

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION (LODGING) NO. 2255 OF 2010**

Shri Kayval Shah and others ).. Petitioners

Versus

Union of India and others ).. Respondents

Mr. Mohan Jayakar i/b Khaitan & Jayakars for the Petitioners.  
Mr. D.J. Khambatta, Additional Solicitor General, for Respondent No.1..

**CORAM : MOHIT S. SHAH, C.J. AND  
DR. D. Y. CHANDRACHUD, J.  
WEDNESDAY, OCTOBER 27, 2010**

**P. C. :**

Rule.

2. Heard the learned counsel for the petitioners and the learned Additional Solicitor General for the Union of India on the question of interim relief.

3. The learned Additional Solicitor General submits that the issue is pending before the Apex Court and that transfer petitions are also pending before the Apex Court for transferring petitions challenging the impugned provisions to the Supreme Court.

4. The learned Additional Solicitor General further invites our attention to the order dated 14 December 2009 of the Apex Court and particularly the following observations made therein :-

“The most significant achievement of this entire exercise (implementation of the three-member Committee report) has been the introduction of the Bar examination. Learned Solicitor General submits that the first Bar Examination shall be conducted in July-August, 2010 by a specially constituted independent body, consisting of experts of various disciplines of national stature.

In the facts and circumstances of this case, we deem it appropriate to direct the Central Government to ensure that the entire programme framed by the three-member Committee is operationalized forthwith. We further direct the concerned institutions to fully cooperate with the Bar Council of India.”

5. The learned Additional Solicitor General also invites our attention to the order dated 7 May 2010 of the Apex Court recording the statement of the learned Solicitor General giving time line for implementation of the Bar examinations.

6. The learned Additional Solicitor General states that the examination is scheduled on 5 December 2010.

7. In view of the above, we are of the view that the interim relief as prayed for does not deserve to be granted.

8. The learned counsel for the petitioners submits that the course material is not made available by the Bar Council of India.

9. The learned Additional Solicitor General has no instructions on this aspect.

10. If there is any substance in the grievance voiced on behalf of the petitioners regarding non-availability of the course material, the Central Government as well as the Bar Council of India will certainly take necessary remedial steps well in time.

***CHIEF JUSTICE***

***DR. D.Y. CHANDRACHUD, J.***