred Only)
 DLCT2227A2102Q004	
Statutory Alert : The authenticity of this e-Court fee receipt should be verified at www.shclstamp.com . Any discrepancy in the details on this receipt and as available on the website renders it invalid. In case of any discrepancy please inform the Competent Authority. This receipt is valid only after verification & locking by the Court Official.	

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO- _____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA

...PETITIONER IN PERSON

VERSUS

SUPREME COURT BAR ASSOCIATION

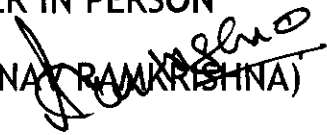
...RESPONDENT

NOTICE OF MOTION

Take Notice that the accompanying writ petition will be listed before court on 27.01.2021 at 10.30 O' Clock in the forenoon or so soon thereafter as may be convenient to the Court.

PETITIONER IN PERSON

(ABHINAV RAMKRISHNA)



NEW DELHI

DATE: 23.01.2021

IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P. (C) NO-_____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA ...PETITIONER IN PERSON
VERSUS
SUPREME COURT BAR ASSOCIATION ...RESPONDENT

URGENT APPLICATION

To
The Registrar
High Court of Delhi
New Delhi - 110 003

Sir,

Kindly treat the accompanying Petition as an urgent one in accordance with the Delhi High Court Rules. The grounds of urgency are that the petitioners are seeking issuance of urgent directions and reliefs as per the prayer clause of the accompanying petition /application for stay.

PETITIONER IN PERSON

(ABHINAV RAMKRISHNA)

_____m

NEW DELHI

DATE: 23.01.2021

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO- _____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA ...PETITIONER IN PERSON
VERSUS
SUPREME COURT BAR ASSOCIATION ...RESPONDENT

MEMO OF PARTIES

Abhinav Ramakrishna, s/o Sh. Mahanand Jha
Occupation: Advocate on Record, Supreme Court of India
Age: 37 yrs R/o FLAT NO. 54, TOWER NO. 14
SUPREME ENCLAVE CGHS LTD.MAYUR VIHAR PHASE -1
DELHI-110091 ...PETITIONER

Versus

Supreme Court Bar Association,
Through its Acting Secretary,
Supreme Court of India, New Delhi- 110001. ... RESPONDENT


ABHINAV RAMKRISHNA

NEW DELHI
DATED: 23.01.2021

SYNOPSIS

The present Petitioner is approaching this Hon'ble Court by way of instant Writ Petition under Article 226 of the Constitution of India in wake of the brazen attempts by the Executive Committee of the Supreme Court Bar Association ("SCBA" or "Respondent Association") to interfere with the Election process and undermine the sanctity of the Election Committee duly nominated under the Rules and Regulations of the Supreme Court Bar Association ("Rules") in complete and blatant violation of the Rules thereby upsetting free and fair elections of the SCBA Office Bearers for the year 2020-21. The manner in which the Executive Committee of the Respondent Association has sought to usurp the powers of the Election Committee and has forced the Election Committee to resign clearly smacks of malafide and is illegal.

The Election Committee in its letter dated 15.01.2021 has clearly noted that the Executive Committee has refused to carry out the directions of the Election Committee. It may not be out of place to mention here that, in view of Rule 17A of the Rules, the sole authority to take decision pertaining to the conduct of elections is the Election Committee nominated under the Rules.

In the present case, the Executive Committee vide its minutes of meeting dated 04.12.2020 unanimously resolved to conduct elections for the term 2020-21 through online mode ("*by an appropriate mode*

e.g. the NSDL") in the 2nd week of January, 2021 and thereby nominated an Election Committee comprising of highly respected Senior Advocates of this Court namely, Mr. Jaideep Gupta, Sr. Advocate (Chairperson), Mr. Harin P. Raval, Sr. Advocate (Member) and Mr. Nakul Dewan, Sr. Advocate (Member). The Election Committee after carefully considering the entire situation prevailing in the present times, had taken a conscious decision to conduct the elections in virtual mode and in furtherance thereof had also prepared the schedule for the election, setting the date of polling as 29.01.2021. However, after commencement of the election process, the Executive Committee of the Respondent Association in complete disregard of the Rules as well as the principles of free and fair elections, by blatantly overriding the decision of the Election Committee passed a Resolution stating that the election shall be carried out in a hybrid mode (instead of virtual mode as decided earlier) and should be conducted by third week of February 2021 (as opposed to 29th January 2021 decided by the Election Committee).

It is further most respectfully submitted that as per the scheme of the Rules the only power conferred to the Executive Committee with regard to the elections is to nominate the Election Committee and follow the directions of such duly constituted Election Committee. The refusal by the Executive Committee to sanction the expenses payable to NSDL for the conduct of elections and passing of a Resolution that the election shall be held in hybrid mode is therefore in teeth of the Rule 17A. More so in view of the fact that the Election

Committee had considered the possibility of conducting election in a hybrid mode and after careful consideration and for valid reasons had rejected the same.

It is imperative that the elections of SCBA are conducted at the earliest in free and fair manner since the tenure of the present Executive Committee has already expired on 13.12.2020, and especially in view of the fact that the post of President and Secretary are now lying vacant.

LIST OF DATES

Date	Particulars
25.08.1999	The Respondent was registered as a Society under the provisions of the Societies Registration Act, 1860, bearing Registration No. 35478 of 1999
	The Respondent Association framed Rules, called the "Rules and Regulation of the Supreme Court Bar Association", to provide the manner to manage the affairs of the Respondent Association.
	It is pertinent to mention here that, Rule 10 of the Rules provides that the affairs of the Association shall be managed by the Executive Committee consisting of the President, Vice-President, the Secretary, the Assistant Secretary, the Treasurer, the Assistant Treasurer and 15 members, of whom 6 shall be Senior Advocates. Rule 17, inter-alia, provides that the Officer Bearers of the Association shall be elected by secret ballot at the annual election.
12.12.2019	The present Executive Committee of the Respondent Association was elected.

	The term of the present Executive Committee came to an end on 13.12.2020
04.12.2020	<p>The present Executive Committee of the Respondent Association resolved that in view of the prevailing circumstances, it would be appropriate to hold the elections on-line to avoid the exposure of the members to Covid disease. It was further resolved that the Election for the year 2020-21 would be held in the second week of January, 2021.</p> <p>It is noteworthy that the said Resolution of the Executive Committee was brought out in the public domain on 10.12.2020 and the same was communicated to the Election Committee only on 11.12.2020</p>
December 2020	<p>Executive Committee of the Respondent Association nominated the following 3 highly respected members of the Association as the Election Committee for the purpose of holding elections to the post of President and other office bearers of the Respondent Association:</p> <ol style="list-style-type: none"> i. Mr. Jaideep Gupta, Senior Advocate as the Chairperson; ii. Mr. Harin P. Raval, Senior Advocate as the Member; iii. Mr. Nakul Dewan, Senior Advocate as the Member.
29.12.2020	Election Committee in its First Meeting discussed the option of conducting elections in physical as well as virtual mode, and decided that the elections should be held virtually by using a platform like NSDL. The minutes of the said First Meeting further recorded that the Election Committee had interacted with NSDL and found it offers fool proof method of holding elections.

