



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1521 of 2026

Shamim Rahman D/o S.A. Rahman Aged About 50 Years R/o Byran Bazar,
8/289 Raipur, Chhattisgarh.

--- **Petitioner**

versus

1 - State Of Chhattisgarh Through Secretary Law And Legislation Affair,
Mantralaya, Naya Raipur, Distt. Raipur, Chhattisgarh.

2 - Chhattisgarh Bar Council Through Secretary, High Court Premises, Bilaspur,
Distt.

Bilaspur, Chhattisgarh.

3 - Chhattisgarh Bar Council Through Chairman, Special Committee, High Court
Premises, Bilaspur, Distt. Bilaspur, Chhattisgarh.

4 - Bar Association Raipur Through Administrator Raipur, Distt. Raipur,
Chhattisgarh.

5 - Chief Electoral Officer Bar Association Raipur, Distt. Raipur, Chhattisgarh.

6 - Appeal Committee Raipur Bar Association, Court Premises, Raipur, Distt.
Raipur, Chhattisgarh.

7 - Bar Council Of India Through Its Secretary, 21, Rouse Avenue Institutional
Area, New Delhi 11002.

--- **Respondent(s)**

For Petitioner	:	Ms. Hameeda Siddiqui, Adv. with Ms. Anushka Singh, Ms. Mahima Chandra and Mr. Harsh Verma, Adv.
For Respondent No. 1/State	:	Mr. Shobhit Mishra, Dy. Govt. Adv.
For respondents No. 5	:	Mr. Pawan Kesharwani, Adv.
For respondent No. 7	:	Mr. Rohan Sharma, Adv. on behalf of Mr. Shivang Dubey, Adv.

Order Sheet

08/04/2026	<p data-bbox="565 359 662 390">Heard.</p> <p data-bbox="475 432 1343 541">Issue notice to the respondents on payment of process fee as per rules. Dasti service is also permitted.</p> <p data-bbox="475 583 1343 764">Learned counsel appearing for respondents No. 1, 5 and 7 accept notices on behalf of their respective parties, therefore, issuance of notice to them is dispensed with.</p> <p data-bbox="565 806 1292 840">PF be paid for respondents No. 2, 3, 4 and 6 only.</p> <p data-bbox="475 882 1343 991">Also heard on I.A. No. 1/2026, application for grant of interim relief/Stay as well as main petition.</p> <p data-bbox="475 1066 1343 1780">Learned counsel for the petitioner would submit that, the petitioner is a lady practicing lawyer at the District and Sessions Court, Raipur and has also been enrolled in the District Bar Association, Raipur (henceforth, referred to as 'Bar Association'). She further submits that, tenure of the Bar Association has ended on 10-2-2026, thereafter, on 23-3-2026, the Chairman of outgoing Bar Association proposed the name of the senior advocate for appointment to the post of Chief Election Officer and upon obtaining consent for the constitution of Appeal Committee, name of senior advocate</p>

so suggested was also unanimously approved. Accordingly, the members of the Appeal Committee and Assistant Electoral Officers were also appointed by the Chief Election Officer, whereas, he has no such power to appoint the Assistant Electoral Officer solely and on just next day, regulation of election for the year 2026-28 has been published i.e. on 24-3-2026 vide Annexure P-1 and no time for appeal has been given. She further submits that, on the same day, pursuant to that regulation, notification of election has been published.

Learned counsel for petitioner also submits that, as per the notification Annexure P-1, total post of office bearer of the Bar Association is '18', out of which '5' posts have been reserved for female Advocates and '9' posts have been reserved for male Advocates, meaning thereby, women Advocates have been debarred from participation in the election of the Bar Association for said '9' posts, which have been reserved for male Advocates. The posts reserved for female Advocate are not 30% of total posts, which is violative of the directions issued by Hon'ble

Supreme Court in the case of **Yogamaya M.G. Vs. Union of India and ors [2025 SCC OnLine SC 2701]** and in the case of Ms. **Deeksha N Amruthesh Vs. State of Karnataka and Ors. [Special Leave Petition (C) No. 1404/2025]**. She further submitst, that election of the Bar Association is scheduled to be held on 15-5-2026, therefore, she prays that election process may be stayed till decision of instant writ petition.

In reply, learned counsel appearing for respondent No. 5, who is main contesting party, referring to the case of **Bhartiya Janta Party West Bengal Vs. State of West Bengal & Ors. [Writ Petition (C) No. 302/2018]** would submit that, since notification for election has been issued on 24-3-2026 and election process has started and voting was scheduled to be held on 15-7-2026, which has been postponed to 17-4-2026, therefore, election process cannot be stayed. He also relied on the case of **Abhijeet Appasaheb Bacche-Patil and Ors. Vs. Bar Council of Maharashtra and Goa through its Chairman and Anr. [2025 SCC OnLine Bom. 1514]**, and submits that, action

and decision of the Bar Association are not amenable to the judicial review of the High court under Article 226 of the Constitution of India. However, he seeks time to file reply of interim application as also the main petition.

Heard learned counsel for the parties and perused the material available on record.

Time as prayed by learned counsel for the respondent No. 5 to file reply is granted.

Perusal of the notification Annexure P-1 dated 24-3-2026 issued by the Chief Election Officer and Assistant Election Officers of the Bar Association would show that, there are '18' posts of office bearers, out of which, '5' posts have been reserved for female Advocates and '9' posts have been reserved for male Advocates. When specific question was posed to learned counsel for the respondent No. 5 as to whether any provision of bye-laws of the Bar Association provides for reservation of 9 posts for male Advocates, he would submit that, there is no such provision in the bye-laws. In such situation, if

proposed election is permitted to be held by keeping 9 posts reserved for male Advocates, it would amount to debar the female Advocates from participation in election for said 9 posts, which according to the learned counsel for the respondent No. 5, has not been provided in the by-laws of the Bar Association. As contended by learned counsel for the petitioner, the direction issued by Hon'ble Supreme Court in the case of **Yogamaya** (supra) and **Deeksha N. Amruthesh** (supra) i.e. for reservation of 30% representation for female Advocates to the posts of office bearer of Bar Association has also not been followed. Therefore, in view of aforesaid facts, purely as an interim measure, it is directed that, ongoing election process of the District Bar Association, Raipur is stayed till the next date of hearing.

List the case on 17-4-2026, as a fresh case.

Certified copy as per rules.

Sd/-

(Naresh Kumar Chandravanshi)
Judge