

ITEM NO.8

COURT NO.13

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.28/2025

SANYAM GANDHI

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

FOR ADMISSION

IA No. 13097/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON

Date : 24-02-2025 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 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

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.

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

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)