



2026:CGHC:18281



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1718 of 2026

1 - Dev Malik S/o Late Dilip Malik Aged About 24 Years Caste Domar, R/o Ward No. 9, Pendra Dafai Manendragarh, P.S. And Tahsil Manendragarh, Distt. Manendragarh Chirmiri Bharatpur, Chhattisgarh.

... Petitioner(s)

versus

1 - President/secretary Chhattisgarh State Bar Council Of Chhattisgarh, Bilaspur, Distt. Bilaspur, Chhattisgarh.

2 - Mayank Jain Advocate (Advocate Sangh Manendragarh) Address Civil Court Manendragarh, Distt. Manendragarh Chirmiri Bharatpur, Chhattisgarh.

3 - Sujay Kundu Advocate (Advocate Sangh Manendragarh) Address Civil Court Manendragarh, Distt. Manendragarh Chirmiri Bharatpur, Chhattisgarh.

4 - Smt. Parveen Begam Advocate (Advocate Sangh Manendragarh) Address Civil Court Manendragarh, Distt. Manendragarh Chirmiri Bharatpur, Chhattisgarh.

... Respondent(s)

For Petitioner(s)	:	Mr. Ramsevak Soni, Advocate and Mr. Ravi Kumar Banjare, Advocate.
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Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

22/04/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

“(i) That, this Hon'ble Court may kindly be pleased to issue direction to respondent no. 1 to expeditious decide pending complaint made by the petitioner under section 35 of Advocate Act for seeking to cancel the license of the respondents no. 2 to 4 for illegal misconduct of their advocate profession, in the interest of justice.

(ii) Any other relief which may be suitable in the facts and circumstances of the case including cost of the petition, may also be granted.”

2. Brief facts of the case, is that, on 06.10.2022, one Utkarsh Sondhiya was travelling as a pillion rider on a motorcycle being driven by the petitioner, Dev Malik, from Manendragarh to Bilaspur for the purpose of participating in a Jhanki celebration, and it is alleged that the petitioner drove the vehicle in a rash and negligent manner, resulting in an accident in which Utkarsh Sondhiya sustained grievous injuries and, despite being admitted to the hospital, succumbed to the same during the course of treatment, pursuant to which an FIR was registered at Police Station Marwahi against the petitioner. Thereafter, the petitioner approached respondent No. 2 in connection with the criminal case



(State vs. Dev Malik), arising out of Crime No. 216/2023 and Case No. 1078/2023, and his application for grant of bail was allowed by the learned Chief Judicial Magistrate, Pendra, District G.P.M., Chhattisgarh. It is further submitted that respondent No. 2, without informing the petitioner and in his absence, collected the proceedings of the said criminal accident case and subsequently caused to be filed MACT Case No. 01/2025 (Tulsi Prasad Sondhiya and another vs. Dev Malik and others) through his junior, respondent No. 3, which is alleged to be in violation of the provisions of the Advocates Act, 1961, and, moreover, respondent No. 2 appeared on behalf of the petitioner in the said MACT proceedings while his junior, respondent No. 3, simultaneously appeared on behalf of the claimants in the very same matter, thereby giving rise to a clear conflict of interest. It is further stated that the learned Claims Tribunal, by award dated 14.08.2025, granted compensation of Rs. 10,52,500/- in favour of the claimants, and thereafter respondent Nos. 2 to 4, allegedly misusing their position, filed and pursued Execution Case No. 30/2025 (Radha Bai Sondhiya vs. Dev Malik and others) on behalf of the claimants on the strength of vakalatnama, which is stated to be illegal and contrary to the professional ethics governing advocates, whereupon the petitioner raised objections in the execution proceedings. It is also submitted that the petitioner had earlier filed WPC No. 1418/2026, which was disposed of by this Hon'ble Court vide order dated 01.04.2026 granting liberty to file a



fresh and better-constituted petition, and in continuation thereof, the petitioner has submitted a complaint before respondent No. 1 under Section 35 of the Advocates Act, 1961 seeking cancellation of the licences of respondent Nos. 2 to 4 on account of alleged professional misconduct; however, no action has been taken on the said complaint till date, thereby compelling the petitioner to approach this Hon'ble Court seeking a direction to respondent No. 1 to decide the pending complaint expeditiously and in accordance with law.

3. Learned counsel for the petitioner has prayed before this Hon'ble Court that respondent No. 1 be directed to consider and decide, within a stipulated time, the complaint submitted by the petitioner under Section 35 of the Advocates Act, 1961, seeking initiation of appropriate disciplinary proceedings, including cancellation of the licence/enrolment of respondent Nos. 2 to 4, on the ground that they have allegedly committed professional misconduct.
4. I have heard learned counsel for the petitioner and perused the material available on record.
5. Considering the facts and circumstances of the case, and further taking into account that respondent No. 1 is under a statutory obligation to examine and decide the complaint preferred by the petitioner, it is expected that, if such complaint has been duly filed, the same shall be considered and disposed of expeditiously, having due regard to the seriousness of the allegations of professional misconduct involved therein.



6. With this observation and direction, the writ petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat