



**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**PUBLIC INTEREST LITIGATION (PIL) No. - 646 of 2026**

Shashi Mishra

.....Petitioner(s)

Versus

Bar Council Of U.P. Thru. Its Secy. And 2 Others

.....Respondent(s)

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|---------------------------|--------------------------------------------------------|
| Counsel for Petitioner(s) | : Arvind Kumar Mishra                                  |
| Counsel for Respondent(s) | : Subhash Chandra Pandey, O.P. Tiwari,<br>Shishir Jain |

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**Court No. - 1**

**HON'BLE RAJAN ROY, J.  
HON'BLE MANJIVE SHUKLA, J.**

1. We have heard Shri A. M. Tripathi, learned Senior Counsel, assisted by Shri Arvind Kumar Mishra, Shri S. K. Singh, learned counsel for the applicant seeking intervention, Shri O. P. Tiwari, learned counsel for the opposite party no.3 and Shri Shishir Jain, learned counsel for opposite party no.2-High Court, Shri Roshan Babu, learned Advocate holding brief of Shri Subhash Chandra Pandey, learned counsel appearing for Bar Council of India. .

2. This petition has been filed in public interest by a Member of Sultanpur Bar Association seeking the following relief (s):

*"I. issue a writ, order or direction in the nature of 'Mandamus' directing the Opposite Party No. 3/Bar Association Sultanpur (U.P), to comply the orders of Hon'ble Supreme Court of India dated 24-03-2025, 16-01-2026, 13-03-2026 and 17-04-2026 in Special Leave Petition (Civil) No. 1404/2025 "Deeksha Versus State of Karnataka" (as contained in Annexure No -1 to this writ petition) regarding the 30% representation of Woman Advocates in its Executive Committee and Member Governing Council and notify on notice board with immediate effect.*

*II. issue a writ, order or direction in the nature of 'Mandamus' commanding the Opposite Party No. 3/Bar Association*

*Sultanpur (U.P), to start the representation of 30% seats in the Annual General Election of Bar Association Sultanpur (U.P), particularly the post of Treasurer be earmarked for woman Advocates Candidates only as well as the other post according to roster.*

*III issue any other suitable order or direction which this Hon'ble Court may deem fit, just and proper under the circumstances of the case may also be passed in favour of the petitioner.*

*IV. Allow the petition of petitioner with cost."*

3. It is not in dispute that a direction has been issued by Hon'ble Supreme Court under which 30% of posts in the Bar Associations whether it be Executive Body or Governing Council, have to be reserved for women. The directions have been issued under Article 142 of the Constitution of India. These directions are binding on all Bar Associations, who are obliged to provide the aforesaid reservation, subject to any further orders being passed in this regard by Hon'ble Supreme Court in the proceedings bearing **SLP (C) No.1404 of 2025, (Deeksha N Amruthesh vs. State of Karnataka & Ors.)** which are still pending.

4. The order of Hon'ble Supreme Court dated 13.03.2026 reads as under:

*"1. The issue that arises for consideration in this batch of matters pertains to ensuring 30% representation for women lawyers as Office Bearers or Executive Members in every Bar Association, including at Taluka or District levels and specialised bodies like Tax and RERA, as well as High Court Bar Associations. It may be noted that such representation has already been achieved with the active support of Bar members in the Supreme Court Bar Association. In some High Courts, such as the Delhi High Court, Bar members have been very supportive and have graciously ensured representation,*

*resulting in many such Bar Associations implementing our order dated 24.03.2025.*

*2. However, it was brought to our notice that in some States, the benefit of representation for women members was not percolating at different types of Bar Associations such as Tax, RERA, NGT, DRT, as well as at the sub-divisional level. Therefore, this Court vide order dated 16.01.2026, sought a report from the Registrar Generals of all the High Courts with a commitment to ensure adequate representation from all the Bar Associations. A separate direction was issued to the Registrar General of the High Court of Karnataka, along with other Registrar Generals, to submit a status report on the representation of women advocates in the governing/executive bodies of the various Bar Associations.*

*3. In deference thereto, the Registrar Generals of 13 High Courts have submitted their compliance reports. They have addressed issues such as: (i) whether the Bar Associations in their jurisdictions have adequate representation of women in the executive body, (ii) whether the Bar Associations have included a requirement of 30% representation for women, and (iii) what remedial measures have been implemented where the directions issued by this Court could not be complied with.*

*4. Be that as it may, 12 High Courts are yet to send their responses/compliance reports.*

*5. We, accordingly, direct the remaining 12 High Courts to firstly ensure that, within all Bar Associations in their respective jurisdictions, at least 30% of the members of the Bar involved in the election of the governing or executive body of such Bar Associations are women. However, where the number of women lawyers enrolled with such Bar Associations falls significantly short of 30%, those available may serve on their governing body.*

*6. Where there are enough women members and, for some*

*reason, they could not contest the election, the District Judges are hereby authorised to nominate women members to the executive committee of the respective Bar Associations within their jurisdiction and submit a compliance report to the Registrar General of the High Court. The Registrar General will then collate these reports and forward them to this Court.*

*7. We emphasise that these directions must be followed, especially since our experience shows that most of the Bar Associations across the country have wholeheartedly accepted the 5 policy decision made by this Court on the judicial side. In any case, if there are any reservations at the level of a particular subdivision or district, those details must be forwarded to this Court for appropriate directions based on the peculiar facts and circumstances of the case. The Registrar Generals of the 12 High Courts, who have not yet submitted a compliance report, are instructed to do so within two weeks.*