31.12.2020	<p>Election Committee in its Second Meeting declared the schedule for the SCBA elections which is as follows:</p> <p>18.01.2021 Nominations to be filed for various posts</p> <p>20.01.2021 Last date for submitting objections/withdrawal of nominations</p> <p>23.01.2021 Final list of nominations to be displayed.</p> <p>29.01.2021 Date of polling</p>
January 2021	<p>Election Committee upon discussion with online election platform, NSDL, forwarded a draft agreement to be entered into with it by the Respondent Association as well as the estimate of cost to the Respondent Association.</p> <p>It is pertinent to mention here that as per Rule 17A of the Rules empowers the Election Committee to have full and absolute control over the election and further makes the decision of the Election Committee final and binding. Therefore, the Executive Committee of the Respondent Association was required only to carry out the directions of the Election Committee.</p>
14.01.2021	<p>However, the Executive Committee of the Respondent Association, in complete transgression of its powers under the Rules and usurping the powers of the Election Commission under Rule 17A, resolved that, the election shall be held in a hybrid form. The minutes of meeting further shows that the Executive Committee of Respondent Association further decided that “the Election Committee may accordingly alter the date for the polling and holding elections and hold the same not later than the third week of February 2021”.</p>

15.01.2021	Election Committee regarded the above said decision of the Executive Committee pertaining to the elections taken in its meeting dated 14.01.2021 as refusal to carry out the directions of the Election Committee and in view of the same, the Election Committee tendered resignations.
	<p>That such actions / inactions of the Executive Committee of the Respondent Association has adversely affected and grossly undermined the democratic process which is vital, crucial and constitutional right of the Petitioner being a member of the Respondent Association.</p> <p>Further, the Respondent Association has failed to discharge its functions which are in nature of public duties.</p>
23.01.2021	Hence, the present Writ Petition.

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO. - _____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA

...PETITIONER IN PERSON

VERSUS

SUPREME COURT BAR ASSOCIATION

...RESPONDENT

WRIT PETITION UNDER ARTICLES 226 OF THE
CONSTITUTION OF INDIA, 1950, FOR THE ISSUANCE
OF APPROPRIATE WRIT IN THE NATURE OF
MANDAMUS, DIRECTION OR ORDER DECLARING THE
RESOLUTION DATED 14.01.2021 (Annexure P-6)
PASSED BY THE RESPONDENT ASSOCIATION AS
UNLAWFUL, ILLEGAL, ARBITRARY, UNAUTHORIZED,
VIOLATIVE OF PRONCIPLES OF FREE AND FAIR
ELECTION AND QAUSH THE SAME.

AND

WRIT PETITION UNDER ARTICLES 226 OF THE
CONSTITUTION OF INDIA, 1950, FOR THE ISSUANCE
OF APPROPRIATE WRIT TO DECLARE THE ACTIONS OF
THE EXECUTIVE COMMITTEE OF THE RESPONDENT
ASSOCIATION IN CREATING INTERFERENCES,
HINDERANCES AND ROADBLOCKS IN FREE AND FAIR
ELECTIONS IN THE UPCOMING SCBA ELECTIONS 2020-
21.

To,

The Hon'ble the Acting Chief Justice and her Hon'ble Companion Justices of the Hon'ble High Court of Delhi.

The humble petition of
The petitioners above named

MOST RESPECTFULLY SHOWETH:

1. That the present Writ Petition under Article 226 of the Constitution of India is being filed by the Petitioner seeking appropriate directions against the illegal, unauthorized and malafide attempt of the present Executive Committee of the Respondent Association to interfere in conducting of free, fair and transparent elections of the SCBA office bearers for the year 2020-21.
2. That, the Petitioner in the present Writ Petition is a practicing advocate in the Supreme Court of India. The Petitioner is a member of the Supreme Court Bar Association and the name of the Petitioner is on the voter list of the Supreme Court Bar Association.
3. That, the Respondent is a Society duly registered under the provisions of the Societies Registration Act, 1860, bearing Registration No. 35478 of 1999. The Respondent Association has, inter-alia, been constituted with the aim and object, inter alia, of promoting the welfare of the members of the said Association and to promote upholding of rule of law. A true copy of the Certificate of Registrations dated 25.08.1999 issued under the

Societies Registration Act, 1860 bearing Registration No. 35478 of 1999 is annexed hereto and marked as Annexure P-1.

4. That the brief facts leading up to the filing of the present petition are as under:
 - a. That, the Respondent Association framed Rules, called the "Rules and Regulation of the Supreme Court Bar Association", to provide the manner in which the affairs of the Respondent Association shall be carried out, including the manner in which the elections of the officer bearers of the Executive Committee will be conducted. Rule 10 of the Rules provides that the affairs of the Association shall be managed by the Executive Committee consisting of the President, Vice-President, the Secretary, the Assistant Secretary, the Treasurer, the Assistant Treasurer and 15 members, of whom 6 shall be Senior Advocates. Rule 17, inter-alia, provides that the Officer Bearers of the Association shall be elected by secret ballot at the annual election. Rule 17A provides that the Executive Committee of the Respondent Association shall nominate 3 members as the Election Committee and the elections of the Respondent Association shall be conducted by the said Election Committee. The said Rule further provides that the Election Committee shall exercise full and absolute control over the election and its decision shall be final and binding. It is therefore submitted that, SCBA has the duty to discharge its obligation in a fair and transparent

manner in accordance to its Rules. The relevant Rules are reproduced for ready reference:

“Rule 10 COMMITTEE

The affairs of the Association shall, subject to these rules and the general control of the Members in the General Meeting assembled, be managed by the Executive Committee consisting of the President, the Vice-President, the Secretary, the Asstt. Secretary, the Treasurer, the Asstt. Treasurer and 15 Members, of whom at least 6 shall be Senior Advocates. The Association or the Executive Committee may appoint other standing or ad-hoc committees. All committees shall work under the control of

Executive Committee and report through it to the General Body.”

