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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

*Date of Decision: 20<sup>th</sup> May, 2025*

+ **W.P.(C) 10363/2021**

LALIT SHARMA AND ORS.

.....Petitioners

Through: None.

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

Mr. Rajesh Kumar Sharma, Mr. Abhishek Pandey and Mr. Divyansh Tiwari, Adv. for Applicant - Mr. D.D. Pandey with Applicant in person.

Mr. Ruchir Mishra, Mr. Sanjiv Kumar Saxena, Mr. Mukesh Kumar Tiwari, Ms. Poonam Shukla and Ms. Reba Jena Mishra, Advs.

Dr. Amit George, Mr. Adhishwar Suri, Mr. Biju T. Samuel, Advs. (M:8586964001) for DHC.

Mr. T. Singhdev, Mr. Tanishq Srivastava, Mr. Abhijit Chakravarty, Ms. A. Hussain, Mr. Bhanu Gulati, Ms. Yamini Singh and Mr. Sourabh Kumar, Advs. for BCD.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE NAVIN CHAWLA**

**JUSTICE C. HARI SHANKAR**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.

**CM APPL.30972/2025 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**CM APPL.30971/2025 (for exemption from filing Rs.65,000/-)**

3. In the present writ petition, directions have been issued from time to time, in respect of conduct of elections to the Delhi High Court Bar



Association as also the various Bar Associations in the District Courts. *Vide* order dated 21st February, 2025, finally, elections were fixed for being conducted in all Courts simultaneously on 21st March, 2025.

4. The elections to all the Bar Associations were concluded on 21st March, 2025, except in respect of the Saket Bar Association and the Shahdara Bar Association, which were called off due to various reasons. Accordingly, certain applications were filed in respect of these two Bar Associations which were considered by this Court on 7th April, 2025 and the said applications were disposed of and necessary directions were issued for the conduct of elections to the two District Court Bar Associations, on 09th May, 2025.

5. Consequently, the elections to the Saket Bar Association have been successfully concluded on 9th May, 2025. However, certain applications were filed before this Court raising several grievances with respect to the conduct of elections to the Shahdara Bar Association. One such application was filed by Justice Talwant Singh (Retd.) who is the Chairperson of the Shahdara Bar Association Election Committee (*hereinafter, 'the Chairperson'*).

6. All such grievances were duly considered by this Court and an order dated 8th May, 2025 was passed with necessary directions for the conduct of elections to the Shahdara Bar Association on 24th May, 2025. In the said order dated 8th May, 2025, the Court had considered the submissions made by the Chairperson stating that more than Rs. 25 lakhs was required for conduct of elections to the Shahdara Bar Association and the said Bar Association did not have any funds. Therefore, directions were issued to the candidates contesting for some specific posts to deposit Rs.65,000/- each to ensure the sufficiency of funds for conduct of the elections.

7. Today, an application has been filed on behalf of Mr. D.D. Pandey,



contesting for the position of Secretary in the elections to the Shahdara Bar Association, seeking exemption from depositing the sum of Rs.65,000/-. Certain submissions have been made on his behalf including:

- i. Firstly, there ought to be sufficient funds in Shahdara Bar Association, considering the amount of collections that are received by the said Bar Association and;
  - ii. Secondly, an amount of more than Rs.1 crores ought to be lying in the Fixed Deposit account of the Shahdara Bar Association and the same could be utilized for conduct of the elections. Thus, the deposit of Rs.65,000/- should be made voluntary.
8. Heard. On the last date of hearing i.e. 16th May, 2025, this Court had disposed of a similar application which was filed on behalf of three members of Shahdara Bar Association. While disposing of the said application, this Court held as follows:

*“7. The Court has heard Mr. Pradeep Kumar Yadav, ld. Counsel for the Applicants as also the ld. Counsel appearing for the Chairperson.*

*8. The reason why the Court, vide the order dated 8th May, 2025 had directed the above stated candidates to deposit the sum of Rs.65,000/- each, was because of the submissions made on behalf of the Ld. Chairperson, stating that there were not enough funds with the Shahdara Bar Association for conduct of the elections.*

*9. Upon submissions to such effect, it was further recorded by this Court in order dated 8th May, 2025 that the previous elections to the Shahdara Bar Association had been cancelled due to various reasons and thereafter, the Shahdara Bar Association did not have enough funds to conduct elections for the second time.*

*10. The Court was, therefore, constrained to pass the*



order dated 8th May, 2025, that all the candidates contesting for the post of President, Sr. Vice President, Vice-President (Male), Vice-President (Female), Hony. Secretary & Treasurer would contribute Rs.65,000/- each, failing which they would not be able to contest the elections.

11. Today, Id. Counsel appearing for the Chairperson informs the Court that out of a total of 38 candidates contesting for the above mentioned posts, 28 candidates have already deposited Rs.65,000/- each, which has now brought the funds of the Shahdara Bar Association to a total of approximately Rs.21.87 lakhs. However, 10 candidates are yet to deposit the money. It is further submitted that an approximate estimate of the total expenses for the elections are over Rs.25 lakhs.

12. It is further clarified that while passing the order dated 8th May, 2025, a large number of the candidates who are contesting the elections were present before the Court and most of them agreed to deposit the said amount of Rs.65,000/- each. Accordingly, the order dated 8th May, 2025 was passed to such effect.

13. However, the Ld. Counsel for the Applicants submits that the three Applicants were not present before the Court on 8th May, 2025 and had not given their consent. This statement is taken on record. In elections of this nature where directions were issued, after hearing in open Court, that too with a large number of persons attending the hearing physically and virtually, all the candidates were aware of the directions issued. No objection was raised by anyone in respect of the direction to deposit Rs.65,000/-.

14. Upon query from this Court, the Applicants have submitted that they are not willing to deposit the said amount of Rs. 65,000/-. In fact, Applicant No.2 is not even a candidate in the elections to the Shahdara Bar Association. Thus, the Court is not inclined to revisit the order dated 8th May, 2025. Accordingly, the candidates, who are not willing to deposit the money shall stand



*disqualified from contesting the elections to the Shahdara Bar Association.”*

9. In light of the above order dated 16th May, 2025, this Court, after hearing submissions on behalf of Mr. Pandey, this Court gave him an opportunity, to the effect that if he is still willing to deposit the sum of Rs.65,000/-, he can be permitted to contest for the elections to the Shahdara Bar Association scheduled on 24<sup>th</sup> May, 2025.

10. After some submissions, Mr. Pandey has agreed to deposit the sum of Rs.65,000/- in the bank account of Shahdara Bar Association by 12:00 PM tomorrow i.e. 21st May, 2025. After showing the proof of the same to the Chairperson of the Election Committee, Mr. Pandey shall be permitted to contest the elections scheduled to be held on 24th May, 2025.

11. The application is disposed of in said terms.

12. The petition is already disposed of. No further orders are called for.

13. *Dasti.*

**PRATHIBA M. SINGH  
JUDGE**

**NAVIN CHAWLA  
JUDGE**

**C. HARI SHANKAR  
JUDGE**

**MAY 20, 2025/dk/ss**