

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

Writ Petition(s) (Civil) No(s). 1319/2023

M. VARADHAN

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(IA No. 258373/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 270527/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 265478/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 264631/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 261431/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 260210/2025 - CLARIFICATION/DIRECTION, IA No. 265469/2025 - EXTENSION OF TIME, IA No. 258372/2025 - INTERVENTION APPLICATION, IA No. 270162/2025 - INTERVENTION APPLICATION, IA No. 288267/2025 - INTERVENTION APPLICATION, IA No. 242244/2025 - INTERVENTION/IMPLEADMENT, IA No. 276937/2025 - INTERVENTION/IMPLEADMENT, IA No. 273899/2025 - MODIFICATION, IA No. 245323/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 242662/2023 - STAY APPLICATION)

WITH

T.C. (C) No. 112-115/2015 (XII-B)

T.C. (C) No. 110/2015 (XII-B)

(IA No. 86498/2017 - CLARIFICATION/DIRECTION)

T.C. (C) No. 111/2015 (XII-B)

T.C. (C) No. 119/2015 (XV)

T.C. (C) No. 118/2015 (III-A)

T.C. (C) No. 116/2015 (IV)

T.C. (C) No. 117/2015 (III-A)

T.C. (C) No. 127/2015 (XIV-A)

T.C. (C) No. 126/2015 (XIV-A)

(IA No. 22372/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 22168/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 95063/2021 - CLARIFICATION/DIRECTION, IA No. 180916/2022 - EXEMPTION FROM FILING O.T., IA No. 132357/2021 - EXEMPTION FROM FILING O.T., IA No. 95062/2021 - INTERVENTION/IMPLEADMENT, IA No. 242449/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 23851/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

T.C. (C) No. 133/2015 (XI-B)
(FOR ON IA 1/2016)

T.C. (C) No. 2/2016 (III)

W.P. (C) No. 799/2016 (X)

W.P. (C) No. 644/2016 (X)

W.P. (C) No. 709/2016 (PIL-W)

W.P. (C) No. 808/2016 (PIL-W)

W.P. (C) No. 1005/2016 (X)

T.C. (C) No. 63/2018 (XII-A)

CONMT.PET. (C) No. 622/2023 in T.C. (C) No. 126/2015 (XIV-A)

W.P. (C) No. 82/2023 (X)
(IA No.15785/2023-EXEMPTION FROM FILING O.T. and IA No. 15785/2023
- EXEMPTION FROM FILING O.T.)

T.P. (C) No. 1298/2024 (XVII-B)
(IA No. 110368/2024 - EX-PARTE STAY)

W.P. (C) No. 865/2025 (X)
(IA No. 225187/2025 - EXEMPTION FROM FILING O.T.)

WITH

ITEM NO. 45

Transfer Petition(s) (Civil) No(s). 90-94/2024
(IA No. 9540/2024 - STAY APPLICATION)

T.P. (C) No. 270-271/2024 (XI-B)
(IA No. 214088/2024 - CONDONATION OF DELAY IN FILING THE SPARE
COPIES and IA No. 24977/2024 - STAY APPLICATION)

T.C. (C) No. 38/2024 (XII-B)
(IA No. 7890/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

T.P. (C) No. 2930/2024 (XV)
(IA No. 251798/2024 - STAY APPLICATION)

T.P. (C) No. 2997/2024 (XII-A)
(IA No. 256650/2024 - STAY APPLICATION)

T.P. (C) No. 156/2025 (IX-A)
(IA No. 17549/2025 - STAY APPLICATION)

T.P.(C) No. 349/2025 (XII-A)
(IA No. 33259/2025 - STAY APPLICATION)

SLP(C) No. 7328/2025 (XV)
(IA No. 67309/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES)

T.P.(C) No. 840/2025 (IV-A)
(IA No. 78135/2025 - STAY APPLICATION)

T.P.(C) No. 967/2025 (IV-A)
(IA No. 89274/2025 - STAY APPLICATION)

SLP(C) No. 19203/2025 (XIV)
(IA No. 167143/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 18-11-2025 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

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UPON hearing the counsel the Court made the following

O R D E R

1. The controversy in this batch of cases, including various applications filed from time to time, revolves around fair, transparent, and timely conduction of elections for the State Bar Councils.

