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WP-34890-2024

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&amp;

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 7<sup>th</sup> OF JANUARY, 2026

WRIT PETITION No. 34890 of 2024

*JAGESHWAR PRASAD KURMA*

*Versus*

*STATE BAR COUNCIL OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Sanjay Kumar Verma - Advocate for the petitioners.*

*Shri Satyam Agrawal - Advocate for respondent No.1.*

*Shri Sandeep Kumar Mishra - Advocate for respondent No.2.*  
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ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

Subject petition challenges an order dated 21.10.2024 passed by Madhya Pradesh State Bar Council whereby the election process for the election of Bar Association, Hatta, District Damoh was stayed. A dispute arose with regard to validity of nomination of some of the candidates. Since that was challenged before the Madhya Pradesh State Bar Council which passed the impugned order staying the entire election process. We are informed that the earlier Committee of the Bar Association whose term had already expired in the year 2024 is still continuing.

2. Since the substantial period is elapsed in the present petition and the term of the Executive Committee of the Bar Association has already expired



as also some of the nomination forms are rejected by the Election Officer, it is agreed between the parties and also expedient to this Court to direct a fresh election process to be conducted to hold the election for the Bar Association, Hatta, District Damoh.

3. Accordingly, this petition is disposed of in the following terms:

(i) The order dated 21.10.2024 passed by the Madhya Pradesh State Bar Council is set aside;

(ii) The election schedule earlier circulated by the Bar Association and all proceedings initiated thereafter are also set aside;

(iii) Shri Shailendra Verma, Member of the State Bar Council of Madhya Pradesh is appointed as a court observer to oversee the conduct of elections of the Bar Association.

(iv) The election shall strictly be conducted in accordance with the judgment of the Supreme Court in the case of Supreme Court Bar Association Vs. B.D. Kaushik (2011) 13 SCC 774.

(v) State Bar Council shall provide a fresh list of valid practicing advocates eligible to vote for the election in the Bar Association, Hatta, within a period of one week from today.

(vi) Bar Association shall display an updated list as per its record taking into account the list furnished by the State Bar Council. Said list shall be given due publicity.

(vii) Executive Committee of the Bar Association shall appoint the Election Committee and the Returning Officer for the purpose of conduction of election in accordance with Bye Laws;



(viii) Objections, shall be invited to the list. Objections shall be decided by the election committee;

(ix) In case of any dispute with regard to the objections or their disposal, the same shall be decided by the court observer appointed herein.

(x) Thereafter the final list shall be displayed and the election schedule for the date of polling etc. shall be issued by the returning officer. Due publicity shall be given to the electoral list as well as the schedule of the election.

(xi) Only eligible bonafide voters who have paid their dues before the cut off date (to be fixed by the returning officer) shall be entitled to cast their vote.

(xii) Election shall be held under the supervision of the court appointed observer. Court appointed observer shall also oversee the conduct of election by the election committee and the returning officer.

(xiii) In case of any dispute or objection, the same shall be referred to the court appointed observer for a final decision.

4. The entire process including conduct of election shall be concluded on or before 31st March, 2026.

5. The question of law raised is left open.

6. Petition is disposed of in the above terms.

(SANJEEV SACHDEVA)  
CHIEF JUSTICE

(VINAY SARAF)  
JUDGE