“Rule 17 ELECTIONS

The Office-Bearers of the Association shall be elected by secret ballot and the other members of the Committees shall be elected by secret ballot by single distributive votes at the Annual Election. No office bearer or member of the Committee shall be eligible to hold any office for more than two consecutive years. Canvassing in any form on the date of polling is prohibited.”

“Rule 17A ELECTION COMMITTEE

Election to the Association shall be conducted by an Election Committee of 3 members to be nominated by the Executive Committee of the Association. The members of the Election Committee shall not participate in the election, except casting their votes. **The Election Committee shall exercise full and absolute control over the election and its decision shall be final and binding.**”

A true copy of the Rules and Regulation of the Supreme Court Bar Association are annexed hereto and marked as Annexure P-2.

- b. That, the present Executive Committee was elected on 12.12.2019 and assumed office since then. The term of the present Executive Committee came to an end on 13.12.2020.
- c. That, in view of the fact that the term of the present Executive Committee was expiring on 13.12.2020, a meeting was held by the Executive Committee on 04.12.2020, wherein it was resolved that in view of the prevailing circumstances, it would be appropriate to hold the elections on line to avoid the exposure of the members to Covid disease. It was further resolved that the Election for the year 2020-21 would be held in the second week of January, 2021. A true copy of the Resolution dated 04.12.2020 passed by Executive Committee of the Supreme Court Bar Association are annexed hereto and marked as Annexure P-3. It is most respectfully submitted

that in all fairness, the Executive Committee was to constitute the Election Committee in the first week of November, 2020 to conduct free and fair elections for the next term. However, only on 04.12.2020 (i.e., one week before the term was ending) a meeting was held by the Executive Committee wherein it was unanimously resolved to conduct elections for the term 2020-21 through online mode (*“by an appropriate mode e.g. the NSDL”*) in the 2nd week of January, 2021. It is noteworthy that the said Resolution of the Executive Committee was brought out in the public domain on 10.12.2020 and the same was communicated to the Election Committee only on 11.12.2020 i.e., a week before the commencement of the winter vacations. Further, even though the electoral rolls are prepared well in advance, however, this year time was given till 04.01.2021 to delay the process of election of new Executive Committee.

d. That, accordingly, the Executive Committee of the Respondent Association nominated the following 3 highly respected members of the Association as the Election Committee for the purpose of holding elections to the post of President and other office bearers of the Respondent Association:

i. Mr. Jaideep Gupta, Senior Advocate as the Chairperson;

- ii. Mr. Harin P. Raval, Senior Advocate as the Member;
 - iii. Mr. Nakul Dewan, Senior Advocate as the Member.
- e. That, the Election Committee, in its first meeting noted and discussed various possibilities with regard to the mode in which the elections can be conducted. The Minutes of First Meeting of the Election Committee shows that amongst others, the Election Committee also discussed the option of conducting elections in physical as well as virtual mode. However, the Election Committee further noted that elections in hybrid mode may not be possible. In its own wisdom, the Election Committee decided that the elections should be held virtually by using a platform like NSDL. The minutes further recorded that the Election Committee had interacted with NSDL and found it offers fool proof method of holding elections. Since the draft list of voters was not prepared till date, the Election Committee deferred the decision with regard to the schedule for holding the election as soon as draft voters list was ready. A true copy of the Minutes of First Meeting of the Election Committee are annexed hereto and marked as Annexure P-4.
- f. That, the Election Committee, in its Second Meeting held on 31.12.2020, declared the schedule for the SCBA elections which is as follows:

18.01.2021	Nominations to be filed for various posts
20.01.2021	Last date for submitting objections/withdrawal of nominations
23.01.2021	Final list of nominations to be displayed.
29.01.2021	Date of polling

A true copy of the Minutes of Second Meeting of the Election Committee dated 31.12.2020 are annexed hereto and marked as Annexure P-5.

- g. That, thereafter, the Election Committee, in discharge of its duties, entered in discussion with NSDL to conduct the elections on virtual platform. Pursuant to the discussion held with the Election Committee, NSDL forwarded a draft agreement to be entered into with it by the Respondent Association as well as the estimate of cost. The same was forwarded by the Election Committee to the Respondent Association.
- h. That, however, rather than simply making the payment as forwarded by the Election Committee, surprisingly a meeting of Executive Committee was called to approve the expenditure for online voting. The Executive Committee of the Respondent Association in its meeting dated 14.01.2021, in complete transgression of its powers under the Rules and usurping the powers of the Election Commission under Rule 17A, resolved that, the election shall be held in a hybrid form. The minutes of meeting further shows that the

Executive Committee of Respondent Association further decided that “the Election Committee may accordingly alter the date for the polling and holding elections and hold the same not later than the third week of February 2021”. It is most respectfully submitted that, the said resolution by the present Executive Committee of Respondent Association is not only illegal but is also in teeth of Rule 17A which empowers the Election Committee to have full and absolute control over the election and which further makes the decision of the Election Committee final and binding. The Election Committee, having decided in its own wisdom to carry out the elections in virtual mode and having set and confirmed the schedule for such election, the action of the present Executive Committee of Respondent Association is unlawful, unauthorized, smacks of malafide and is a brazen attempt to interfere with the process of holding free, fair and transparent elections. A true copy of the Resolution dated 14.01.2021 passed by Executive Committee of the Supreme Court Bar Association is annexed hereto and marked as Annexure P-6.

- i. That, the Election Committee vide its letter dated 15.01.2021, regarded the decisions of the present Executive Committee pertaining to the elections taken in its meeting dated 14.01.2021 as refusal to carry out the directions of the Election Committee. In view of the above, the Election

Committee tendered resignations. It may not be out of place to mention here that the present Petitioner has received the text of the letter dated 15.01.2021 on his WhatsApp and the same is reproduced for ready reference herein below:

"15.01.2021

To,

Mr. Rohit Pandey,

The Acting Hon. Secretary,

Supreme Court Bar Association,

Supreme Court Compound,

New Delhi - 110 001

Sir,

By a letter dated 09.12.2020 under the signature of the Acting Hon. Secretary, of SCBA, received vide an email dated 11.12.2020, we were intimated that:

"Respected Sir,

On behalf of the Executive Committee of Supreme Court Bar Association, it is my privilege to extend our sincere gratitude and appreciation for accepting the onerous responsibility of being on the

Election Committee for the SCBA Elections 2020-2021.

The Executive Committee in its meeting held on Friday 4th December, 2020 has decided to constitute the Election Committee comprising of the following (1) Mr. Jaideep Gupta, Senior Advocate, as Chairman (2) Mr. Harin P. Raval, Senior Advocate (3) Mr. Nakul Dewan, Senior Advocate, to hold the elections for the Executive Committee 2020-2021 in the 2nd week of January 2021.