2. It is not necessary for us to go into the allegations or counter-allegations made by various stakeholders. All that we take notice of is that there are twenty-three State Bar Councils in India, out of which elections to the State Bar Councils of Bihar and Chhattisgarh have already been conducted.

3. In the case of Bihar, the results have been declared, and some aggrieved members have already approached the Election Tribunal No. III of the Bar Council of India. We do not wish to express any opinion in relation to the fairness of the aforesaid election since the matter is sub-judice before the Tribunal.

4. Similarly, counting of votes is presently going on for the State Bar Council of Chhattisgarh. In that instance, we believe that counting should be concluded as early as possible, but not later than one month from the date of this order, and a compliance report be filed in this regard. The Bar Council of India shall ensure that an effective Election Tribunal is made available to enable the aggrieved members of the Chhattisgarh Bar to agitate any and all issues in relation to the conduct and the outcome of the election.

5. In the case of two more State Bar Councils, i.e., Odisha and Madhya Pradesh, the elections are not due till 2028 and July 2026, respectively.

6. Excluding the above-mentioned four State Bar Councils, we are left with nineteen State Bar Councils, where the elections are required to be conducted at the earliest, in a time-bound, fair,

transparent, and just manner.

7. Learned senior counsel/counsel representing the petitioner(s)/applicant(s), as well as those representing the State Bar Councils, however, have pointed out a practical difficulty in conducting the elections due to pendency of the verification of law degrees of the advocates registered with them. It is submitted that till such exercise to identify Advocates with fake or unrecognized degrees is not completed, the voter list cannot be finalised. It may be noted here that, in terms of the directions issued by this Court, all the State Bar Councils are obligated to verify the genuineness of the law degrees of advocates enrolled with them. Such directions have been necessitated on account of the fact that numerous fake degree holders are masquerading as advocates, a reasoning which has been reiterated by this Court in a series of prior orders. There cannot, thus, be any exception but to comply with those directions meticulously and in an expedient manner.

8. Regardless thereto, the verification of genuineness of degrees of enrolled advocates, being a continuing process, cannot be a valid ground to keep the elections of the State Bar Councils in abeyance. In our considered opinion, the verification of law degrees in these cases is akin to the 'delimitation' process undertaken before the elections to various democratic institutions under our Constitution. While it is ideal that such like process is completed prior to the elections, but mere pendency thereof cannot be an impediment to conducting elections. Hence, the contention of the Bar Councils and other stakeholders that the verification

process remains to be completed, and therefore, the elections should be deferred till such completion, deserves to be rejected. Ordered accordingly.

9. For the purpose of holding timely elections, the Bar Council of India had earlier submitted the Election Schedule as per its Rules, which would have taken a long time to conclude. Since the time-line proposed therein was contrary to the very ethos of timely elections, the BCI has today submitted a written note, proposing expedited election schedule. While we broadly agree with the time-line recommended therein, it seems to us that elections of all the State Bar Councils must, in all circumstances, be concluded before 30.04.2026.

10. On a consideration of the time required for completion of different stages of the election process, we find it necessary and appropriate to invoke the powers vested in this Court under Article 142 of the Constitution and prescribe the following model time-line, to be followed for each State Bar Council election that would take place hereafter:

- (i) Preparation and publication of provisional electoral rolls (after or pending verification) - 15 days from the date of election notification;
- (ii) Inviting objections to the electoral rolls - 7 days from (i);
- (iii) Publication of final electoral rolls - 7 days from (ii);

- (iv) Filing of nominations - 7 days from (iii);
- (v) Scrutiny of nomination documents - 2 days from (iv);
- (vi) Publication of list of candidates - 1 day from (v);
- (vii) Withdrawal of candidature and publication of the final list of candidates - 3 days from (vi);
- (viii) Elections as per preferential system of votes - 20 days from (vii).

11. The entire election process, including counting of votes, shall be controlled and monitored through their direct supervision by the High-Powered Election Committees, constituted hereinafter.

