

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3795 OF 2021

Amey Shejwal ... Petitioner
Versus
Bar Council of Maharashtra Goa & Ors. ... Respondents

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Mr. A. Jadhav i/b Mr. Shyam Singh for the Petitioner.

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CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.

DATE :AUGUST 06, 2021.

P.C. :-

. Heard.

2. The learned counsel for the Petitioner submits that, by this petition, the Petitioner is challenging Resolution No. 152 dated 03/11/2019, Resolution No. 41 dated 09/12/2019 and Resolution No. 213 dated 29/12/2019 passed by Respondent No.1 enhancing the enrolment charges in the name of enrolment fees, effective from 01/01/2020. The learned counsel for the Petitioner submits that the same is contrary to Section 24 (1) (f) of the Advocates Act, 1961 which reads thus:

“Section 24(1) (a)...

(f) he has paid, in respect of the enrolment, stamp duty, if chargeable under the Indian Stamp Act, 1899 (2 of 1899), and an enrolment payable to the State Bar Council

of (six hundred rupees and to the Bar Council of India, one hundred and fifty rupees by way of a bank draft drawn in favour of that Council):

Provided that where such person is a member of the Scheduled Castes or the Scheduled Tribes and produces a certificate to that effect from such authority as may be prescribed, the enrolment fee payable by him to the State Bar.”

As per Section 24 (1) (f) of the said Act the Respondent No.1 can charge only Rs. 600/- and Respondent No.2 can charge Rs. 150/-. Hence, the Petitioner has filed the present writ petition.

2. As the learned counsel for the Petitioner submits that the Respondents are not served by private notice, the following order is passed:

a. Registry is directed to issue notice before admission to the unserved Respondents returnable on 01/09/2021.

b. In addition to the usual mode of service, the Petitioner is permitted to serve the unserved Respondents by private notice along with the entire proceedings, either by RPAD and/or hand delivery and file affidavit of service to that effect on or before 26/08/2021.

Stand over to 01/09/2021.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K. TATED, J.)