

REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A.NO.6

IN

CIVIL APPEAL NO. 3401 OF 2003 & 3402 OF 2003

SUPREME COURT BAR ASSOCIATION & ORS. Appellant (s)

VERSUS

B.D. KAUSHIK ETC. Respondent(s)

O R D E R

I.A.No.6 has been filed on behalf of the Supreme Court Bar Association and Supreme Court Advocate-on-Record Association, through its Secretary, Mrs. B.Sunita Rao, advocate, for clarification and modification of the judgment/order dated 20th July, 2012, wherein, while considering the application filed by the SCBA(I.A. No.5 of 2011), certain suggestions made by the Implementation Committee had been accepted.

Appearing in support of the said application, copies of which have been served on all the interested parties, including the members of the Implementation Committee, represented by Mr. P.P. Rao and Mr. Ranjit Kumar, learned senior advocates, Mr. Sushil Kumar Jain, learned advocate submitted that one omission appears to have been made in paragraph 14 of the judgment, wherein while considering the principle of ONE BAR ONE VOTE, we had indicated that persons who had contested elections to the Executive Committee of any Court annexed Bar Association, other than the SCBA, during any of the years from 2007 to 2012, could not be allowed to vote to elect the Office Bearers of the SCBA on the aforesaid principle, or to attend the General Body meetings of the SCBA. It was further mentioned that the same would also include a person who had cast his vote in any election to the Executive Committee of any Court annexed Bar Association, other than the SCBA, for the above-mentioned years. It has been pointed out by Mr. Jain that through inadvertence, the Supreme Court Advocate-on-Record Association had not been excluded, although, it formed an integral part of the SCBA.

The suggestion is well taken and accepted by all the interested parties represented by learned counsel, and, accordingly, we modify paragraph 14 of the said judgment dated 20th July, 2012, by including the words "AND THE SCAORA" after the words "OTHER THAN THE SCBA" appearing at lines 3 and 4 of the paragraph and also after the same words appearing in line 11 of the said paragraph. Let the said paragraph be modified and read accordingly.

As far as the other prayer made on behalf of the applicant is concerned, with regard to the number of filings in a year, as indicated in paragraph 9 of the judgment, we are convinced that

since all advocates and members of the SCBA will be covered by the number of entries into the Supreme Court High Security Zone by the Proximity Card, the same does not require any modification at this stage.

I.A.6 filed in the disposed of appeal(s) is allowed to the aforesaid extent.

(ALTAMAS KABIR)J.

(J.CHELAMESWAR)J.

NEW DELHI;
August 16, 2012.

ITEM NO.1 COURT NO.2 SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.NO.6 IN
CIVIL APPEAL NO. 3401 OF 2003 & 3402 OF 2003

SUPREME COURT BAR ASSOCIATION & ORS. Appellant (s)

VERSUS

B.D. KAUSHIK ETC. Respondent(s)

(With appln(s) for modification/clarification of order dated 20.7.2012)
[FOR ORDERS]

Date: 16/08/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Appellant(s) Mr. Sushil K.Jain, Adv.
/applicant/AOR Mr. Atulesh Kumar, Adv.
Asscn. Mr. Chanda B.Prasad, Adv.

Mr. Ranjit Kumar, Sr. Adv.(A.C.)

GBM of SCBA Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Arun Kumar, Adv.
Mr. Narendra Kumar, Adv.
Mr. Ranjit Kr. Sharma, Adv.
Mr. Milind Kumar ,AOR

/SCAA Mr. Tripurari Ray, Adv.
Mr. Ravi Shankar Kumar, Adv.
Mr. B.K. Choudhary, Adv.
Mr. Yugal Kishore Prasad, Adv.
Mr. Rajesh Ranjan Rajesh, Adv.
Mr. Parmanand Pandey ,AOR

SCBA Mr. Rajesh Aggarwal,AOR.

Mr. Shivaji M. Jadhav ,AOR

Mr. Jitender Mohan Sharma, AOR.

For Respondent(s)

Mr. Dinesh Kumar Garg,AOR.

Mr. Nitin Kumar Thakur ,AOR

Caveator-In-Person.

UPON hearing counsel the Court made the following
O R D E R

In terms of the signed order, paragraph 14 of the judgment dated 20th July, 2012, is modified by including the words "AND THE SCAORA" after the words "OTHER THAN THE SCBA" appearing at lines 3 and 4 of the paragraph and also after the same words appearing in line 11 of the said paragraph. Let the said paragraph be modified and read accordingly.

I.A.6 filed in the disposed of appeal(s) is allowed to the extent, as indicated in the signed order.

|(Sheetal Dhingra)
|COURT MASTER

|(Juginder Kaur)
|Assistant Registrar

[Signed Reportable order is placed on the file]