



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

115

CWP-9355-2025

Date of Decision: 02.04.2025

**Kamal Hooda**

....Petitioner

Versus

**Bar Council of India and others**

....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR  
HON'BLE MR. JUSTICE VIKAS SURI**

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**Present:** Mr. Harinder Pal Singh Ishar, Advocate for the petitioner.

Mr. Prateek Sodhi, Advocate Ms. Jasmine, Advocate and  
Ms. Yukta Garg, Advocate for respondent No.1.

Mr. C.M.Munjhal, Advocate and  
Ms. Seema, Advocate for respondent No.2.

Mr. Sumit Jain, Advocate for respondent No.5.

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**Sureshwar Thakur, J. (Oral)**

1. After hearing the most vehement submissions addressed before this Court by the learned counsel for the petitioner, and his being unable to persuade this Court, that the jurisdiction assumed by the Bar Council of India, in terms of Section 48A of the Advocates Act, 1961, over an application dated 19.03.2025 filed by Mr. Dalbir Boora, counsel for the petitioner Mr. Anil Dhull, Advocate in Miscellaneous Petition No.02 of 2025, with a prayer to set aside the proceedings dated 17.03.2025, passed by Bar Council of Punjab and Haryana, thus suffering from any illegality, on the ground, that the said is not a final order, but is an order drawn during the pendency of the apposite proceedings, whereby it does not come within the clout of the apposite revisable proceedings, thus for the same being rendered, thereupon the learned counsel for the petitioner, seeks leave to withdraw the instant writ petition.



*CWP-9355-2025*

-2-

2. Ordered accordingly.
3. It is clarified that the recounting be lawfully ordered to be done only post a valid speaking order becoming passed by the Election Tribunal, on an application filed under Order 7 Rule 11 CPC by the respondent No.5.
4. Dependent upon the decision made upon the said application by the Election Tribunal concerned, more especially, the present petitioner may, thus choose to file such an application, as deemed necessary, thus naming therein, such entities/officers, who may be directed to supervise the process of recounting of votes.
5. On such an application being filed, the Election Tribunal shall lawfully decide the same, but only post a valid speaking decision becoming made on an application cast under Order 7 Rule 11 CPC, but yet only after hearing all the affected persons concerned.
6. To the said extent, as consensually agreed by the counsels appearing before this Court, the impugned order becomes modified.
7. Disposed of accordingly.

**(SURESHWAR THAKUR)**  
**JUDGE**

**(VIKAS SURI)**  
**JUDGE**

**April 02, 2025**  
*Varinder*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No