

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 118 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 28/01/2026 in W.P.No. 1765 of 2026 on the file of the High Court.

Between:

Allam Nagaraju, S/o. Late Eshwaraiah, Aged about 50 years, Occ: Advocate,
R/o. H.No. 11-23-238-1, Navayuga Colony, Warangal, Telangana.

...APPELLANT

AND

1. Union of India, Represented by its Ministry of Law and Justice, Headed by the Union Law Secretary, Shastri Bhawan, New Delhi.
2. The Bar Council of India, Rep by its Secretary, 21 Rouse Avenue, Institutional Area, Near Bal Bhawan, New Delhi- 110002.
3. The Bar Council of Telangana, Represented by its Secretary, High Court for the State of Telangana, Hyderabad, Telangana- 500066.
4. Scrutinizing Officer, Bar Council of Telangana, High Court for the State of Telangana, High Court Premises, Hyderabad, Telangana.
5. Honble High- Powered Election Committee (Phase- I), Rep. by its Chairman. Bar Council Of India, New Delhi Email- highpoweredecphase1@gmail.com
6. Honble High- Powered Supervisory Election Committee, Rep. by its Chairman. Bar council for the state of Telangana, Hyderabad Email- sec.supervisorycommittee@gmail.com

...RESPONDENTS

IA NO: 2 OF 2026

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 permit the petitioner herein to contest the upcoming elections of Bar Council of Telangana on 30.01.2026 or any other dates, pending disposal of the writ appeal.



Counsel for the Appellant: SRI YEMMIGANUR SOMA SRINATH REDDY

Counsel for the Respondent No.1: SRI A. KRANTI KUMAR REDDY

Counsel for the Respondent No.2: SRI ADESH VARMA, SC FOR BCI

**Counsel for the Respondent No.3: SRI N. GANGADHAR REP. FOR
SRI J. MANIKANTA REDDY,
SC FOR BC OF TELANGANA**

Counsel for the Respondent No.4 to 6: - - - -

The Court delivered the following: JUDGMENT

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND**

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.118 of 2026

DATE: 29.01.2026

BETWEEN:

Allam Nagaraju.

....Appellant

AND

Union of India and 5 others.

....Respondents

JUDGMENT

This intra-court appeal under Clause 15 of the Letters Patent is preferred against the order dated 28.01.2026 passed by the learned Single Judge in W.P.No.1765 of 2026 whereby the learned Single Judge dismissed the Writ Petition filed by the appellant herein challenging the rejection of his nomination for election to the Bar Council of Telangana.

Factual background (in brief)

2. The appellant, a practising advocate, submitted his nomination on 29.12.2025 for election to the Bar Council of Telangana; notified in pursuance of the directions of the Hon'ble Supreme Court of India in ***M. Vardhan v. Union of India***¹ The Scrutinizing Officer (Respondent

¹ Writ Petition(C) No.1319 of 2013 dated 18.11.2025.

No. 4 herein – the Advocate General for the State of Telangana) rejected the nomination on 03.01.2026 *vide* ROC.Ele.No.40 of 2026 on the ground that three criminal cases were pending against the appellant, attracting disqualification under amended Rule 4 of the Bar Council of India Rules, 2023 (hereinafter, “the Rules”). The appellant’s appeal before the High-Powered Election Committee (Phase-I) and subsequent revision before the High-Powered Supervisory Election Committee were dismissed on 07.01.2026 and 15.01.2026 respectively. Aggrieved, the appellant filed a writ petition before this Court, which was dismissed by the learned Single Judge by the impugned order dated 28.01.2026. Hence, this writ appeal.

3. Heard Sri Soma Srinath Reddy, learned counsel for appellant, Sri A.Kranti Kumar Reddy, learned counsel for respondent No.1, Sri B.Ravinith Singh representing Sri Adesh Varma, learned counsel for respondent No.2 and Sri N.Gangadhar representing Sri J.Manikanta Reddy, learned counsel for Bar Council of Telangana for respondent No.3 and perused the record.

