

ITEM NO.50 +51

COURT NO.14

SECTION IV-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 33045/2025

[Arising out of impugned final judgment and order dated 08-09-2025 in CWP No. 9591/2025 passed by the High Court of Punjab & Haryana at Chandigarh]

ARVIND KUMAR

Petitioner(s)

VERSUS

BAR COUNCIL OF PUNJAB AND HARYANA & ORS.

Respondent(s)

[TO BE TAKEN UP ALONGWITH SLP(C) NO. 32245/2025.]

IA No. 292600/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 292017/2025 - PERMISSION TO FILE LENGTHY LIST OF DATES

ITEM NO 51

SLP (C) No(s). 32245/2025

Date : 21-11-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Dr. Menaka Guruswamy, Sr. Adv.
Ms. Archna Yadav, Adv.
Mr. Nipun Arora, Adv.
Mr. Lokinder Singh Phougot, Adv.
Ms. Bhumika Yadav, Adv.
Ms. Shaswati Parhi, Adv.
Mr. Sunny Kadiyan, AOR
Mr. Naveen Singhal, Adv.

For Respondent(s) :

Ms. Sonia Mathur, Sr. Adv.
Mr. Nishant Awana, AOR
Mr. Suraj Kundu, Adv.

Mr. Arpan Narwal, Adv.
Mr. Mayank Chaudhary, Adv.
Mr. Sumit Kumar, Adv.
M/s Nma Law Chambers, Adv.
Mr Manasi Sridhar, Adv.
Ms Vanshika Mudgil, Adv.
Ms Safeena Kaur, Adv.
Mr Sunny Kadiyan, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned Counsel for the parties.

2. These two petition(s) impugn common judgment and order dated 08.09.2025 by which the High Court of Punjab and Haryana at Chandigarh disposed of a writ petition preferred by the petitioner(s), inter alia, seeking:

(i) quashing of the suspension order whereby the petitioner was suspended from doing legal practice for a specified period; and

(ii) declaration that the election of District Bar Association, Rohtak is invalid.

3. In respect of the first prayer, the High Court observed that statutory remedy of an appeal has already been availed by the

petitioner(s) and since statutory appeal is pending it would not be appropriate to allow the petitioners to pursue two remedies simultaneously. As far as the second prayer was concerned, the High Court noticed that the Bar Association Regulations provided for settlement of election disputes through an election petition before an election tribunal specified in the regulations.

4. The submission of the learned Counsel for the petitioners is that the matter had earlier traveled to this Court, and this Court had directed the matter to be decided on merits. In such circumstances, it is argued, the High Court could not have dismissed the petition on the ground of alternative remedy.

5. We do not find substance in the aforesaid submission in as much as when this Court had required the High Court to decide the petition on merits, it was not specifically observed that the High Court shall overlook the alternative remedy available, if that appears to be the appropriate forum for

adjudication of disputes *inter se* parties.

In such circumstances, in our view, the High Court did not violate any direction of this Court. Otherwise also, we have been informed by Ms. Sonia Mathur that in the statutory appeal against the order of suspension, an interim protection order has been passed by the Appellate *fora* thereby putting a stay on the suspension order till the date of next listing of the appeal.

6. Besides that, to appropriately decide an election dispute, ordinarily, parties are to be given opportunity to lead oral evidence. In such circumstances, a writ court may not be the appropriate forum for adjudicating such disputes, particularly, as a court of first instance.

7. We, therefore, do not find any such palpable error in the order passed by the High Court as to warrant exercise of our jurisdiction under Article 136 of the Constitution of India. However, having regard to the fact that the appeal of the petitioners against the order of suspension

is pending and therein, initially, an interim protection was accorded to the petitioners, we deem it appropriate to dispose of this petition by giving liberty to the petitioner to pursue its appeal and other alternative remedies, as may be advised, in respect of his grievances. We further deem it appropriate to make the interim stay order passed on the appeal of the petitioners to continue till the disposal of the case by the appellate authority.

8. Subject to above, the Special Leave Petitions and all pending applications are disposed of.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)