*8. Post this matter for further consideration on 17.04.2026."*

5. The order of Hon'ble Supreme Court dated 16.04.2026 reads as under:

*"1. At the outset, Ms. Jayna Kothari, learned Senior Counsel, representing one set of the petitioners, submits that some time may be granted to collate the information received from the different High Courts with respect to ensuring 30% representation of women members of the Bar in District Bar Associations. Such collation is stated to be necessary in view of the fact that certain Bar 4 Associations have not complied with the directions contained in our order dated 13.03.2026.*

*2. We also deem it necessary to issue a word of caution and a stern warning that wherever the Bar Associations have failed to comply with, or shall be found to have defied, the directions issued hereinabove, such Bar Associations shall be liable to be suspended through a judicial order and fresh elections shall be directed to be conducted.*

3. *The Registrar Generals of all the High Courts are hereby directed to communicate this order and submit a report along with the details of the Bar Associations that have failed to comply with the order or are reluctant to comply with these directions.*

4. *While acceding to the request of Ms. Kothari, we make it clear, in no uncertain terms, that the purpose and object of order dated 13.03.2026 is to ensure that 30% of the posts of the governing or executive members in every Bar Association, on a panIndia basis, shall be for the purpose of ensuring adequate representation of women advocates. In cases where women advocate members are not present and/or do not contest the elections, the shortfall in representation shall be ensured through nominations.*

5. *In this regard, we modify paragraph 6 of the order dated 13.03.2026 and direct that such nomination shall be made by the Administrative Judge/Portfolio Judge of the jurisdictional High Court, in consultation with the concerned District and Sessions Judge, the elected office bearers, and the senior-most women members of the respective District Bar Association. The tenure of the nominated member shall be co-terminus with that of the elected 5 members.*

6. *The application (I.A. No.109832/2026) moved by the Bar Council of India, accordingly, stands disposed of.*

I.A. Nos.114304/2026 & 114308/2026

7. *Issue notice.*

8. *The Registrar General of the Madhya Pradesh High Court is directed to submit a Fact-Finding Report with respect to the allegations made in these applications.*

IA Nos.114357/2026 & 114359/2026

9. *Issue notice.*

*10. The Registrar General of the Andhra Pradesh High Court is directed to submit a Fact-Finding Report.*

IA No.114059/2026

*11. Issue notice.*

*12. The Registrar General of the Punjab and Haryana High Court is directed to submit a Fact-Finding Report.*

*IA Nos.54036/2026, 55629/2026*

*13. Issue notice,*

*14. The Registrar General of the Bombay High Court is directed to submit a Fact-Finding Report.*

MAIN MATTER

*15. Post the matter on 12.05.2026."*

6. Shri O. P. Tiwari, learned counsel appearing for opposite party no.3 has informed the Court that an amendment in the bye-laws of the Bar Association/Society has been proposed, under which the sole post of Treasurer, two posts out of four posts of member of Governing Council having practice of more than 15 years and further two posts out of four posts of member of Governing Council having a practice of less than fifteen years have been reserved for women. We are of the opinion that this is not adequate representation of women, nor in accordance with the letter and spirit of the orders passed by Hon'ble Supreme Court. There has to be 30% reservation for women across the board i.e. in respect of all the posts.

7. We have been informed that the Executive Committee of the Bar Association comprises of one post of President; one post of Senior Vice President; one post of Vice President; one post of General Secretary, one post of Treasurer; three posts of Joint Secretary and then four posts of member of Governing Council having practice of more than fifteen years, thereafter four more posts of members of Governing Council having practice of less than fifteen years.

8. We are of the opinion that out of three posts of Joint Secretary, one should be reserved for women. As regards the post of Treasurer, the same should be reserved for women for current elections and thereafter it shall again be reserved for women in the third year i.e., 2029. This reservation shall continue by rotation accordingly on the said post every third year excluding the last election year in which reservation was given. The post of General Secretary shall be reserved for women in the current elections and thereafter it shall again be reserved for women in the third year i.e., 2029. Reservation for women on the said post shall continue accordingly by rotation every third year excluding the last election year as aforesaid. As regards one post of Vice President, the same shall be reserved for women in the current elections and thereafter it shall again be reserved for women in the third year i.e., 2029 and continue to be reserved for women accordingly by rotation every third year excluding the last election year as aforesaid. The post of Senior Vice President shall be reserved for women in the next year i.e., 2027 and thereafter it shall again be reserved for women in the third year i.e., 2030 and will continue to be reserved accordingly by rotation every third year excluding the last election year as aforesaid. The post of President shall be reserved for women in the elections to be held next year i.e., 2027 and thereafter it shall again be reserved for women in the third year i.e., 2030 and will continue to be reserved accordingly by rotation every third year excluding the last election year as aforesaid. Ordered accordingly.

9. The schedule of election has already been declared which will require postponing as fresh nominations would be required in the light of what has been stated here-in-above. The Returning Officer or the Elder Committee or whosoever is at present responsible for getting the election conducted for the aforesaid Bar Association shall now follow what has been ordered herein and re-schedule the elections accordingly.

**10. Let Shri O. P. Tiwari place a fresh schedule of election by 13.08.2026 when this case shall come up, as fresh.**

11. If we find that the aforesaid reservation is not satisfied/fulfilled for any reason, then of course, we will take guidance from the orders of the Hon'ble Supreme Court and the concerned Administrative Judge or District Judge as may have been ordered by Hon'ble Supreme Court, will have to nominate a women to hold the office reserved for them, if it remains vacant. This order is subject to any order being passed by Hon'ble Supreme Court in the aforesaid proceedings.

12. Let the Elder Committee of Sultanpur Bar Association be arrayed as an opposite party through its Chairman during course of the day.

13. Shri O. P. Tiwari, Advocate is already present, who says that President of the Association acts as Returning/Officer. He shall inform the Members of the Elder Committee about this order.

**(Manjive Shukla,J.) (Rajan Roy,J.)**

**August 10, 2026**

akhilesh/-