



\$~1 (FB)

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 10363/2021**

**LALIT SHARMA AND ORS.**

.....Petitioners

Through:

versus

**UNION OF INDIA & ORS.**

.....Respondents

Through:

Mr. Ajay Kumar Agarwal, Adv. for  
Resp./ BCD.

Dr. Amit George, Ms. Rupam Jha, Mr.  
Arkaneil Bhaumik, Ms. Medhavi  
Bhatia, Ms. Ibansara Syiemlieh & Mr.  
Adhishwar Suri, Advs. for Resp./  
DHC.

Mr. Ruchir Mishra & Mr. Mukesh Kr.  
Tiwari, Advs. for Resp./ UOI.

Mr. T. Singhdev, Mr. Tanishq  
Srivastava, Ms. Yamini Singh, Mr.  
Abhijit Chakravorty, Mr. Bhanu  
Gulati, Ms. Anum Husssain & Mr.  
Sourabh Kumar, Advs. for BCD.

Mr. Shobha Gupta, Ms. Sanskriti  
Shakuntala Gupta, Ms. Akshita  
Mishra, Advs. for Intervener with Mr.  
Jagdeep Sharma, Mr. Raman Sharma  
and Ms. Archana Kumari, Intervener  
in Person.

Mr. Vikas Pandey and Mr. Vipin  
Kumar Sharma, Advs.  
(M:9810751672) for Karkardooma  
Court and Saket Court.

Mr. Kirti Madan, Advs. for Saket Bar  
Association.

Mr. Nitin Sharma, Adv. For Shahdara  
Bar Association.



Mr. Aman Usman, Adv. for Mr. Sekha Kumar, President Candidate.

Mr. Pramod Nagar, Adv.

Mr. Viraj Datar, Sr. Adv. & Mr. Avi Singh, Sr. Adv. with Mr. R.S. Kundu, Mr. Bhagat Singh, Ms. Shailja, Mr. Gaurav Kumar, Mr. Abhishek, Mr. Harit Yadav, Ms. Amisha Kathuria, Mr. Rakesh Gaur, Mr. D.K. Sharma, Mr. Amit Sharma, Mr. Shekar, Mr. Shubhash Tanwar, Mr. Sanjay Mishra, Mr. Keshav Sharma, Ms. Shruti Mishra, Mr. Pranav Sharma, Mr. Kartik and Mr. Jagdish Kumar Verma, Advs. for Applicant.

Mr. Harshdeep Beniwal, Adv.

Mr. V.K. Singh, Mr. Shaurya Sethi & Mr. Nikhil Sharma, Adv.

Mr. Narendra Sharma, Adv.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE NAVIN CHAWLA**

**JUSTICE C. HARI SHANKAR**

**ORDER**

**%**

**26.03.2025**

1. This hearing has been done through hybrid mode.

**CM APPL. 17399/2025 (exemption) & CM APPL. 17644/2025 (exemption)**

2. Allowed, subject to all just exceptions. The applications are disposed of.

**W.P.(C) 10363/2021 & CM APPL. 17398/2025 (stay) & CM APPL. 17643/2025 (issuance of proximity card)**

**CM APPL. 17397/2025 (for directions) & CM APPL. 17784/2025**

**CM APPL. 17769/2025 (for direction)**



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 21<sup>st</sup> February, 2025 finally, elections were fixed for being conducted in all Courts simultaneously on 21<sup>st</sup> March, 2025. Accordingly, elections have been conducted in the following Bar Associations:

- i. Delhi High Court Bar Association
- ii. Central Administrative Tribunal Bar Association
- iii. Armed Forces Tribunal Bar Association
- iv. Taxation Bar Association
- v. Delhi Tax Bar Association
- vi. Debt Recovery Tribunal Bar Association
- vii. New Delhi Bar Association (Patiala House)
- viii. Dwarka Court Bar Association
- ix. Saket Court Bar Association
- x. Shahdara Bar Association
- xi. Sales Tax Bar Association
- xii. Rohini Court Bar Association
- xiii. Delhi Bar Association (Tis Hazari)
- xiv. Rouse Avenue Court Bar Association

4. In the Saket Bar Association and the Shahdara Bar Association, due to various reasons, the elections were called off. Applications have been filed in respect of these two Bar Associations which have been taken up today for consideration.



