

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 25056 OF 2023

Between:

Rajasekhar Simma, S/o Vijayaram Simma, Aged 44 years, Occ. Student, Villa 150,
Hill County, Bachupally, Hyderabad.

...PETITIONER

AND

1. Bar Council of India, Rep by its Chairman, 21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi 110 002
2. Bar Council of Telangana, Rep by Chairman Bar Council of Telangana, High Court Premises, Hyderabad, Telangana
3. Osmania University, Rep by its Registrar Administrative Building, Osmania University Campus Tarnaka, Hyderabad-500007, Telangana.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order/s more particularly one in the nature of writ of Mandamus declaring the notification dated 16-08-2023 issued by the 1st respondent as the same is issued against the judgment of the Hon'ble Supreme Court of India by providing eligibility to the students who have appeared in the final year examinations conducted by the OU.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents no. 1 to accept the applications of final year LLB students for the AIBE-18 examination pending disposal of the writ petition.

IA NO: 2 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents No. 3 to declare the results of LLB 3rd Year on priority basis and issue provisional certificate in view of AIBE-18 application date and direct the respondent no. 2 to register in the state bar council of telangana on priority to get eligibility to enroll for the AIBE-18 exam before the last date of the application.

Counsel for the Petitioner : SRI N.KRISHNA SUMANTH

Counsel for the Respondent No.1 : --

Counsel for the Respondent No.2 : D.PALLAVI

Counsel for the Respondent No.3 : SRI CH.JAGANATHA RAO, SC FOR OU

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.25056 of 2023

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking the following relief:

"...to issue a writ or order/s more particularly one in the nature of writ of Mandamus declaring the notification dated 16-08-2023 issued by the 1st respondent as the same is issued against the judgment of the Hon'ble Supreme Court of India by providing eligibility to the students who have appeared in the final year examinations conducted by the OU..."

2. It is the case of the petitioner that he is a student of Osmania University LLB 3rd year Degree course and he appeared in the final year exams which were held on 14.08.2023.
3. The grievance of the petitioner is that without providing eligibility to final year/Semester LLB 3 years Degree course students as per the judgment of the Hon'ble Supreme Court in **Bar Council of India vs. Bonni FOI Law College and others**¹, the respondent No.1 has issued a notification dated 16.08.2023 with regard to schedule of All India Bar Examination-XVIII.
4. The learned counsel appearing for the respondent No.1 has submitted that in compliance with the decision of the Hon'ble

¹ Judgment dated 10.02.2023 passed in Civil Appeal No.969 of 2023 (arising out of SLP (C) No.22337 of 2008) by the Hon'ble Supreme Court.

Supreme Court in **Bar Council of India vs. Bonni FOI Law College and others** (supra), the Bar Council of India has constituted a Committee to examine the recommendations of the Hon'ble Supreme Court.

5. In view of the same, the respondent No.1 is directed to examine the representation of the petitioner dated 18.08.2023 duly taking note of the observations made by the Hon'ble Supreme Court in Para 38 of the decision in **Bar Council of India vs. Bonni FOI Law College and others** (supra), within a period of two (2) weeks from today and communicate the decision thereon to the petitioner.

6. Accordingly, this Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. No order as to costs.

//TRUE COPY//

SD/- A. PRATHIMA
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Chairman, Bar Council of India, Rep by its 21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi 110 002
2. The Chairman, Bar Council of Telangana, Bar Council of Telangana, High Court Premises, Hyderabad, Telangana
3. The Registrar, Osmania University, Administrative Building, Osmania University Campus Tarnaka, Hyderabad-500007, Telangana.
4. One CC to SRI N.KRISHNA SUMANTH, Advocate. [OPUC]
5. One CC to D.PALAVI, Advocate. [OPUC]
6. One CC to SRI CH.JAGANATHA RAO, Advocate. [OPUC]
7. Two CD Copies.

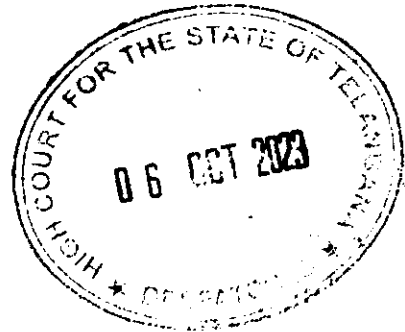
BSK
RK



HIGH COURT

CC TODAY

DATED: 06/10/2023



ORDER

WP.No.25056 of 2023

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

[Handwritten signature]
06/10/2023