Submissions of learned counsel for appellant

4. Learned counsel for the appellant has made the following submissions:

- i. That the disqualification under amended Rule 4 of the Rules is attracted only if “two or more criminal cases of a serious nature (meaning offences punishable with imprisonment of seven years

or more) are pending”. The clarification dated 17.12.2025 defines “pending” as a case where charges have been framed. Out of the three cases against the appellant, only in C.C.No.635 of 2015 have charges, been framed (involving offences under Sections 467 and 389 IPC, punishable with more than seven years). In C.C.No.613 of 2019 (Section 382 IPC), no charges are framed. In C.C.No.2456 of 2022 (Section 452 IPC), the maximum punishment is “imprisonment which may extend to seven years”, which does not fall within “seven years or more”. Therefore, the appellant does not have two pending cases of the requisite seriousness, to attract disqualification under Rule 4 of the Rules.

- ii. That the learned counsel by placing reliance on **Arnesh Kumar v. State of Bihar**² and Section 41 Cr.P.C., argued that an offence punishable with imprisonment “which may extend to seven years” is classified separately from offences punishable with “seven years or more”. Section 452 IPC, being in the former category, should be excluded from the disqualification criteria.
- iii. That the Scrutinizing Officer acted on a WhatsApp message, and the committees passed non-speaking orders without proper application of mind. The appellant’s right to a fair hearing and democratic participation was violated.

² (2014) 8 SCC 273

- iv. That the finality clause in the election notification cannot oust the constitutional jurisdiction of this Court under Article 226. The rejection was arbitrary and violated Articles 14 and 19(1)(c) of the Constitution.

Submissions of learned counsel for respondents

5. Learned counsel for the respondents supported the order of the learned Single Judge and countered the submissions made by the learned counsel for the appellant with the following submissions:

- i. That the appellant himself disclosed three pending criminal cases. That Rule 4 was properly applied.
- ii. That the Rules are a self-contained code for ensuring the purity of Bar Councils. They must be interpreted purposively to prevent persons with serious criminal antecedents from becoming members. The interpretation given by the specialized committees constituted by the Hon'ble Supreme Court deserves deference.
- iii. That the entire election process is being conducted under the direct supervision and direction of the Hon'ble Supreme Court in **M. Vardhan** (supra 1). The High-Powered Supervisory Committee is a Hon'ble Supreme Court-constituted body. Its decision is final, and judicial interference at this belated stage when elections themselves are scheduled to be held tomorrow

i.e., 30.01.2026 would disrupt the election schedule and undermine the Hon'ble Supreme Court's authority.

iv. That the appellant participated in the process, availed the hierarchical remedies, and was unsuccessful throughout.

6. We have taken note of the respective contentions urged and the material on record.

Consideration by this Court

7. It is to be noted that the present election to the Bar Council of Telangana is not an ordinary electoral exercise. It is being conducted under the specific aegis and continuous supervision of the Hon'ble Supreme Court of India in **M. Vardhan's** case. The Supreme Court, by order dated 18.11.2025, constituted High-Powered Election Committees and a High-Powered Supervisory Election Committee to oversee all aspects of the elections to the State Bar Council, with the explicit directive that the decision of the Supervisory Committee "shall be final". This framework was created under Article 142 of the Constitution to ensure integrity, transparency, and timely completion of Bar Council elections.

8. In such a scenario, the scope for judicial review by this Court under Article 226 of the Constitution is exceedingly narrow. The constitutional principle of judicial deference to specialized tribunals and committees is heightened when those bodies are created by the Hon'ble Supreme Court itself to implement the orders. Interference is

warranted only in cases of proven *mala fides*, patent illegality, or violation of natural justice so glaring that it shocks the conscience. The learned Single Judge correctly exercised restraint.

9. In the present case, the core legal dispute revolves around the interpretation of the phrase “offences punishable with imprisonment of seven years or more” in Rule 4 of the Rules, *vis-a-vis* Section 452 IPC which prescribes punishment “which may extend to seven years”.