12. With a view to facilitate the effective conduction of these elections, we deem it appropriate that elections to different State Bar Councils ought to take place in a phased manner. To that end, we issue the following directions:

- I. The State Bar Councils of Telangana and Uttar Pradesh, where the elections have already been notified, shall conclude their elections by 31.01.2026. The counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 28.02.2026. The elections

will be conducted under the direct supervision of the High-Powered Election Committee - Phase I, comprising the following three members:

(i) Justice Ravi Ranjan, former Chief Justice, Jharkhand High Court (Chairperson);

(ii) Justice A.R. Masoodi, former Judge, Allahabad High Court; and

(iii) Justice Rekha Palli, former Judge, Delhi High Court.

II. In the second phase, the elections of the State Bar Councils of Andhra Pradesh, Delhi, and Tripura shall be conducted. The entire election programme, including counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 28.02.2026. The elections in Andhra Pradesh and Tripura will be conducted under the direct supervision of the High-Powered Election Committee - Phase II, comprising the following three members:

(i) Justice Virender Singh, former Chief Justice, Jharkhand High Court (Chairperson);

(ii) Justice Chander Shekhar, former Judge, Delhi High Court; and

(iii) Justice D.C. Chaudhary, former Judge, Himachal Pradesh High Court.

We are informed that, so far as Delhi is concerned, a Special Committee has been constituted to conduct elections to the State Bar Council of Delhi. The three-member Special Committee includes two eminent Senior Advocates, one of whom is also serving as Additional Solicitor General of India. We see no reason to interfere in the composition of that Committee, and it shall perform the same function as envisaged for High-Powered Election Committees in this order. At the same time, in light of the directions passed hereinabove, we impress upon the Special Committee that it may seek guidance from the High-Powered Election Supervision Committee for ensuring fair and transparent elections.

III. In the third phase, the elections of the State Bar Councils of Gujarat, Jharkhand, Karnataka, Punjab & Haryana, Rajasthan, and West Bengal shall be conducted. The entire election programme, including counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 15.03.2026. In the

interest of effective supervision, the elections will be conducted under the direct supervision of the following Committees:

(A) The High-Powered Election Committee - Phase III-A, for Gujarat and Jharkhand, comprising Justice Siddharth Mridul, former Judge, Delhi High Court (Chairperson), and 2 members who he may nominate;

(B) The High-Powered Election Committee - Phase III-B, for Karnataka and West Bengal, comprising Justice D. Krishnakumar, former Chief Justice, Manipur High Court (Chairperson), and 2 members who he may nominate; and

(C) The High-Powered Election Committee - Phase III-C, for Punjab & Haryana, comprising Justice Ranjit Singh, former Judge, Punjab & Haryana High Court (Chairperson), and 2 members who he may nominate.

IV. In the fourth phase, the elections for the State Bar Councils of Maharashtra & Goa, Meghalaya, and Uttarakhand shall be conducted. The entire election programme, including counting of votes and subsequent declaration of results shall, in any case, be concluded on or before 31.03.2026. In the interest of effective supervision, the

elections will be conducted under the direct supervision of the following Committees:

- (A) The High-Powered Election Committee - Phase IV-A, for Maharashtra & Goa, comprising Justice K.R. Shriram, former Chief Justice, Madras and Rajasthan High Court (Chairperson), and 2 members who he may nominate;
- (B) The High-Powered Election Committee - Phase IV-B, for Meghalaya, comprising Justice Arup K. Goswami, former Chief Justice, Sikkim, Andhra Pradesh, and Chhattisgarh High Court (Chairperson), and 2 members who he may nominate; and
- (C) The High-Powered Election Committee - Phase IV-C, for Uttarakhand, comprising Justice Rajiv Sharma, former Judge, Himachal Pradesh, Uttarakhand, and Punjab & Haryana High Court (Chairperson), and 2 members who he may nominate.

