



2026:AHC-LKO:49691-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 7681 of 2026

Anand Kumar Gupta

.....Petitioner(s)

Versus

**State Of U.P. Thru. Deputy
Registrar Firms Chits And
Society Lko. And 2 Others**

.....Respondents(s)

Counsel for Appellant(s) : Saksham Agarwal, Anupriya
Agarwal, Shailendra Singh Rajawat

Counsel for Respondent(s) : C.S.C. , Subhash Chandra Pandey

Court No. – 3

HON'BLE SHEKHAR B. SARAF, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Shri Birendra Pratap Singh, Advocate has put in appearance on behalf of respondent no.3 (Central Bar Association, Raebareli) by way of filing his vakalatnama in Court today, which is taken on record.
2. Supplementary affidavit filed by learned counsel for the petitioner is taken on record.
3. Heard Shri Saksham Agarwal, learned counsel appearing on behalf of the petitioner as well as learned counsel for all the respondents and perused the materials available on record.

4. This writ petition has been filed by the petitioner for the following main relief(s):

"(i) Issue a writ, order or direction in the nature of Certiorari quashing the final electoral roll/voters' list for the election of the Central Bar Association, Civil Court, Raebareli for the year 2026, to the extent it excludes the name of the petitioner, as published by respondent no. 3, as well as all consequential actions taken pursuant thereto.

(ii). Issue a writ, order or direction in the nature of Mandamus commanding the respondents to forthwith include the name of the petitioner in the electoral roll/voters' list of the Central Bar Association, Civil Court, Raebareli for the election of the year 2026 by treating him as an eligible voter.

(iii). Issue a writ, order or direction in the nature of Mandamus commanding the respondents to permit the petitioner to file his nomination paper and contest the election for the post of Treasurer of the Central Bar Association, Civil Court, Raebareli for the election of the year 2026, notwithstanding the expiry of the scheduled dates for nomination, if such expiry has occurred solely on account of the illegal exclusion of the petitioner's name from the electoral roll.

(iv). Issue a writ, order or direction in the nature of Mandamus commanding the respondents not to give effect to the final electoral roll insofar as it excludes the petitioner and to conduct the election only after restoring the petitioner's name in the electoral roll and affording him an effective opportunity to participate in the election process in accordance with law."

5. It has been submitted that the Petitioner is a practicing Advocate, enrolled with the Bar Council of Uttar Pradesh, vide Registration No. UP01208/1998 dated 29.03.1998, and has been regularly practicing before the District and Sessions Court, Raebareli. He holds a valid Certificate of Practice (No. R1-115750 of 2025) and has been a Life Member of the Central Bar Association, Civil Court, Raebareli, since the year 2008. His name continuously featured in the electoral rolls from 1999 to 2025, during which he actively participated in the Association's affairs, including being elected as 'Treasurer' of the Central Bar Association, Raebareli, for multiple terms (2000-2002, 2002-2004, 2008-2009) and as 'Senior Executive Member' (2020-2022). He was also the runner-up for Treasurer in the 2025 elections.

6. It has been further submitted that the outgoing Executive Committee of the Central Bar Association forwarded the list of eligible voters for the 2026 elections to the Elders Committee on 08.07.2026, wherein the Petitioner's name duly appeared at Serial No. 1563. However, the Provisional Voters' list published on 13.07.2026 arbitrarily and illegally omitted the Petitioner's name without assigning any reason. Despite detailed objections filed by the Petitioner highlighting his Life Membership, continuous practice, and past contributions duly supported by documentary evidence, the Elders Committee neither granted a hearing nor passed any reasoned order. Subsequently, the final voters' list was published on 15.07.2026, excluding the name of the petitioner.

7. The learned Counsel appearing for the petitioner has submitted that the impugned action is wholly arbitrary, unreasonable, and violative of Article 14 of the Constitution of India. The Central Bar Association, being a society registered under the Societies Registration Act, 1860, is bound to conduct its elections in accordance with its registered Bye-laws, the applicable Model Bye-laws, and principles of natural justice. There is no provision

under which the Petitioner, who maintains an unblemished record with valid enrollment and Certificate of Practice, no outstanding dues, and continuous practice (evidenced by pending cases), could have his name deleted from the election petition by the Elders Committee.

