



2025:AHC:173806-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 31678 of 2025

Naresh Kumar Mishra And 3 Others

.....Petitioner(s)

Versus

Uttar Pradesh State Bar Council And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akhilesh Kumar Singh
Counsel for Respondent(s)	:	Ashok Kumar Tiwari

Court No. - 40

**HON'BLE SARAL SRIVASTAVA, J.
HON'BLE AMITABH KUMAR RAI, J.**

1. Heard learned counsel for the petitioner and Sri Ashok Kumar Tiwari, learned counsel for the respondents.

2. The petitioners by means of the present writ petition have prayed for the following relief:-

"I. Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 27.08.2025 passed by the respondent no.1.

II. To issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

III. Award the cost of the petition to the petitioners."

3. According to the petitioners, they are the Members of General Body of Ekikrit Bar Association Mati, Kanpur Dehat (hereinafter referred to as the 'Bar Association'), and they have been removed as Member of the Bar Association by respondent nos.2 & 3. The petitioners, thereafter, approached the respondent no.1 against their illegal removal from the Bar. On the said application, respondent no.1 constituted a Committee, which stayed the order of Bar Association expelling the petitioners from membership of the Bar Association. However, immediately, on the next day, the stay order granted by the Committee was vacated by the order dated 27.08.2025 passed by respondent no.1, which is impugned in the present petition.

4. A specific query has been raised by the Court to the learned counsel for the petitioners under which provision of law the application filed by the

petitioners before the respondent no.1 against the order of expulsion from the Bar Association is maintainable, learned counsel for the petitioners submits that there is no provision under Advocate Act, 1961 wherein the said application could be filed, therefore, the petitioners have taken wrong remedy.

5. In view of the aforesaid admission by the learned counsel for the petitioners, the application of the petitioners filed before the respondent no.1 is held to be not maintainable and is misconceived, and accordingly, any proceeding initiated in pursuance of the application of the petitioners by respondent no.1 is also void.

6. Accordingly, the impugned order dated 27.08.2025 passed by respondent no.1 is hereby set aside. The application of the petitioners before the Bar Association is dismissed with liberty to the petitioners to avail appropriate remedy available under law against the expulsion order passed by the Bar Association removing the petitioners from the membership of the Bar Association.

7. Consequently, the writ petition is ***dismissed*** with no order as to costs.

September 25, 2025

NS

(Amitabh Kumar Rai,J.) (Saral Srivastava,J.)