

**W.P. No.19190/2014 (PIL)**

**22.2.2016**

Shri Shekhar Sharma, learned counsel for the petitioner.

Shri Ravish Agrawal, Advocate General with Shri Samdarshi Tiwari, Dy. Advocate General to assist the Court.

Shri D.K.Dixit, learned counsel with Shri Parag S.Chaturvedi, learned counsel for the respondent No.2.

Shri R.N.Singh, learned Senior counsel with Shri Vivek Ranjan Pandey, learned counsel as *Amicus curiae*.

Shri Rajendra Tiwari, learned Senior counsel with Shri Nikhil Tiwari, learned counsel as *Amicus curiae*.

Shri A.M.Trivedi, learned Senior counsel with Shri Anand Shukla, learned counsel for High Court Bar Associations, Jabalpur.

Shri Abhishek Arjaria, learned counsel for High Court Bar Associations, Indore.

Shri T.S.Ruprah, learned Senior counsel with Shri Nitin Gupta, learned counsel for Senior Advocates' Council.

Heard counsel for the parties.

Learned *Amicus Curiae* Shri Rajendra Tiwari, Senior Counsel and Shri R.N. Singh, Senior Counsel submit that they have interacted with the office bearers of all the Bar Associations, who are parties to this writ petition; as also the office bearers of Madhya Pradesh State Bar Council. Each one of them is of the opinion that the Bar Associations themselves must graciously come forward with a proper and acceptable solution, which can be worked out or finalized under the guidance of the Advocate General – to be submitted to the Chief Justice within ten days from today. The President of the respective Bar Associations have given commitment for and on behalf of the concerned Bar Association, whom they are representing, to remain present in the meeting to be convened by the Advocate General and also assure to abide by his recommendation in its letter and spirit.

Insofar as Jabalpur High Court Bar Association, as the election has already been notified, in our opinion, instead of only present President (in Office) all the presidential candidates (in all seven), must participate in the proposed meeting to be convened by the Advocate General – so that any recommendation made by the Advocate General, will bind all the Presidential candidates

and it would obviate any excuse to be given later on technical ground.

Since the respective Bar Associations have given their assurance to abide this arrangement, the counsel appearing for the petitioner submits that he may not pursue this petition any further as the entire issue is likely to be amicably resolved within ten days from today, as the recommendation of the learned Advocate General will be submitted to the Chief Justice on the administrative side within such time - on the basis of which all future References/Ovations can be held.

The learned Advocate General has welcomed this stand of all the Bar Associations and more particularly for having shown complete confidence in him. He has assured the Court of evolving a proper solution to further the cause of administration of justice and to uphold the constitutional mandate of delivery of speedy justice to the litigants. We profusely appreciate the optimism of the Advocate General and for having graciously undertaken the onerous task at our request.

**We permit the petitioner to withdraw this petition, but, reserve option of reviving the petition *suo motu* and to treat it as *suo motu* writ petition, if no consensus is**

**reached in the meeting before the Advocate General within the given time. In which case, the Registry shall place this matter on 8<sup>th</sup> March, 2016 under caption “Directions”**

We also highly appreciate the efforts made by the learned *Amicus Curiaes* to find out solution to the intricate issue which has remained undecided thus far, for quite sometime.

**We make it clear that the discussion and resolution to be arrived at, will be limited to the References/Ovations held in the High Court and not in respect of any other Court in the State.**

Petition **disposed of** accordingly.

(A. M. Khanwilkar)  
Chief Justice

(Sanjay Yadav)  
Judge