The Election Committee is requested to ensure strict and punctual compliance of the election guidelines and code of conduct. SCBA Office will be instructed to extend full help, support and cooperation to the Election Committee for preparation of SCBA Voters' List 2020, as also all other necessary functions to be carried out by the Election Committee.

I request you to kindly inform a convenient time to arrange the meeting of Election Committee.

With Regards,

Yours sincerely,

Sd/-

ROHIT PANDEY

Acting Hon. Secretary”

By another email dated 13.12.2020 the communication received from NSDL, was forwarded to us, along with trailing mails.

We decided to hold Elections on a digital platform and entered into discussions with NSDL to conduct elections on a virtual platform. NSDL sent us a Draft Agreement to be entered into with it by the SCBA and the estimate of cost of expenses, which we forwarded to you and the Hon. Treasurer of the SCBA, followed by our another letter dated 14.01.2021.

We have received a Resolution, taking certain decisions, passed by the Executive Committee stated to be passed on 14.01.2021.

We consider these events as a ‘REFUSAL” by the Executive Committee of the SCBA to carry out our directions which in terms of Rule 17A of the Rules of the

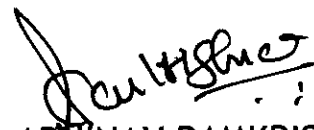
for the post of President and other office bearers of the Respondent Association, is in violation of Rule 17A, arbitrary, illegal, unlawful, smacks of malafide and is liable to be quashed.

2. **BECAUSE** the erstwhile Election Committee in its own wisdom and in exercise of the powers conferred to it by Rule 17A which grants full and absolute control over elections to the Election Committee, decided to conduct the Election in virtual mode and as the decision by the Executive Committee to change the mode and manner in which the Election is to be conducted amounts to interference with the ongoing Election process and hence is illegal.
3. **BECAUSE** the Election Committee, after considering the existing situation had set schedule for polling and fixed the date of polling as 29th January 2021. The Executive Committee has no power whatsoever to change the said schedule under any circumstances and as such the Resolution dated 14.01.2021 in so far as it seeks to postpone the date of elections to Third week of February, 2021 is bad in law, illegal, arbitrary, irrational and against the principles of free and fair elections.
4. **BECAUSE** the actions of the Executive Committee of postponing the date of election to third week of February 2021, clearly smacks of malafide in as much as the present Executive Committee has already outlived its tenure by over

one month and by third week of February the same would be over two months.

5. **BECAUSE** the laxity and the casual approach of the Executive Committee of the Respondent Association is apparent from the fact that even after a week from the date on which the Election Committee tendered its resignation, the Executive Committee has not yet nominated fresh Election Committee.
6. **BECAUSE** the illegal actions/ inactions and the malafide on part of the Executive Committee is writ large and is abundantly clear from the letter dated 15.01.2021 of the Election Committee which states "We consider these events as a 'REFUSAL' by Executive Committee of SCBA to carry out our directions which in terms of Rule 17A of the Rules of the SCBA are final and binding."
7. **BECAUSE** the tenure of the present Executive Committee having expired on 13.12.2020, it is imperative that the elections for the post of President as well as other Office Bearers of the Respondent Association is conducted at the earliest, especially in view of the fact that the post of President as well as Secretary of the Respondent Association is lying vacant at present.
8. **BECAUSE** as per the scheme of the Rules of Supreme Court Bar Association the limited role of Executive Committee with regard to the holding of elections is to nominate the Election Committee and once the Election Committee is duly

- a) Issue an appropriate writ in the nature of Mandamus, direction or order declaring the Resolution dated 14.01.2021 (Annexure P-6) passed by the Respondent Association as unlawful, illegal, arbitrary, unauthorized, violative of principles of free and fair Elections and quash the same;
- b) Issue an appropriate writ in the nature of Mandamus, direction or order directing the Executive Committee of the Respondent Association to duly nominate Election Committee at the earliest in accordance to Rule 17A of the Rules;
- c) Issue an appropriate writ in the nature of Mandamus, direction or order directing the Executive Committee of Respondent Association to refrain from taking any other decision including decision pertain to mode, manner and schedule of conducting the Election of President and other Office Bearer of the Respondent Association;
- d) Pass any such further order(s), as this Hon'ble Court may deem fit and proper directing the Respondent to evaluate and scrutinize the Proposal submitted by Petitioner and take a final decision with accordance to law; and
- e) Costs of the Petition may kindly be awarded in favour of the Petition.



ABHINAV RAMKRISHNA
PETITIONER IN PERSON
FLAT NO. 54, TOWER NO. 14
SUPREME ENCLAVE CGHS LTD.
MAYUR VIHAR PHASE -1
DELHI-110091
MOBILE: 997174653
EMAIL: adv.ramkrishna@gmail.com

NEW DELHI
DATED: 23.01.2021

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) NO-_____ OF 2021

IN THE MATTER OF:-

ABHINAV RAMKRISHNA

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VERSUS

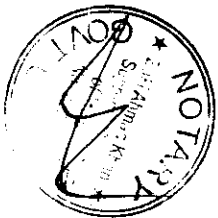
SUPREME COURT BAR ASSOCIATION

...RESPONDENT

AFFIDAVIT OF ABHINAV RAMKRISHNA AGE 37 YRS S/O SH. MAHANAND JHA R/O FLAT NO. 54, TOWER NO. 14, SUPREME ENCLAVE CGHS LTD. MAYUR VIHAR PASE - 1, DELHI- 110091

I the abovenamed petitioner in person do hereby solemnly affirm and declare as hereunder:

1. That the petition under Article 226 of the Constitution of India is being filed before this Hon'ble Court and the same is likely to be succeeded on the grounds taken thereunder.
2. That the Annexure are true typed copies of their originals same are being filed for the kind perusal of this Hon'ble Court and the accompanying application is thus drafted and filed by my counsel on my instructions.
3. That the contents of the petition including list of dates and events from page no 5 to 29 have been read by me and same are true and correct to best of my knowledge.
4. That I have been read over explained in vernaculars the affidavit it's the contents, the same are true and correct to my knowledge.



Verified the deponent has sig. in my presence

VERIFICATION

I the deponent hereby verify that the contents of para no. 1 to 4 of the affidavit herein above are true and correct to my personal knowledge and belief and nothing material has been concealed therefrom. Verified at New Delhi on this 22nd day of January 2021.

DEPONENT
[Signature]

[Signature]
DEPONENT

Verified.....
 Shri..... Deponent
 S/.....
 I/.....
 H.....
 o.....
 ti.....
 h.....
 an.....

