

ITEM NO.17

COURT NO.11

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.288/2025

SANYAM GANDHI

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 19-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) : Petitioner-in-person

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Application seeking permission to appear and argue-in-person is allowed.
2. The petitioner appearing in-person has been constrained to come back to this Court by way of this present Writ Petition filed under Article 32 of the Constitution.
3. Earlier, he had preferred the Writ Petition (C) No.28/2025 seeking the very same relief which he is seeking in the present petition.
4. The Writ Petition(C) No.28/2025 came to be disposed of by this very Bench vide order dated 24-2-2025. The order reads thus:-

"1. Application for permission to appear and argue in person is allowed.

2. This petition filed in public interest is one concerning the fees charged by the Bar Council of India for the All India Bar Examination.

3. To be precise the prayer in this writ petition reads as under:-

"1. Issue a writ, order or direction, thereby, declaring that the fees charged by the respondent no.2 on account of application fees for All India Bar exam of Rs.3500/- plus other incidental charges from General/OBC candidates and Rs.2500 plus other incidental charges from SC/ST candidates violates Section 24(1)(f) of the Advocates Act, 1961 and infringes article 19(1) (g) and 14 of the Constitution of India and is against the judgment of this Hon'ble Court in Writ Petition (C)No. 352 of 2023 titled as Gaurav Kaumar Vs. Union of India and as such directing the respondent no.2 to restrain from collecting any such fees in future and to refund the amount collected from candidates on account of application fees for All India Bar Exam-XIX."

4. The petitioner a practicing advocate appearing in person invited the attention of this Court to the decision rendered in Gaurav Kumar vs. Union of India & Ors. (W.P.(C) No.352/2023) reported in [(2025) 1 SCC 641]. The petitioner would submit that in view of this decision the recovery of Rs.3500/- plus other incidental charges as condition precedent for appearing in All India Bar Council Exam is violative of Articles 14 and 19(1) (g) respectively of Constitution.

5. According to him it also violates Section 24(1) (f) of the Advocates Act, 1961.

6. We are of the view that the petitioner should first bring it to the notice of the Bar Council of India that this amount of Rs.3500/- plus other incidental charges sought to be recovered as W.P.(C)No.28/2025 2 condition precedent for the Bar Council of India examination is violative or rather contrary to the judgment rendered by this Court.

7. It shall be open for the petition to prefer an appropriate representation in this regard and await for the response of the Bar Council of India. If there is no response within a reasonable period of time he may come back to this Court. Even, if there is negative response, he may come back to this Court.

8. The petition is disposed of accordingly."

5. The petitioner appearing in-person pointed out that although an appropriate representation was filed by him dated 26-2-2025 itself at Annexure 'P2' of the Paper Book, yet there has been no response from the Bar Council of India.

6. Issue notice, returnable after Summer Vacation.

7. Dasti service, in addition, is permitted.

8. Liberty is granted to serve the Standing counsel for the Union of India through the Ministry of Law and Justice.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)