10. The appellant’s argument, based on a supposed distinction in Section 41 Cr.P.C., is overly technical and contrary to settled law. The Hon’ble Supreme Court in **Satender Kumar Antil v. Central Bureau of Investigation**³, while classifying offences for bail purposes, authoritatively held that offences punishable with imprisonment “up to seven years” fall within the category of offences punishable with imprisonment of seven years. The Court rejected the artificial distinction sought to be drawn between “up to seven years” and “seven years”. This view is consistent with the earlier judgment in **Arnesh Kumar** (supra 2) which emphasized that such offences are treated uniformly for applying arrest safeguards.

11. Therefore, the offence under Section 452 IPC is unquestionably an offence “punishable with imprisonment of seven years or more” for the purpose of Rule 4 of the Rules. The Supervisory Committee’s conclusion on this point is legally sound and based on binding

³ (2022) 10 SCC 51

precedent. Consequently, the appellant has at least two pending criminal cases involving offences of the prescribed serious nature (C.C.No.635 of 2015 and C.C.No.2456 of 2022), attracting disqualification under amended Rule 4 of the Rules.

12. It is to be noted that the record reveals a further, decisive dimension that fundamentally undermines the appellant's case. A perusal of the appeal papers, particularly the affidavit filed by the appellant along with his nomination form at Page 87, reveals that the appellant expressly declared:

"4. I further declare that there is no criminal case of any serious nature (prescribing punishment for 7 years or more) pending against me prior to 9 months of the Election Notification."

(Emphasis supplied)

The above said declaration is incorrect.

13. The reliance of the Scrutinizing Officer and the subsequent committees on verified data, irrespective of the initial source (including the WhatsApp message), was justified. The committees examined the e-court status and the appellant's own contradictory admissions. The appellant's belated technical pleas about the stage of charges cannot be entertained sympathetically in view of the significance attached to the election of the State Bar Council.

14. The orders of the committees, read as a whole, are reasoned. The committees considered the appellant's arguments, interpreted the applicable Rules, applied them to the facts, and rightly considered his

conduct. No procedural infirmity or breach of natural justice is made out.

15. It is pertinent to note that while the right to contest an election is a valuable democratic right, it is not absolute. It is subject to statutory and regulatory qualifications designed to maintain the dignity, integrity, and credibility of the institution. The Bar Council is not merely a representative body; it is a statutory regulator of the legal profession. The amended Rule 4 of the Rules, by requiring that its members be free from serious criminal entanglements, sets a legitimate and high ethical threshold.

Conclusion

16. For the foregoing reasons, this Court is of the considered view that the learned Single Judge committed no error. The order under appeal is a well-reasoned judgment that correctly identified the limited scope of interference, upheld the purposive interpretation of the Bar Council Rules, respected the finality of the Hon'ble Supreme Court-mandated grievance redressal mechanism, and implicitly condemned the lack of candour on the part of the appellant. In this regard, the order dated 28.01.2026 passed by the learned Single Judge in W.P.No.1765 of 2026 is hereby confirmed.

17. The appellant has failed to demonstrate any perversity, illegality, or jurisdictional error in the decisions of the Scrutinizing Officer or the Hon'ble Supreme Court-constituted Committees. For the

above said compelling reasons, appellant's claim deserves no equitable consideration, and the extraordinary exercise of this Court's writ jurisdiction is unwarranted.

18. Accordingly, the Writ Appeal is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

//TRUE COPY//

SD/-MOHD. ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI YEMMIGANUR SOMA SRINATH REDDY, Advocate [OPUC]
2. One CC to SRI A. KRANTI KUMAR REDDY, Advocate [OPUC]
3. One CC to SRI ADESH VARMA, SC FOR BCI [OPUC]
4. One CC to SRI J. MANIKANTA REDDY, SC for BC OF TELANGANA [OPUC]
5. Two CD Copies

BN

BS

PMG.

HIGH COURT

DATED:29/01/2026

JUDGMENT

WA.No.118 of 2026



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

⑥ pma.
16/3/26.