[Signature]
Notary Delhi

22 JAN 2021

ANNEXURE P-1

CERTIFICATE OF REGISTRATION
SOCIETIES REGISTRATION ACT XXI OF 1860

Registration No. 35478 of 1999

I hereby certify that Supreme Court Bar Association located at Supreme Court Premises New Delhi has been registered under the " SOCIETIES REGISTRATION ACT-XXI of 1860.

Give under my hand at DELHI on this 25th day of August One Thousand Nine Hundred and Ninety Nine.

Registration Fee
of Rs. 50/- paid

Registrar of Societies
Govt. of N.C.T. of Delhi


// PRO COPY //

**RULES & REGULATIONS
OF
'SUPREME COURT BAR ASSOCIATION'
(As Amended up-to 8th December, 2010)**

1. **NAME:** The Association shall be called the '**Supreme Court Bar Association**'.
2. **TITLE:** These rules shall be called the Rules and Regulations of Supreme Court Bar Association.
3. Unless the context indicates otherwise the following words in these Rules mean:-
 - i) "Association" means the Supreme Court Bar Association.
 - ii) "Associate Member" means an Association of Advocates practicing in a High Court, or Judicial commissioners Court and enrolled as such a Member.
 - iii) "Clerk" means a clerk in the employment of a member and registered as such with the Association.
 - iv) "Committee" means the Executive committee of the Bar Association.
 - v) "Court" means the Supreme Court of India.
 - vi) "Member" means a member of Association.
 - vi)(a) "**Temporary Member**": A temporary member is a member other than a member within the meaning of "Rule vi".
(*inserted by the resolution of Special General Body Meeting dt. 9.9.2010, retrospectively w.e.f. 14.09.2009)
 - vii) "Non-Resident Member" means a Member who is not a resident Member.
 - viii) "Non-Active Member" means a Member whose name is kept on the list of Members not withstanding his accepted an office of profit disentitling him to practice.
 - ix) "Resident Member" means a Member residing and practicing as an Advocate in Delhi or its suburbs.
 - x) "To Employ" includes any direct or indirect utilization of service of a person whether as a servant or agent or otherwise for matters pertaining to or involved in conduct of practice of law.
4. **MEMBERSHIP:** There shall be the following classes of Members:-
 - i) Resident Members;
 - ii) Non-resident Members;
 - iii) Associate Members;
 - iv) Non-Active Members.

5. **FEEES, ADMISSION AND SUBSCRIPTION:**

- (i) The Admission Fee and snbscription for Member shall be as nnder:

Status	Admission Fee	Annual Subscription
1. Senior Advocate (Resident/Non-Resident)	Rs. 20,000/-	Rs. 6,000/-
2. Advocate (Resident/Non-Resident) Having practice of more than 10 years)	Rs. 10,000/-	Rs. 1500/-
3. Advocate (Resident/Non-Resident) Having practice of 10 years or less)	Rs. 7,500/-	Rs. 1500/-
4. Non-Active Member		Rs 1500/-
5. Associate Member	Rs. 5,000/-	Rs. 2,000/-

(ii) The Admission fee, one year's annual subscription or half year's subscription (in case the membership is sought in the second half of the year) shall be payable along with the application for membership by the applicant seeking membership to the Bar Association. In case the applicant is not admitted as a member, the amount paid by him at the time of tendering his application shall be refunded in full. In case the applicant is admitted as a member then the snbscription shall be payable by the member in advance annually by cheqne / demand draft payable at Delhi. Payment of snbscription in cash will not be accepted.

(iii) Any member, who is an Advocate, shall on being enrolled as Senior Advocate, pay for the relevant half year and thereafter subscription that may be payable by Senior Advocate. Credit shall be given to him for the amonnt already paid by him.

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(iv) When a Non-Active Member becomes an Active Member he shall pay the increased subscription for the relevant half year and thereafter.

(v)(a) Subject to the provisions of these Rules, every Advocate entitled to practice law, shall be eligible for Membership to the Association. An Advocate applying for Membership of Association shall do so in the 'prescribed form' duly proposed by one Advocate who has been a Member of the Association for not less than 10 years and seconded by 10 existing Member of the Association. The full name, residential address and normal place of practice of the Advocate applying for Membership together with the full name and addresses of the proposer and seconders shall be entered in the register maintained by the Association for this purpose. On the application being checked, verified and found correct, the name of the applicant shall be put on the Notice Board of the Association and also be sent to the Bar Association of which the applicant is a Member for being displayed on the Notice Board of the said Bar Association for a period of at least 10 days, after which the Application shall be placed before the Committee of this Association for consideration and shall be taken up at the meeting of the Committee. The Committee shall amongst other matters consider objections, if any that may be received objecting to the enrolment of the applicant as a Member of this Association. The Decision of the Committee, electing or refusing to elect the applicant as a Member, shall be communicated to the Member. An applicant whose application for Membership has been rejected by the Committee shall not be eligible to apply afresh for such Membership for a period of one year from the date of rejection of his application for Membership.

{(b)*In terms of this Rule, an applicant found to be 'suitable' to be made a member of the association, will be made a member, initially on temporary basis for a period of 2 years (two years). A person so made a Member on temporary basis, will be identified as "Temporary Member". Such temporary member will be entitled to avail the facilities of the Association such as Library & Canteen etc. but will not have the right to participate or cast vote in the Elections or any General Meetings (as prescribed in Rule 18 and 21) of Association, to contest election and to be issued a Library Card.

Explanations: "Suitable" means the person applying must fulfill all the criteria listed in the Rules and Regulations of the Supreme Court Bar Association viz. Rule 5(v) and also satisfy the requirements prescribed in the "Prescribed Form".

"Prescribed Form" means the Form containing conditions for membership including conditions in the Rule 5(v).

(c) At the end of 2 years period from the date of approval of temporary membership by the Executive Committee, if such temporary member pays SCBA dues without any default during such period and produces the proof of either of the following two requirements before the Executive Committee, his name would be considered for being made a "Regular Member" of the Association:

- (i) Appearance in Supreme Court as lead Counsel in at-least 5 matters in each year of the two years period; or
- (ii) Appearance in Supreme Court as a Junior Advocate appearing with any Senior Advocate/Advocate-on-Record in at-least 20 matters in each year of the two years period.
- (iii) Only such of the Temporary Member who satisfy above requirements, at the end of two years period prescribed above, would be made a "Member" of the Association with an entitlement to all the privileges of the Association including the right to vote and Library Card etc. else he/she shall continue to remain a temporary member till such time he/she fulfills these conditions.

**As resolved by Special General Body Meeting dt. 9.9.2010, this amendment has come into effect retrospectively w.e.f. 14.09.2009.*


(vi) An Association of Advocates practicing in a High court or in a Judicial Commissioner's Court shall be eligible for membership, provided that a Member of an Associate Member shall not ipso facto become a Member of the Association. The President or another Member of an Associate Member duly nominated by the governing body of an Associate Member shall be entitled to represent it and participate in the activities of the Association.

The Application by an association of advocates desiring to be elected as an Associate Member shall be made only upon a resolution to that effect having been passed by its governing body. Such application shall not be required to be proposed and seconded and neither shall an application on its behalf be required to be displayed as in the other case. Such an Application shall, however, be accompanied by resolution of a governing body of the applying association.

6. DUTY OF MEMBERS

A Member of Association shall abide by the following professional duties viz:

- i) A Member shall endeavor to provide full assistance to the Court, competent representation to a client;
- ii) In representing a client, a Member shall not delay a proceeding when it is obvious that such action would serve solely to harass or injure the other party;
- iii) A Member shall not knowingly:-
 - a) Make a false statement of material fact or of law to the Court;

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desire a particular matter to be brought in a meeting of the Committee such a matter shall be transacted in a meeting of the Committee.

13. **QUORUM**

The quorum at any meeting of the committee shall be 5 provided that if the quorum is not present at any meeting the same shall stand adjourned to such date and time as the Chairman may appoint and at such adjourned meeting no quorum shall be necessary.

14. **OFFICE BEARERS**

PRESIDENT (1):The President of the Association and in his absence the Vice-President shall preside at all meetings of the Association and of the Executive Committee or other committees. In the absence of the President or the Vice-President the members present shall elect one of them to preside over a meeting.

(2) If any question arises with respect to any matter not provided for in the rules or in the bye-laws made by the Executive Committee, such question shall, subject to the provisions of these rules, be decided by the President whose decision shall be binding unless the General Body of the members in a subsequent meeting otherwise decides.

15. **SECRETARY**

Subject to such directions as the committee may, from time to time issue, the Secretary shall be the **Chief Executive Officer** of the Association and shall have the power, among others, of making such disbursements as may be necessary or expedient for the Association including the payments of salaries of the staff and purchases of books, newspapers, periodicals, furniture and materials for the Association. In his absence, the Assistant Secretary shall discharge the functions of the Secretary.

16. **TREASURER**

The Treasurer shall have the custody of all the monies and securities of the Association and sums due to the Association shall be payable to and recoverable by the Treasurer. Any sums realized or received by the Association shall forthwith be handed over to the Treasurer. The Treasurer shall keep the monies of the Association in such Bank and in such manner as the Committee may direct and shall bring all the monies received into account immediately on receipt thereof. All receipts of whatever description shall be forthwith paid into the bank and only drawn by means of cheque and all payment except for those of petty expenditure shall be made by cheque. The Treasurer may assign such of his work to the Assistant Treasurer as he may think fit.

17. **ELECTIONS**

The Office-Bearers of the Association shall be elected by secret ballot and the other members of the Committees shall be elected by secret ballot by single distributive votes at the Annual Election. No office bearer or member of the Committee shall be eligible to hold any office for more than two consecutive years. **Canvassing in any form on the date of polling is prohibited.**

17A. **ELECTION COMMITTEE**

Election to the Association shall be conducted by an Election Committee of 3 members to be nominated by the Executive Committee of the Association. The members of the Election Committee shall not participate in the election, except casting their votes. The Election Committee shall exercise full and absolute control over the election and its decision shall be final and binding.

18. **ELIGIBILITY OF MEMBERS TO CONTEST AND VOTE AT ELECTIONS**

I) No Member of the Association shall be eligible to contest for any post of the Association unless:

I-A) as inserted by resolution of the General Body dt 28th September, 2004:-

{He/She must have five years standing at the Bar for contesting for the post of the Office Bearers and three years standing at the Bar for the post of Executive Member. Seniority will be from the date of enrolment as Member of Supreme Court Bar Association.

II) No members shall be eligible to cast his/her vote at the election unless:-

- (i) He/She is in possession of Identity Card at the time of casting his/her vote and shows it on demand, if so required.
- (ii) He/She has paid his/her subscription by or before the LAST DAY of February of the Calendar Year in which the elections are being held and is NOT IN ARREARS ON ANY ACCOUNT.
- (iii) A member who is in arrears of his/her subscription or any dues to the Bar Association will not be eligible, to propose or second the candidature of any members to any of the post. Such member shall not be entitled to contest the election.
- (iv) Non-Active Members and Associate Members shall not have right to vote.

III "A member who exercises his right to vote in any year in any High Court or District Court Advocate's/Bar Association election shall not be eligible to contest for any post of the Association or to cast his vote at the election. Every member before casting his vote shall in the prescribed form give a 'Declaration' that he is not voting in any other election of any High Court/District Court Bar Association. Provided, however, that if such a declaration is found to be false, it shall entail

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The rules and bye-laws of the Association shall be subject to such additions and / or modifications as may be made from time to time by resolution passed by at least 2/3rd of the members present and voting at a General Meeting.

Proviso: The Voting on any amendment /modification to the Constitution/ Rules of the Association shall be only by way of "Secret Ballot" (inserted by SGBM dt: 8.12.2010)

40. SOURCES AND INCOME /UTILISATION OF FUNDS

(i) The association shall receive funds through contribution and grants from institutions (s), organization(s) and general public, whether Indian or foreign, subject to the Indian Laws and Regulations.

(ii) The funds of the association shall be invested in or upon one or more securities or investments as may be approved by the General Body or the Executive Committee from the time to time being subject to the provisions of Income Tax Act, 1961.

(iii) The Executive Committee may (without being obliged to do so) at any time appoint or provide for the appointment of one or more persons as separate or holding trustees (including a banking company or other corporation which is authorized by its Memorandum and Articles of Association to act a such) to hold any land, funds and other properties, investments, securities belonging to the association subject to the Rules and Regulations as the Executive Committee may from time to time think. A holding trustee need not be a member of the Executive Committee.

(iv) Such securities shall not be sold or dealt with except with the permission of the General Body and the Executive Committee.

(v) The surplus from any activity of the association shall be exclusively used for the furtherance of the aims and objects of the association.

41. ANNUAL LIST OF GOVERNING BODY

Every year after the Annual General Meeting, list of the office bearers and members of the Executive Committee of the Society shall be filed with the Registrar of the Societies, Delhi as required under Section 4 of the Societies Registration Act, 1860.

42. LEGAL PROCEEDINGS

(i) The Society may be sued in the name of its President / Secretary as per the provisions laid down under Section 6 of Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.

