



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH
DATED THIS THE 31ST DAY OF JANUARY, 2024
BEFORE
THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ
WRIT PETITION NO.100505 OF 2024 (GM-RES)

BETWEEN:

1. THE BAR ASSOCIATION KITTUR,
NEAR KITTUR COURT, SOMAVAR PET,
KITTUR R/BY IT'S PRESIDENT,
.....

...PETITIONERS

(BY SRI. SRINIVAS B. NAIK &
SRI. S.B. DODDAGOUDAR &
SRI. A.C. CHAKALABBI, ADVOCATES)

AND:

1. THE STATE BAR COUNSEL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI, BENGALURU,
REPRESENTED BY ITS, CHAIRMAN-560001.
2. THE STATE BAR COUNSEL,
OLD ELECTION COMMISSION OFFICE,
DR. AMBEDKAR VEEDHI, BENGALURU,
R/BY SECRETARY-560001.
3. THE RETURNING OFFICER,
THE ADVOCATE BAR ASSOCIATION,
CHENNAMMA KITTUR,
NEAR COURT SOMAVAR PET, KITTUR,
R/BY ITS PRESIDENT-581115.





6. THE ADVOCATE BAR ASSOCIATION,
CHENNAMMA KITTUR,
R/BY SECRETARY-581115

...RESPONDENTS

(BY SMT. ARCHANA MAGADUM, ADV. FOR R1 TO R2;
R3-DEFERRED FOR NOW;
SRI. ANAND ASTHEKAR, ADV. FOR C/R4, C/R5 & R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT OR ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER WHICH IS PRODUCED AT ANNEXURE-A1, PASSED BY THE RESPONDENT NO.1 AND 2 DATED 23/12/2023; ISSUE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.1 AND 2 TO CONSIDER REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 29/12/2023 SAME IS PRODUCED AND MARKED AS ANNEXURE-A.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:



ORDER

1. The petitioners are before this Court seeking for the following reliefs.
 - a) *Issue Writ in the nature of Certiorari or any other Writ or Order or direction quashing the impugned order which is produced at Annexure-A1, passed by the respondent no.1 and 2 dated 23/12/2023.*
 - b) *Issue writ in the nature of Mandamus directing the respondent no.1 and 2 to consider representation submitted by the petitioners dated 29/12/2023 same is produced and marked as Annexure-A.*
 - c) *Such other direction or orders or Writ as the factual situation deemed fit and proper be passed.*
2. What has been challenged is Annexure-A1 to the writ petition being a resolution of the Karnataka State Bar Council canceling the registration of the Bar Association, Kittur bearing BCM Res.No.20/2010 dated 07.03.2010 and recognizing The Advocates Bar Association, Channamman Kittur.
3. A perusal of the petition more so at para No.3 thereof indicates that petitioner No.1 claims to be an Association bearing No.DRBG/SOR/986/2023-2024 registered under the Karnataka Societies Registration



Act-1960 on 10.11.2023 and petitioner No.2 is the General Secretary of petitioner No.1.

4. If that be so, the petitioners cannot be said to be aggrieved by the cancellation of registration of Bar Association, Kittur bearing Reg.No.20/2010 dated 07.03.2010, the petitioner and Bar Association, Kittur are not one and the same, since the petitioners were not in existence when such registration occurred.
5. The petitioners having no *locus* to challenge the Annexure-A1, the writ petition stands **dismissed**.
6. Though having dismissed the above petition what can be seen from the petition and objections filed is that there are disputes between two groups of advocates who have formed themselves into two different associations. The advocates profession being a noble and learned profession, I am of the considered opinion that it does not behove well for



the advocates profession for two groups to be formed and/or there being acrimony between those two groups. The litigations may be filed and may be disposed, but the advocates would continue to be in the profession. In that view of the matter, this Court requests the Chairman of Karnataka State Bar Council and/or a committee appointed by him to try and mediate the dispute between the two factions of lawyers in Kittur so as to maintain harmonious relation between lawyers since many a time lawyers would appear together as also oppose each other and they should not be doing so with this acrimony in mind or background.

Sd/-
JUDGE

AM/-
List No.: 1 Sl No.: 15