### **Saket Bar Association**

5. Applications have been filed being ***CM APPL. 17397/2025 & CM APPL. 17784/2025*** in which various issues have been raised in respect of the recent elections held on 21<sup>st</sup> March, 2025 for the Saket Bar Association.
6. The issues highlighted include grievances in respect of appointment of the concerned Returning Officers by the erstwhile Executive Committee of the Saket Bar Association.
7. It is also alleged that there were various irregularities in the conduct of the elections on 21<sup>st</sup> March, 2025. The said allegations include:
  - i. Presence of a large number of persons in the Court complex and in the election area who were impersonating as lawyers. Such persons included law students and other persons with unknown antecedents who had entered the Court premises as also the nomination hall.
  - ii. The proximity cards have been obtained by various persons from verified voters in exchange for a monetary sum with the assurance that the same will be returned after completion of the voting process.
  - iii. It is also alleged that on the day of the election the security could not be maintained and the entry gate to the voting premises was broken open.
8. Due to all of the above stated reasons, the said election had to be called off on the said date.
9. Let copies of these applications be sent to the Id. Principal District & Sessions Judge for the South District Court, New Delhi - Ms. Madhu Jain.
10. Let a report be submitted by the Id. PDJ in respect of the allegations raised in these applications as also any other concerns which the Id. PDJ would wish to address so that the election to the Saket Bar Association can be



conducted in a peaceful manner, as may be directed by this Court.

11. Let the said report be filed by 1<sup>st</sup> April, 2025.

12. The Court is informed by Id. Sr. Counsels and Id. Counsels appearing for the parties today that a tentative date *i.e.*, 5<sup>th</sup> April, 2025, has been fixed by the concerned Election Committee for conduct of elections for the Saket Bar Association.

13. Considering the facts presented today, a report has been sought from the concerned Id. PDJ. Accordingly, it is directed that the concerned Election Committee shall not take any steps in respect of conducting the said election and no election shall be held on 5<sup>th</sup> April, 2025.

14. List these applications on 4<sup>th</sup> April, 2025.

**Shahdara Bar Association**

15. This application being ***CM APPL. 17769/2025*** raises issues in respect of the recent elections at the Karkardooma Courts for the Shahdara Bar Association, which were held on 21<sup>st</sup> March, 2025.

16. Allegations in respect of the election have also been raised which *inter alia*, include:

- i. Unauthorised scanning and no proper verification of proximity cards.
- ii. There are some grievances being raised that some of the lawyers' proximity cards have been taken away after casting of votes and have not been handed over to the concerned lawyers.
- iii. Some photographs have also been placed on record alleging that certain proximity cards held by eligible voters were destroyed and the Scanners/Electronic Voting Machines were also mishandled.



- iv. The entry gate which was closed for the purpose of smooth and efficient conduct of elections were forcefully opened and it is estimated that thousands of persons had entered the Court complex after breaking open the said gates.
  - v. The barricades which were set up for senior citizens and women voters were also removed.
17. In respect of the proximity cards, let Dr. Amit George, Id. Counsel who appears on behalf of the Delhi High Court, seek instructions from the concerned agency which is responsible for preparing the proximity cards, as to whether in respect of those lawyers whose proximity cards are not working or have been taken away, the earlier cards can be deactivated and fresh proximity cards can be issued or not and if so, the process thereof be also provided along with the costs for the same.
18. Let a copy of this application be sent to the Id. Principal District & Sessions Judge for East District Court, Delhi -Ms. Shail Jain.
19. Let a report be submitted by the Id. PDJ in respect of the allegations raised in this application as also any other concerns which the Id. PDJ would wish to address so that the election in the Shahdara Bar Association shall be conducted in a peaceful manner, as may be directed by this Court.
20. Let the said report be filed by 1<sup>st</sup> April, 2025.
21. Election Committee appointed in respect of the elections at the Karkardooma Courts shall also not take any further steps towards the conducting of the election.
22. The election schedule and the process for the same shall be directed by this Court on the next date.
23. List this application on 4<sup>th</sup> April, 2025.



**CM APPLs. 17839-40/2025**

24. List on 27<sup>th</sup> March, 2025.

**PRATHIBA M. SINGH, J.**

**NAVIN CHAWLA, J.**

**C. HARI SHANKAR, J.**

**MARCH 26, 2025**

*dj/ss/msh*