(ii) To amend, alter, extend or abridge of the objects and aims of the Society or to amalgamate with such society either wholly or partially with any other society. The Executive Committee shall submit a written report of the proposition to the Members of the Society and shall convene a special meeting for consideration thereof. No proposition shall be carried out into effect unless each Member of the Society has been informed by post ten days previous to the special meeting to be convened by the Executive Committee. The proposition shall have to be agreed and confirmed by not less than three fifth of the Members present at the special meeting so convene.

(iii) Further, Sections 12 and 12A of the Act shall be applicable with regard to alteration, extension or abridgement of the objects and aims of the Society.

43. DISSOLUTION AND ADJUSTMENT OF AFFAIRS

i) If the association needs to be dissolved, the Executive Committee shall submit a written report to the Members of the association and shall convene a special meeting of the Members and upon proposal being approved by not less than three fifth of the Members of the association, present at the special meeting so convened. In case the Members approve the association shall stand dissolved, the dissolution shall be as per Section 13 and 14 of the Act.

ii) If upon a winding up or dissolution of the association, there remains any property whatsoever, after the satisfaction of the debts and liabilities, the same shall not be distributed amongst the members of the Association but shall grant or donate to any other Society, Unit, Association, Federation, Organization or Company having objects similar to the objects of this Society. The Court at Delhi shall have jurisdiction in such matters.

44. APPLICATION OF THE ACT

All the provisions under all the sections of the Societies Registration Act, 1816 as applicable to the Union Territory of Delhi shall apply to this Society.

45. ESSENTIAL CERTIFICATE

Certified that this is the correct copy of the Rules and Regulations of the Society.

Verified at New Delhi on this 15th day of December, 2010.

PRESIDENT

SECRETARY

TREASURER

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PROCEEDINGS OF THE MEETING OF EXECUTIVE COMMITTEE OF THE SUPREME COURT BAR ASSOCIATION HELD ONLINE BY VIDEO CONFERENCING ON 04.12.2020 AT 3:30 PM.

Members who attended the meeting:

1. Mr. Dushyant A. Dave (Sr.), President
2. Mr. Kailash Vasdev (Sr.), Vice President
3. Mr. Rohit Pandey, Acting Hony. Secretary
4. Mr. Meenesh Dubey, Treasurer
5. Ms. Shamshravish Rein, Joint Treasurer
6. Ms. Mahalakshmi Pavani (Sr.), Senior Member
7. Mr. C.U.Singh (Sr.), Senior Member
8. Mr. Arijit Prasad (Sr.), Senior Member
9. Mr. Amrendra Kumar Singh, Executive Member
10. Dr. Ritu Bhardwaj, Executive Member
11. Ms. K.V.Bharati Upadhyaya, Executive Member
12. Mr. Upendra Narayan Mishra, Executive Member
13. Mrs. Alka Agarwal, Executive Member
14. Mr. Tanveer Ahmed Khan, Executive Member

In the Chair : Mr. Dushyant Dave, President.

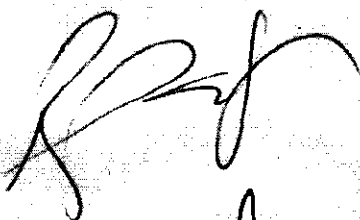
Agenda Item No.1.

- A. To confirm the minutes of the meeting of the Executive Committee held on 13.11.2020 (copy enclosed)**

The minutes of the meetings of the Executive Committee held on 13.11.2020 is confirmed.

- B. To consider and confirm the minutes of the meeting of the Membership Sub-Committee held on 26.10.2020, 27.10.2020 & 28.10.2020 & 23.11.2020 & 24.11.2020 (copy enclosed)**

The minutes of the meeting of the Membership Sub-Committee held on 26.10.2020, 27.10.2020 & 28.10.2020 & 23.11.2020 & 24.11.2020 are confirmed. It is pertinent to mention that in the matter of Mr. Shri Narayan Shukla (S-03523/RES) the Membership Sub-Committee in its meeting dated 28.10.2020 had decided to recommend his name and place the matter before the Executive Committee for its consideration. The Executive Committee in its meeting dated 04.12.2020 decided not to grant Membership of SCBA to Mr. Shri Narayan Shukla (S-03523/RES) former Judge, Allahabad High Court, until the CBI investigation in the F.I.R. u/s. 7, 8, 12, 13(2) r/w. Sec. 13(1)(d) of PC Act is concluded.



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Agenda Item No.2: To consider the appointment of the Election Committee for holding of the Annual Election to the SCBA which fall due in December 2020.

This agenda was taken up and discussed in detail where members expressed their views. Reference was made to the message sent on email on the Supreme Court web site by the President seeking opinions from the members on the manner/system to be followed for holding the annual election to elect the Executive Committee of the Supreme Court Bar Association. After due deliberation and on considering all facts it was:

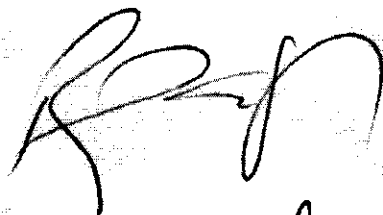
UNANIMOUSLY RESOLVED that the election of the Supreme Court Bar Association for the year 2020-2021 to elect the Executive Committee of the Supreme Court Bar Association would be held as set out in the Rules notwithstanding the restrictions and difficulties imposed following the break out of the pandemic caused in the present year. Very limited responses being 34 in number were received to the request inviting suggestions made by the President, have been received from the members. In the circumstances it was held that holding elections on line by an appropriate agency e.g. the NSDL would be in the welfare of the member and would avoid their exposure to the Covid disease caused by the Corona Virus. The election will be held online in January 2021. The elections would be conducted by an appropriate agency would be engaged at the earliest to ensure that the election process is safe and secure. Such elections have been successfully held by various authorities and bodies from time to time.

FURTHER RESOLVED that the Elections for the year 2020-21 would be held in the 2nd week of January, 2021. The detailed programme for the elections would be notified by the Election Committee.

AGENDA ITEM NO.3: To consider the renewal of the Group Life Insurance Policy for the members of Supreme Court Bar Association which has expired on 19th of November, 2020.

Various aspects and issues arising on this matter were discussed by the members. It was ascertained that in 2016 after the commencement of this Policy about 1200 members whose names are in the voters list are insured annually in a restricted manner. This insurance should be extended to as many members as possible in the current time. The funds for this Insurance are ere paid by the Bar Association from donations received. It was

UNANIMOUSLY RESOLVED that all members would be eligible to apply for this Insurance where after the Executive Committee would engage with Insurance Companies to ascertain the premium payable. On obtaining facts and



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figures for the insurance steps would be taken to request individual members to pay their respective premium. To supplement and assist needy members, the Association would request members of the Bar to donate such sums in the larger interest of such members as has been done since 2016.