- V. In the fifth and the last phase, the elections of the State Bar Councils of Assam, Himachal Pradesh, Kerala, Manipur, and Tamil Nadu & Puducherry shall be conducted. The entire election programme, including counting of votes and subsequent declaration of results shall, in any

case, be concluded on or before 30.04.2026. In the interest of effective supervision, the elections will be conducted under the direct supervision of the following Committees:

- (A) The High-Powered Election Committee - Phase V-A, for Assam and Manipur, comprising Justice Arup K. Goswami, former Chief Justice, Sikkim, Andhra Pradesh, and Chhattisgarh High Court (Chairperson), and 2 members who he may nominate;
- (B) The High-Powered Election Committee - Phase V-B, for Himachal Pradesh, comprising Justice J.R. Midha, former Judge, Delhi High Court (Chairperson), and 2 members who he may nominate; and
- (C) The High-Powered Election Committee - Phase V-C, for Kerala and Tamil Nadu & Puducherry, comprising Justice Rajiv Shakdher, former Chief Justice, Himachal Pradesh High Court (Chairperson), and 2 members who he may nominate.

13. Having directed so, we hasten to add that the above stipulations would not be so construed that the elections of State Bar Council should be necessarily prolonged till the final prescribed dates. In case the High-Powered Election Committee comes

to a conclusion that it would be desirable as well as feasible to conduct the elections as per a preponed schedule, subject to the time-line laid down hereinabove illustratively, it may, through an order, so direct.

14. In addition to the High-Powered Election Committees constituted above, we also deem it appropriate to constitute a three-member High-Powered Election Supervisory Committee, on a pan-India basis, which shall be headed by a former Judge of this Court and shall also comprise one former Chief Justice of a High Court and one renowned Senior Advocate, who does not contest election(s) of the Bar Councils or the Bar Associations. For the same, in this regard, we appoint the following as members of such Supervisory Committee:

(i) Justice Sudhanshu Dhulia, former Judge, Supreme Court of India (Chairperson);

(ii) Justice Ravi Shankar Jha, former Chief Justice, Punjab & Haryana High Court; and

(iii) Shri V. Giri, Senior Advocate.

15. We also deem it appropriate to issue certain directions in order to facilitate the Bar Council of India and the State Bar Councils for an expeditious conclusion of the verification process. In this vein, all the Universities/deemed Universities/Law

Universities are directed to depute a special team of their officers, which shall include a senior faculty member of the Law Department/Faculty, for verification of the degrees that may have been received from the State Bar Councils. Such verification shall be done within a period of one week from the date of receipt of the degree. However, the Universities shall not raise any additional demand of costs or fees for verification merely because this Court has directed them to conduct the verification process in a prioritised manner.

16. We further direct that the State Bar Councils as well as the High-Powered Election Committees shall adhere to the time schedule, as has been prescribed through this order. All those advocates who have applied for verification of their degrees shall be permitted to cast their vote in the election of the State Bar Councils, subject to the necessary consequences, as the case may be.

17. However, where, on verification, a law degree has been found to be fake/not genuine/unrecognised, such degree holder shall not be permitted to participate in the election process.

18. Where any of the exercise/steps, as referred to in the model time-line suggested above, have been already undertaken by the State Bar Councils as a part of the notified election programme, the High-Powered Election Committee(s) may exempt/dispense with such procedural requirement. All other necessary orders/directions for conducting the elections shall be passed by the High-Powered Election Committee.

19. During the course of hearing, it is seen that several lawyers have individual and varied grievances. We are afraid such individual grievances cannot be addressed in these proceedings. Liberty is, hence, granted to them to apply before the High-Powered Election Committee(s) for redressal of their individual issue(s).

20. Any person who is aggrieved by the decision of the High-Powered Election Committee shall be at liberty to approach the High-Powered Supervisory Committee. The decision taken by the Supervisory Committee shall be final. No civil court or High Court shall entertain any petition(s) against such decision.

21. To enable the Committees constituted herein to perform their functions, we direct the Bar Council of India to make available adequate secretarial assistance to the respective Committees, as required.

22. In addition, the respective Chairpersons and Members of the High-Powered Election Committees, as well as the Chairperson and Members of the High-Powered Election Supervisory Committee, shall be entitled to a reasonable honorarium along with other perks, the amount and modalities of which may be finally decided by the Chairperson of the High-Powered Election Supervisory Committee in consultation with the Bar Council of India.

23. Before closing our observations, we acknowledge and place on record our appreciation for the fair stand taken by the Bar Council of India before this Court to further the cause of fair and transparent elections to the State Bar Councils.

24. List on 06.01.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR