

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17473/2025

Firoz Akhtar Ansari, aged about 25 Years, resident of near Dhan Mandi Kota Road Railway Station Lakheri, Bundi, currently residing at, S-3, Manorama Kalash II, Gyan Vihar Marg, Jagatpura, Jaipur-302017

----Petitioner

Versus

1. The Secretary, Bar Council of India, 21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi-110002.
2. The Secretary, Bar Council of Rajasthan, 72RP-24H, High Court Road, Building, Jodhpur, Rajasthan 342005
3. The Secretary, Bar Council of Punjab and Haryana, Law Bhawan, Dakshin Marg, Sector 37-A, Chandigarh-160036.

----Respondents

For Petitioner(s)	:	Mr. Sanjay Kumar Singhal
For Respondent(s)	:	--

HON'BLE MR. JUSTICE SANJEET PUROHIT
Order

20/11/2025

The writ petitioner is a practicing advocate duly enrolled under the Advocates Act, 1961 with the Bar Council of Punjab & Haryana. Due to personal and professional reason, the petitioner has decided to shift her practice at Rajasthan and accordingly, approached to the Bar Council of Punjab & Haryana to obtain a No Objection Certificate (NOC) for transferring her name to the roll of the Bar Council of Rajasthan, in accordance with Section 18 of the Advocates Act, 1961.

Learned counsel for the petitioner contended that at the time of grant of NOC, the Bar Council of Punjab & Haryana demanded

and collected a sum of Rs.5,000/- from the petitioner, which the petitioner under compulsion, paid for obtaining the NOC.

Learned counsel for the petitioner submits that for the purpose of transferring her enrollment from the Bar Council of Punjab & Haryana to the Bar Council of Rajasthan, the Bar Council of India as well as the Bar Council of Rajasthan has also directed the petitioner to deposit the transfer charges to the tune of Rs.5,000/- each. Learned counsel for the petitioner further submits that the demand of transfer charges by the Bar Council of India as well as the Bar Council of Rajasthan is absolutely without jurisdiction and is in violation of Section 18 of the Advocates Act, 1961, as the said provision nowhere provides for charging of any fee for the purpose of transfer.

Learned counsel for the petitioner has relied upon the judgment dated 21.08.2025 passed by the Bombay High Court in the case of **Devendra Nath Tripathi Vs. Union of India & Ors in Writ Petition No. 1549 of 2017** as well as an interim order dated 11.09.2025 passed by the High Court of Madhya Pradesh at Jabalpur in **WP No.35160 of 2025 (Rohit Pathak Vs. The Bar Council of India & Ors.)**.

In view of the submissions made at Bar, the clear and unambiguous language of Section 18 of the Advocates Act, 1961 as well as the orders passed by the Bombay High Court in the case of **Devendra Nath Tripathi** (supra) as well as the order passed by the Madhya Pradesh High Court in the case of **Rohit Pathak** (supra), the matter requires consideration.

Issue notice of writ petition as well as stay application to the respondents, returnable within a period of six weeks.



[CW-17473/2025]

In the meanwhile, the Bar Council of Rajasthan is directed to register the name of the petitioner in its roll subject to further orders, without charging any transfer fees at this stage.

(SANJEET PUROHIT),J

Dharmendra Rakhecha /749