

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ORIGINAL JURISDICTION

CIVIL APPEAL NO(S).

@ SLP(C) No. 20647/2024

BAR COUNCIL OF INDIA

APPELLANT(S)

VERSUS

S. BASAVARAJ & ORS.

RESPONDENT(S)

WITH T.P.(C) No. 2397/2024

O R D E R

CIVIL APPEAL NO(S).. @ SLP(C) No. 20647/2024

1. Leave granted.
2. The appeal is taken up for hearing.
3. This appeal challenges the order dated 02nd September, 2024 passed by the Karnataka High Court to the extent that it directs the Secretary and Joint Secretary of the Bar Council of India to remain present in the Court on the next date of hearing.
4. From the records it appears that Respondent No.1 herein has filed a writ petition before the High Court praying *inter alia* for directing the Respondent Nos.2 and 3 i.e. the Karnataka State Bar Council and its Returning Officer/Secretary to forthwith hold the elections for the post of Chairman and Vice-Chairman.
5. Upon issuance of notice, the Secretary of the Bar Council of India had addressed a letter to the Registrar General of the High Court of Karnataka requesting for grant

of fifteen days time so as to discuss the matter with the senior counsel and decide the future course of action.

6. It appears that immediately after the said letter was addressed on 28th August, 2024, the Bar Council of India filed a Memo withdrawing the said letter and also tendering unconditional apology. The Secretary and the Joint Secretary of the Bar Council of India also filed their respective affidavits to the same effect. It is stated in the said affidavit that the letter was sent inadvertently.

7. We are of the view that in the circumstances the High Court ought to have graciously accepted the affidavits and the apology rather than summoning the Secretary and Joint Secretary of the Bar Council of India from Delhi to Bengaluru.

8. In that view of the matter, the impugned order insofar as it directs the presence of the Secretary and General Secretary of the Bar Council of India to remain present shall stand quashed and set aside.

9. Needless to state that the writ petition filed before the High Court shall proceed further in accordance with law.

10. The appeal is disposed of in the aforesaid terms.

11. There shall be no orders as to costs.

12. Pending application(s), if any, shall stand disposed of.

T.P.(C) No. 2397/2024

1. We are not inclined to entertain this petition. The transfer petition is, accordingly, dismissed.

2. Pending application(s), if any, shall stand disposed of.

.....J
(B.R. GAVAI)

.....J
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
APRIL 08, 2025

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 20647/2024

[Arising out of impugned final judgment and order dated 02-09-2024 in WP No. 20626/2024 passed by the High Court of Karnataka at Bengaluru]

BAR COUNCIL OF INDIA

Petitioner(s)

VERSUS

S. BASAVARAJ & ORS.

Respondent(s)

(IA No. 202225/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 204211/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 203906/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

T.P.(C) No. 2397/2024 (IV-A)

FOR ADMISSION and IA No.202182/2024-EX-PARTE STAY

Date : 08-04-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Mr. S. Prabhakaran, Sr. Adv.

Ms. Radhika Gautam, AOR

Ms. Anjul Dwivedi, Adv.

For Respondent(s) :

Mr. Dama Seshadri Naidu, Sr. Adv.

Mr. Pai Amit, Adv.

Ms. Pankhuri Bhardwaj, Adv.

Mr. Abhiyudaya Vats, Adv.

Mr. Kushal Dube, Adv.

Mr. Nitesh Ranjan, AOR

UPON hearing the counsel, the Court made the following
O R D E R

CIVIL APPEAL NO(S).. @ SLP(C) No. 20647/2024

1. Leave granted.

2. The appeal is disposed of in terms of the signed order.

T.P.(C) No. 2397/2024

The transfer petition is dismissed, in terms of the signed order.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
ASSISTANT REGISTRAR

(Common signed order is placed on the file)