Any other matter with the permission of the Chair

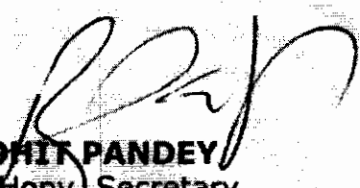
Members expressed their concern about the use of force by Police to break up silent and non violent protests by citizens as such action do not augur for a democratic system. Members recalled with dismay the recent events where brute force was used against farmers and on others incidents. After due deliberation members unanimously passed the following resolution:


"The Executive Committee of the Supreme Court Bar Association has been dismayed to read reports in the media about the use of brute force to break up peaceful protests, where citizens raise their voices against State actions which they believe denigrate their basic rights. The recent legislation on farm produce, which exclude the jurisdiction of civil courts, followed by use of force to prevent the farmers from holding non violent protests for their rights is a case in point. The farmers have sought to present their views on the legislations which in their opinion infringe their rights. This Association emphasises that the right of citizens to discuss, debate, criticise or protest against such Bills or Acts is sacrosanct. Peaceful protest is a cornerstone of our Constitution, and the bedrock of human rights. To paraphrase Edmund Burke, "I may completely disagree with what you say, but I will defend to the death your right to say it".

The Executive Committee of the Supreme Court Bar Association has unanimously resolved to condemn the use of force and repressive measures against peaceful protesters, and calls upon all concerned Governments to uphold and protect the Constitutional right of all citizens to peaceful protest."

The meeting ended with a vote of thanks to the Chair.

04.12.2020


ROHIT PANDEY
Acting Hon'y. Secretary


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MINUTES OF THE SECOND MEETING HELD ON 31ST DECEMBER 2020

1. The Election Committee has decided to conduct the election to the Executive Committee of the Supreme Court Bar Association on 29th January 2021.
2. The following schedule leading to the election had also been agreed upon.
3. By 4th of January, 2021 Members are expected to furnish their email address or telephone number.
4. On 6th of January 2021, the provisional voters list will be displayed on the website of the SCBA. The office shall also intimate the Members by SMS and or email regarding publication of the provisional voters list.
5. The provisional voters list will be published in 3 parts. The first part will consist of those Members whose right to vote had been found to be affirmed.
6. The second part shall consist of those Members who have been found to be ineligible to vote for the forthcoming election 2021 for reasons which will be intimated in the list.
7. The third section will consist of those who have applied under Clause 5 of Part B of the Questionnaire 2020. These names could not be verified because the Registry has not responded to the request for information by the Executive Committee of the SCBA/Election Committee. Even though the process of obtaining verification from the Registry is ongoing, it appears that the chances of getting proximity card data is not very high. It is, therefore, decided that as


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PROCEEDINGS OF THE URGENT MEETING OF THE EXECUTIVE COMMITTEE OF THE SUPREME COURT BAR ASSOCIATION HELD ONLINE BY VIDEO CONFERENCING ON 14.01. 2021 AT 08.30 PM.

Members who attended the meeting:

1. Mr. Kailash Vasdev, (Sr.), Vice President
2. Mr. Rohit Pandey, Acting Hony. Secretary
3. Mr. Meenesh Kumar Dubey, Treasurer
4. Ms. Shamsravish Rein, Joint Treasurer
5. Ms. Mahalakshmi, Pavani (Sr.)
6. Dr. Adish Chandra Aggarwala, (Sr.)
7. Mr. Arijit Prasad, (Sr.)
8. Col R. Balasubramanian (Sr.)
9. Mr. Amrendra Kumar Singh
10. Dr. Ritu Bhardwaj
11. Ms. Prema Kumari
12. Ms. K.V. Bharathi Upadhyaya
13. Mr. Upendra Narayan Mishra
14. Mr. R. Anand Padmanabhan
15. Mrs. Alka Agarwal
16. Mr. Tanveer Ahmed Khan

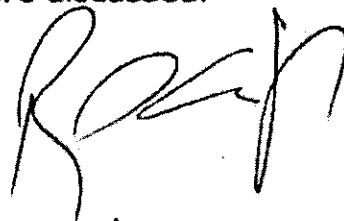
IN THE CHAIR : MR. KAILASH VASDEV, VICE PRESIDENT.

This urgent and emergent meeting has been called by the Acting Hony. Secretary with the consultation of Vice President in view of the sudden developments which have taken place between the last meeting held on 04.12.2020.

The Agenda is as follows:

Agenda No: 1. To confirm the minutes of the meeting held on 4.12.2020

The Executive Committee considered the resolutions passed on 04.12.2020 especially Item 2 thereof, more so in view of the recent developments relating to the covid pandemic and the change in views in approach by governments in opening public places and offices. The earlier resolution of the EC was to hold the elections for 2020-2021 online and engaging an independent agency to hold the elections under the supervision of the Election Committee. This reconsideration is being made by the Committee in the changing circumstances noting that once the election process commences it has to be followed. On a reconsideration following the change in circumstances the issues were discussed.



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AGENDA – 2. On physical hearings of cases by the Court.

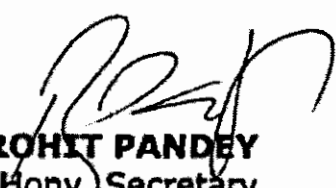
The members noting that all cases were not being heard and there was tremendous hardship being faced by lawyers in the hearing of cases on the virtual mode as also that there was an enormous impact on the economic conditions of lawyers, the EC was of the opinion that cases should be heard in the actual presence of all. In any event the impact of the pandemic was on the decline and necessary measures were being taken by the Government to roll out the vaccine. Restoration of the optimum working of the judicial system, specially the Supreme Court would be in the larger interest of all.

RESOLVED that the Hon'ble Chief Justice be requested to commence physical hearing of all cases preferably from 01.02.2021.

AGENDA – 3: Resignation tendered by Mr. Dushyant Dave (Sr.) as President of the Supreme Court Bar Association.

The Executive Committee received the decision of Mr Dushyant Dave (Sr.) to resign as President. We hold Mr. Dave in high esteem for his contributions to this Committee and the Supreme Court Bar Association. His guidance, direction and support has been unstintingly given in generous measure. We wish him success, godspeed and pleasant times in all that he chooses to do.

The meeting ended with a vote of thanks to the Chair.



ROHIT PANDEY
Acting Hony. Secretary

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