



# भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

## Press Release Dated 11.05.2021

The Bar Council of India has in its meeting held on the evening of 10.05.2021 refused to stay the Order dated 07.05.2021 passed by the Bar Council of Punjab and Haryana. The High Court Bar Association, Punjab and Haryana High Court had challenged the Order of State Bar Council of Punjab and Haryana staying the Resolution of the High Court Bar Association to boycott the Court of Hon'ble Chief Justice of Punjab and Haryana High Court till his transfer from that High Court.

It is to be noted that on 07.05.2021, the High Court Bar Association, Punjab and Haryana passed a Resolution against the Hon'ble Chief Justice seeking his transfer on the ground that there are serious irregularities in the matters of listing of cases and out of 49 Judges only 12 are allotted work, causing large number of backlog of cases and even urgent matters like regular and anticipatory bails are not being taken up.

The Bar Council of Punjab and Haryana passed a reasoned and speaking Order and stayed the operation of the Resolution passed by the High Court Bar Association on the same day. The High Court Bar Association challenged the Order of State Bar Council of Punjab and Haryana on the ground that the Order of Stay passed by the Chairman of the State Bar Council was against the principle of natural justice and it was done in a very hasty manner. On this ground, the High Court Bar Association preferred a Revision Petition before the Bar Council of India. The matter was placed before the General Body of the Bar Council of India yesterday i.e. 10.05.2021 and the Council while appreciating/being concerned with the problems and the difficulties of the lawyers admitted the Revision Petition for hearing. The Council in its Order has taken note of the fact that such problems are common to almost all the High Courts. Barring one or two, High Courts, almost all other High Courts are unable to take-up urgent matters and there is a strong resentment among the litigants and the lawyers, but, at the same time, the Council has also taken into consideration the serious risk of the life of lawyers and their staff even when the cases are conducted through Video-Conferencing.

On the one hand, it is the question of risk of life and on the other, it is the question of livelihood of the legal fraternity. The Council in its resolution has also noted that neither the Union Government nor any State Government has come to the rescue of the Advocates during these difficult times and thousands of the lawyers in the country have died due to the pandemic.

The Bar Council of India has constituted a 7-Member Committee to meet the Hon'ble Chief Justice of Punjab and Haryana High Court for redressal of the grievances of the Advocates. The Committee includes the following Members: -

1. Mr. Ashwani Chopra, Senior Advocate (Convener of the Committee);
2. The President, High Court Bar Association, Punjab and Haryana High Court (Co-Convener of the Committee);
3. Mr. Harpreet Singh Brar, Former Chairman, Bar Council of Punjab and Haryana;
4. Hon'y. Secretary, High Court Bar Association, Punjab and Haryana High Court;
5. Mr. Puneet Bali, Senior Advocate;
6. Ms. Anu Chatrath, Senior Advocate; and
7. Mr. Partap Singh, Hon'ble Member, Bar Council of India (Special Invitee).

The Bar Council of India has also made a request to the Hon'ble Chief Justice of Punjab and Haryana High Court to hear the Committee and redress the grievances of the High Court Bar Association as far as practicable and feasible. However, the Council has not granted any Stay of the Order passed by the Hon'ble Chairman, State Bar Council of Punjab and Haryana and in most clear words the Bar Council of India has noted that it cannot support any resolution for boycott of the Court of the Chief Justice or any Judge of High Court on such grounds. Such extreme recourse could be taken by a body of lawyers only in rarest of rare cases where there are strong compelling grounds and there is no other remedy left to the legal fraternity.

The Bar Council of India in its resolution has also observed that the demand of transfer of the Chief Justice of Punjab and Haryana High Court prima-facie is improper and unjustified and is not going to solve any problem. The Council has further observed that such type of politics cannot be allowed to be indulged into by any Bar Association/s and the Bar Associations have been advised to desist from passing such resolution/s. The Bar Council of India has expressed and placed its hopes and trust on the Chief Justice of Punjab and Haryana High Court that he will fix a meeting with the Committee soon after getting a request from its Convener. The Revision Petition is fixed for final hearing by the Bar Council of India on 14.05.2021. On that day, the Council will take into consideration the opinion/suggestions of the Members of the Committee and will finally dispose of the Revision Matter.

  
(Srimanto Sen)  
Secretary  
Bar Council of India