8. It is also the submission of the learned Counsel for the petitioner that the Petitioner's legitimate expectation of continued inclusion in the electoral roll fostered by over 25 years of consistent inclusion and active participation has been frustrated without any change in facts or law. The deletion appears mala fide, aimed at extending undue advantage to favoured candidates for the post of Treasurer, for which the Petitioner intended to contest. The post is not reserved, and the Petitioner remains fully eligible.

9. On the other hand, the learned Counsel appearing for the respondent-Bar Association has submitted that the petitioner is not a regular practitioner before the Court to which the Bar Association is attached and, therefore, cannot claim to be a legitimate member of the said Bar Association. He has also submitted that no objections were filed by the petitioner to the provisional electoral roll published on 13.07.2026 and as such the Elders Committee has rightly published the final list.

10. The learned counsel appearing for the respondent-Bar Association has also fairly submitted that, in case the petitioner furnishes, along with his objection, five *vakalatnamas* of the preceding two years, his objection to the deletion of his name from the electoral roll shall be considered and decided favourably, if found in accordance with the applicable rules.

11. Having considered the submissions advanced by learned counsel for the parties, this Court does not wish to enter into the realms of whether the objections to the deletion of his name from the electoral roll has been filed by the petitioner or not. However, the fact remains that there is no denial that the petitioner had been

a Life Member of the respondent–Bar Association since the year 2008. It also appears from record that the name of the petitioner has been abruptly deleted from the electoral roll, although his name featured at Serial No. 1563 in the previous electoral roll.

12. Learned Counsel for the respondent–Bar Association has informed this Court that the elections are scheduled to be held after two days, that is on 25.07.2026. We are conscious of the law that the election process cannot be stalled at this belated stage, however, we may note the tearing hurry in finalisation of the electoral roll and conducting of the election from the following dates and events :-

S.No	Date and Time	Event
01	15 July, 2026 (Evening, 5:00 PM)	Final publication of the Voters' List
02	16 July, 2026 (11:00 AM – 4:00 PM)	Distribution of Nomination Papers
03	17 July, 2026 and 18 July, 2026 (11:00 AM – 3:00 PM)	Filing of Nomination Papers
04	18 July, 2026 (Evening, 4:00 PM – 6:00 PM)	Scrutiny of Nomination Papers and Disposal of Objections
05	20 July, 2026 (11:00 AM)	Publication of Final List of Candidates
06	25 July, 2026 (8:00 AM – 5:00 PM)	Polling / Voting Day
07	26 July, 2026 (From 9:00 AM onwards)	Counting of Votes

13. This Court does not wish to comment on the fast track mode of the election being conducted nor as to whether it was right for the Elders Committee to delete the name of the petitioner from the electoral roll without even giving adequate time for filing objections.

14. Considering the peculiar facts and circumstances of the case and in view of the concession given by the learned Counsel for the

respondent–Bar Association, the petitioner is granted liberty to file his objection along with all relevant documents in support of his claim of regular practice along with five *vakalatnamas* of the preceding two years within a period of two days. Thereafter, the Elders Committee shall consider the said objections and pass a reasoned order, after affording an opportunity of hearing to the petitioner, in accordance with law.

15. With the consent of the parties, the election which is scheduled to be held tomorrow i.e. 25 July, 2026 is not being stalled, however, the election to the post of ‘Treasurer’, for which the petitioner claims to be an aspirant is being postponed for a week to 01.08.2026.

16. Needless to say, in case the Elder Committee finds the petitioner to be an eligible voter, he may be also allowed to file his nomination and contest for the post of ‘Treasurer’.

17. It is made clear that this order has been passed in the peculiar facts of the present case and on the concession given by the learned Counsel for the parties and shall be not considered as a precedent in any other case.

18. With the aforesaid observations and directions, the writ petition stands *disposed of*.

(Abdhesh Kumar Chaudhary, J.) (Shekhar B. Saraf, J.)

July 23 , 2026

Praveen