

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11412 of 2024

Kaushal Kishore Son of Late Nankoo Prasad Singh, candidate for the post of president (serial No. 6) District Bar Association, Patna Election-2023, voter list serial no. 885 District Bar Association, Patna, P.S.- Pirbahore, P.O.- Bankipore, District- Patna Pin-800004 at present resident of Mohalla- Lane no. 5, Chandmari Road, Kankarbagh, District- Patna, 800020.

... .. Petitioner/s

Versus

1. The Bihar State Bar Council Patna through its Chairman.
2. Chairman, Bar Council Bihar State, Patna.
3. Sri Sarvesh narain Singh, Advocate, Recurring Officer, District bar Association Election, 2023, Table No. Eastern Verandah of District Bar Association Building, Patna, P.S.- Pirbahore, P.O.- Bankipore, District- Patna.
4. Sri Suresh Porasad Nirala, Advocate Member Three Men Committee District Bar Association Election 2023, Room No. 1 District Bar Association Building Patna, P.S.- Pirabahore, P.O.- Bankipore, District- Patna, 800004.
5. Sri Chandra Bhushan Verma, Advocate Notory, Member Three Men Committee District Bar Association Election 2023, Basudevkhaksha Verandah, District Bar Association Building Patna, P.S.- Pirabahore, P.O.- Bankipore, District- Patna, 800004.
6. Sri Ravindra Prasad Sinha, Advocate Member Three Men Committee District Bar Association Election 2023, Basudevkhaksha Verandah, District Bar Association Building Patna, P.S.- Pirabahore, P.O.- Bankipore, District- Patna, 800004.
7. Sri Amarnath, President C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
8. Sri Ashok Kumar Yadav, General Secretary C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
9. Sri Ajay Kumar Mishra, Vice President C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
10. Sri Umesh Pathak, Vice President C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
11. Sri Om Prakash, Vice President C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
12. Sri Ajay Kumar, Joint Secretary, C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
13. Sri Shailendra Kumar, Joint Secretary C/o District bar Association at Patna



- through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
14. Sri Durga Kumar, Joint Secretary C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 15. Rajiv Kuamr Pandey, Assistant Secretary C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 16. Sri Satya Prakash Narayan, Assistant Secretary C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 17. Sri Thakur Manish Mohan, Assistant Secretary C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 18. Sri Vijay Krishna Tiwari, Treasurer C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 19. Sri Arvind Tiwari, Vigilance C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 20. Sri Ashok Kumar Vidhyarthi, Vigilance C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 21. Smt. Kumari Anamika Singh, Vigilance C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 22. Sri Vinod Kumar Singh, Auditor C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 23. Sri Amit Kumar, Auditor C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 24. Sri Anil Kumar, Executive Member C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 25. Sri Ramkrishna Giri, Executive Member C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 26. Sri Vijay Kumar Singh, Executive Member C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 27. Sri Vijay Kumar Singh, Executive Member C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.- Bankipore, District- Patna, 800004.
 28. Sanjeev Kumar Sinha, Executive Member C/o District bar Association at Patna through his G.S.- Ashok Kumar Yadav, P.S- Pirbahore, P.O.-



Bankipore, District- Patna, 800004.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashank Kumar Singh

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-08-2024

Heard the parties.

2. This application is being filed for issuance of appropriate writ, order or direction to the Respondent no. 1 & 2 to dispose of the Election Appeal no. 02/2023 pending before the Election Tribunal, Bihar State Bar Council, Patna within a shortest period.

3. The matter relates to the election of Office Bearers of the District Bar Association Patna Civil Court in which the petitioner was a candidate for the post of President and he was defeated.

4. Subsequently, under Section 19(x) of the Uniform Rules for Bar/Advocates/Lawyers Association of Bihar (henceforth for short 'the rules'). A petition was preferred before the Bihar State Bar Council on 28.08.2023 which led to Election Appeal No. 02 of 2023.

5. Learned counsel for the petitioner submits that rule 19 (12) stipulates that the said election petition has to be disposed of in two months.

6. The Bihar Bar Council is represented and it has been contended by learned counsel that due to election process was



continuing in the Bihar State Bar Council, the matter could not be taken up. The committee came to be constituted in the month of February, 2024 only and the Election Tribunal of the Bihar State Bar Council has yet to be constituted.

7. It is unfortunate that after stipulating a particular period for the disposal all the election petition, the Bar Council is sitting over the matter. Admittedly, even going by their assertion, the fresh committee has come into existence in the month of February, 2024 and we are today in the month of August, 2024.

8. In that background, what time the Bar Council takes to constitute a committee is not within the domain of the Patna High Court but can only advise/request that since number of such cases may be pending, the same should be constituted as early as possible and the present election petition no. 02/2023 must be taken to its logical conclusion. Though two months have been stipulated rules itself, the court expects that the final order will be passed by 31st of December, 2024.

9. The writ petition stands disposed of after hearing all the necessary parties.

(Rajiv Roy, J)

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