

MINUTES OF THE 'ELECTION COMMITTEE' FOR THE ELECTION OF THE DWARKA COURT BAR ASSOCIATION' IN THE YEAR 2024 HELD AT DWARKA COURTS COMPLEX, UNDER THE CHAIRPERSONSHIP OF SH. VIKAS DHULL, DISTRICT JUDGE (COMMERCIAL COURT), DWARKA COURTS AT 04:00 P.M. ON 03.10.2024.

Chaired by : Sh.Vikas Dhull, Ld.District Judge (Commerical)-02

CORAM:-

S.No.	Name	Designation
1.	Sh.J.B.Malik	Advocate-Member <i>Absent due to some medical issues</i>)
2.	Sh.Rajesh Kajla	Advocate-Member

In presence of :

Ms.Santosh Nandi, JA, General Branch, Dwarka Courts, New Delhi

Sh.Bharat Bhushan, JJA, General Branch, Dwarka Courts, New Delhi.

AGENDA: (1) To consider removal of names of members from the final voter list whose dues remained unpaid as on 31.07.2024.

(2) To consider the publication of Final Voter List.

Agenda (1) : It is informed today by the office that themembers at serial no. 9 Sh.Manohar Lal (M-179) and at serial no.12 Sh. Yash

Vardhan (Y-157) of letter dated 30.09.2024 of DCBA have not submitted any declaration form. It is further informed regarding other ten members that no documentary proof has been submitted regarding clearance of subscription dues of DCBA as on 31.07.2024 despite issuance of notice to the aforesaid members informing them regarding dishonourment of their cheques.

In the light of aforementioned office report, the committee members are of the unanimous view that the names of ten members as per letter dated 30.09.2024 of DCBA except Sh. Manohar Lal and Sh. Yash Vardhan be struck off while preparing the final voter list as they have not cleared the subscription dues of DCBA till 31.07.2024.

Agenda (2): Today, the member of the committee namely Sh. Rajesh Kajla has filed on record copy of order dated 01.10.2024 passed by the Full Bench of the Hon'ble High Court of Delhi in W.P.(C) 10363/2021 titled as **Lalit Sharma and Ors. Vs. Union of India and Ors.** The committee members have gone through the aforementioned order and as per the same, election of all the Bar Associations have been postponed to 13.12.2024 and the reason for postponement was the pendency of two special leave petitions titled as *Aditi Choudhary V. Bar Council of Delhi & Ors. SLP (C) No. 22202/2024* and *Shobha Gupta V. Bar Council of Delhi & Ors. SLP (C) No. 42644/2024* before the Hon'ble Supreme court of India wherein the relief claimed in *Shobha Gupta's case (supra)* was to reserve 33% of the seats for women lawyers in the forthcoming elections of Bar Associations in all District Courts and Bar Council of

Delhi and both the aforementioned SLPs are listed before the Hon'ble Supreme Court of India on 16.10.2024.

The committee members are of the unanimous view that the decision of the Hon'ble Supreme Court of India regarding women reservations in the forthcoming elections of Bar Associations in all District Courts and the Bar Council of Delhi will have a bearing on the election process. Therefore, it is not desirable to publish the final voter list.

Secondly, the committee members are of the unanimous view that since the elections have been postponed to 13.12.2024 and the process of nomination of candidates normally takes around 21 days, therefore, it will not be desirable to publish the final voter list as with the publication of final voter list, the process of appointment of Election Commission, the Returning Officer and the process of filing the nomination form begins.

Thirdly, the committee members are of the view that as per the directions of the Hon'ble High Court of Delhi, the voting, in the upcoming Bar Associations elections, has to be done on the basis of proximity card only. The proximity cards are to be issued on the basis of submission of desired information by the members on the OnLine Portal and thereafter, post verification, the same will be issued. The committee members are of the unanimous view that the outcome of the final voter list will depend upon the members, who have been issued proximity

card and since the details of the members, who have been issued proximity card is still not available, therefore, publication of final voter list be kept in abeyance.

The Election Committee would meet as and when the details of proximity card holders are made available by the relevant authority for the purpose of finalization of final voter list.

Minutes of the meeting be uploaded on the Website of Dwarka, New Delhi.

Meeting ended with a vote of thanks to the Chair.

SD/-
(Rajesh Kajla)
Advocate Member

SD/-
(Vikas Dhull)
District Judge (Commercial Court)-02
Chairperson, Election Committee, DCBA
SW, Dwarka Courts, N.Delhi

For approval, please.

SD/-
Ld. Principal District & Sessions Judge (S-W)4