

Abhimanyu Rathor versus Himachal Pradesh High Court Bar Association & Ors. a/w connected matter

**CWPIL No.92 of 2025 a/w
COPC No.1001 of 2025**

[Item S-1]

23.09.2025.

CWPIL No.92 of 2025

Present: Petitioner-Mr. Abhimanyu Rathor, present in person.

Respondent No.2-Bunesh Pal with Mr. Deepak Kaushal, Senior Advocate with Mr. Abhishek Verma, Advocate.

Respondents Mr. Peeyush Verma and Mr. Arvind Sharma with Mr. V.S. Chauhan, Senior Advocate with Mr. Arsh Chauhan, Advocate.

Mr. Lovneesh Kanwar, Chairman, Bar Council of Himachal Pradesh.

COPC No.1001 of 2025

Petitioner-Mr. Abhimanyu Rathor, present in person.

Respondents are present in person.

CMP No.23620 of 2025 in CWPIL No.92 of 2025

An application under Order 1 Rule 10 for impleadment of the Bar Council of Himachal Pradesh, through its Secretary, has been filed, keeping in view the earlier order passed. Accordingly, we allow the application. The Bar Council of Himachal Pradesh, through its Secretary, is impleaded as party respondent No.4.

2. The application stands disposed of.

3. Amended Memo of Parties is taken on record. Office to carry out necessary corrections, accordingly.

CWIL No.92 of 2025

4. A perusal of the petition would go on to show that the petitioner's apprehension is that the Shimla Bar Association elections have already taken place in the month of May, 2025 and the directions issued regarding the principle of "*One Bar, One Vote*" have not been adhered to. There is no genuine effort by the Bar Association of the High Court and only a declaration is to be taken from the Members that they have not cast their votes in any other Bar Association election for 2025-26, while District Bar Associations have also issued similar circular regarding compliance with the said principle in view of directions issued by the Co-ordinate Bench of this Court, in *CWPIL 48 of 2024*, decided on 18.12.2024.

5. It is thus, submitted that once the election is over, and it is subsequently found that some members have voted at both places, the resultant effect would be that candidates could stand elected

on the strength of such voting pattern and the knee-jerk reaction thereafter would be of no use.

6. We are also informed that there are approximately 1398 Members of the High Court Bar Association, whereas there are 962 Members of the Shimla Bar Association with almost two-thirds having already voted in May, 2025.

7. Prima facie, we are of the considered opinion that the arguments raised have substance. at this stage. Therefore, it is only a matter of verification, which has to be done by the High Court Bar Association from the President of Shimla Bar Association – respondent No.2 since elections are stated to be held on 26.09.2025.

8. This issue can further be redressed by the Bar Council by issuing instructions that all elections of all Bar Associations in the State of Himachal Pradesh should be held simultaneously, so as to avoid cross voting, this would eliminate the said process, since Members who are enrolled both with their original Bar as well as the High Court Bar Association would then have to choose in which Bar election they wish to cast their vote.

9. Resultantly, we direct respondent No.1- Himachal Pradesh High Court Bar Association and respondent No.3-Chairman/Returning Officer, Himachal Pradesh High Court Bar Association, to put into place a mechanism and seek information from respondent No.2 - Shimla Bar Association, as to which of the common Members had already voted in May 2025.

10. Similar exercise also be conducted and information can be sought from the Presidents of their adjoining Bar Associations in the close vicinity, including Solan, Theog & Bilaspur, to find out which common Members have already voted. The said exercise is imperative to maintain the purity of the elections of the august body of respondent No.1, so that genuine Members from this Bar are elected as office-bearers, and not persons supplanted on account of having affiliations and drawing strength or cross-voting from Bar Association from districts.

11. Resultantly, respondents No.1 and 3 shall comply with the said exercise before the elections take place.

12. Mr. Lovneesh Kanwar, Senior Advocate present in the Court on behalf of the Bar Council of Himachal Pradesh, submits that necessary cooperation shall be given by the Bar Council to ensure compliance.

13. To come up for filing replies on **03.11.2025.**

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

September 23, 2025
[Shivender/Bhardwaj]