

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.4013 OF 2001

S.L. JAISWAL Appellant (s)

VERSUS

DISCIPLINARY COMMITTEE, BAR COUNCIL, INDIA Respondent(s)

(With office report)

Date: 22/01/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI

For Appellant(s) Mr. Praveen Swarup, Adv.

For Respondent(s) Mr. Preet Pal Singh, Adv.
Mr. Saurabha Sharma, Adv.
Mr. Sanjeev Sachdeva, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

The appeal is allowed.

No costs.

[Alka Dudeja]
Court Master

[Savita Sainani]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4013 OF 2001

S.L. Jaiswal ...Appellant(s)

Versus

Disciplinary Committee, Bar Council
of India ...Respondent(s)

O R D E R

Heard learned counsel for the parties.

By the impugned order, the Disciplinary Committee of Bar Council of India (hereinafter referred to as "the Disciplinary Committee") imposed punishment of censure on the appellant and also directed him to pay a sum of Rupees twenty thousand as cost to be paid to the Bar Council of Maharashtra and Goa within a period of six months with a stipulation if he fails to do so then his license shall remain suspended for a period of two years.

A perusal of the impugned order shows that the complainant did not adduce any evidence in support of the allegation leveled against the appellant. Notwithstanding this, the Disciplinary Committee punished him by observing that something fishy was going on between the parties. In our view, the Disciplinary Committee was not justified in

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finding the appellant guilty on the basis of suspicion and pure surmises and conjectures.

Accordingly, the appeal is allowed and impugned order is set aside.
No costs.

.....J

[B.N. AGRAWAL]

.....J

[G.S. SINGHVI]

New Delhi,
January 22, 2009.