

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS No.3720 of 2025 P.S. Bisht and anotherPetitioners Vs. Bar Council of Uttarakhand and anotherRespondents <u>Hon'ble Pankaj Purohit, J.</u> Mr. Vikas Bahuguna, Advocate for the petitioner. 2. Mr. Saif Hameed, Advocate holding brief of Mr. Vishwa Prakash Bahuguna, Advocate for respondent nos.1 and 2. 3. Mr. Mukul Dangi, Advocate for the complainant. 4. Learned counsel for the petitioner submits that despite opportunity no counter affidavit has been filed by any of the respondents. 5. It is argued by learned counsel for the petitioner that a show cause notice was issued to the petitioner on a complaint made by respondent no.3 without applying mind by the Bar Council of Uttarakhand as mandated under Section 35 of The Advocates Act, 1961 (hereinafter referred to as Act of 1961). 6. Section 35 of the Act of 1961 provides that as and when a complaint is received in the Office of Bar Council, it has to apply its mind and if it has reason to believe to pursue that complaint, notices be issued to the Advocates against whom the complaint is filed. 7. But, in this case, it is vehemently argued, that no such satisfaction was recorded by the respondent-Bar Council of Uttarakhand, therefore the order is patently illegal. 8. For ready reference Section 35(1) of the Act of 1961 is reproduced hereinbelow:- “35. Punishment of advocates for misconduct.–(1) Where on receipt of a complaint or otherwise a State Bar

			Council has reason to believe that any advocate on its roll has been guilty of professional or other misconduct, it shall refer the case for disposal to its disciplinary committee.” 9. Since the opportunity of filing counter affidavit has been given to the respondent but, no counter affidavit is filed up till now, this Court is left with no other option but to pass an interim order in favour of the petitioner. 10. Counter affidavit(s) be filed by the respondent(s) within four weeks. 11. List this case on 16.04.2026. 12. Till the next date of listing notice/order dated 13.06.2025 passed by respondent no.2 is hereby stayed to the extent it relates to the petitioners. (Pankaj Purohit, J.) 24.02.2026 SK
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