

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s) . 13992/2023

[Arising out of impugned judgment and order dated 20-07-2012 in C.A. No. 3401/2003 20-07-2012 in C.A. No. 3402/2003 passed by the Supreme Court of India]

SUPREME COURT BAR ASSOCIATION .

Petitioner(s)

VERSUS

B.D. KAUSHIK & ANR.

Respondent(s)

(IA No. 82106/2023 - APPLICATION FOR PERMISSION, IA No. 135534/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 116222/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128032/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 67733/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 127350/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 67159/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 110943/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 94919/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 269586/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 100486/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 69113/2023 - CLARIFICATION/DIRECTION, IA No. 127352/2025 - EX-PARTE STAY, IA No. 69115/2023 - EXEMPTION FROM FILING PAPER BOOKS, IA No. 89325/2025 - INTERVENTION APPLICATION, IA No. 114762/2024 - INTERVENTION APPLICATION, IA No. 171624/2026 - INTERVENTION APPLICATION, IA No. 67662/2024 - INTERVENTION APPLICATION, IA No. 127075/2025 - INTERVENTION APPLICATION, IA No. 135414/2026 - INTERVENTION APPLICATION, IA No. 322549/2025 - INTERVENTION APPLICATION, IA No. 180960/2026 - INTERVENTION APPLICATION, IA No. 100362/2026 - INTERVENTION/IMPLEADMENT, IA No. 180890/2026 - INTERVENTION/IMPLEADMENT, IA No. 128028/2025 - INTERVENTION/IMPLEADMENT, IA No. 82489/2026 - INTERVENTION/IMPLEADMENT, IA No. 148498/2026 - INTERVENTION/IMPLEADMENT, IA No. 66240/2026 - INTERVENTION/IMPLEADMENT, IA No. 182532/2026 - INTERVENTION/IMPLEADMENT, IA No. 113969/2026 - INTERVENTION/IMPLEADMENT, IA No. 182538/2026 - MODIFICATION, IA No. 177598/2026 - MODIFICATION OF COURT ORDER, IA No. 55359/2024 - MODIFICATION OF COURT ORDER, IA No. 180891/2026 - MODIFICATION OF COURT ORDER, IA No. 114777/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 67665/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 182535/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 82492/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No. 171626/2026 - RECALLING THE COURTS ORDER)

WITH

Diary No(s) . 17011/2024 (XIV-A)

(IA No. 90603/2024 - APPROPRIATE ORDERS/DIRECTIONS)

MA 338-339/2025 in C.A. No. 3401/2003 (XIV-A)
(IA No. 40738/2025 - APPLICATION FOR PERMISSION, IA No. 40741/2025 - APPLICATION FOR PERMISSION, IA No. 40732/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 40739/2025 - INTERVENTION/IMPLEADMENT and IA No. 45626/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Diary No(s). 29211/2025 (XIV-A)
(A No. 136110/2025 - CLARIFICATION/DIRECTION)

Diary No(s). 29297/2025 (XIV-A)
(IA No. 135085/2025 - APPLICATION FOR PERMISSION, IA No. 135090/2025 - APPLICATION FOR PERMISSION, IA No. 135082/2025 - CLARIFICATION/DIRECTION, IA No. 135087/2025 - INTERVENTION/IMPLEADMENT and IA No. 135093/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Diary No(s). 29483/2025 (XIV-A)
(IA No. 135707/2025 - APPLICATION FOR PERMISSION, IA No. 135704/2025 - APPLICATION FOR PERMISSION, IA No. 135715/2025 - APPROPRIATE ORDERS/ DIRECTIONS and IA No. 135710/2025 - INTERVENTION/IMPLEADMENT)

Diary No(s). 29968/2025 (XIV-A)
(IA No. 137368/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 15-07-2026 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE K.V. VISWANATHAN

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UPON hearing the counsel the Court made the following

O R D E R

IA Nos. 182538/2026, 177598/2026, 180891/2026, 171626/2026 & 180960/2026:

1. A detailed order was passed on 29.05.2026 incorporating several reforms concerning the affairs of the SCBA elections. It was directed that the reforms should be put in place from the year 2026-27, to govern the election to be held in the last week of August, 2026.
2. Pursuant thereto, applications have been filed. Parties were also heard on the said issue.
3. The principal submission was that the electoral roll for 2026-27 elections has already been finalized on 26.05.2026 with the cut-off date as 28.02.2026 for determining eligibility to vote and contest. It was submitted that the finalization of the electoral roll was before the order of 29.05.2026 and hence the reforms obviously could not be factored in.
4. In view of the finalization of the electoral roll with cut-off date as 28.02.2026, there is almost a unanimous request from the side of the Bar that the reforms, as directed in the order dated 29.05.2026, should come into force from the election year 2027-28.

It is suggested that for the election year 2026-27 the regime that was in force prior to the order of 29.05.2026, should prevail.

5 There is also unanimity in the Bar that the reforms, as directed in the order of 29.05.2026, are essential and had to be implemented. The only prayer is that the reforms be implemented well before 28.02.2027, which would be the cut-off date of eligibility for the election year 2027-28.

6. Recording the view of the Bar that reforms are essential and that they will be brought into force from the election year 2027-28 and respecting their sentiments that the election of 2026-27 should be held under the regime that was obtained prior to the 29.05.2026 order, we make the following directions in partial modification of our order dated 29.05.2026:

- i) The reforms incorporated in the order of 29.05.2026, pursuant to the report of Hon'ble Mr. Justice L. Nageswara Rao Committee and after receiving suggestions from various segments of the Bar, will be put in place before 31.12.2026;
- ii) Once the reforms are put in place by 31.12.2026, the only task that will remain is the finalization of the electoral roll for the election year 2027-28. Since the cut-off for eligibility under the new prescription for eligibility will be 28.02.2027, the electoral roll alone will remain to be finalized after 28.02.2027;
- iii) For conducting the election for the year 2026-27 and for the

term 2027-29, we constitute the following Election Committee:-

- (1) Mr. Jaideep Gupta, Senior Advocate - Chairman
- (2) Mr. S.B. Upadhyay, Senior Advocate
- (3) Mr. S. Guru Krishna Kumar, Senior Advocate
- (4) Ms. Vibha Datta Makhija, Senior Advocate
- (5) Mr. Dinesh Kumar Goswami, Senior Advocate

- iv) The election for the year 2026-27 will be held as per the regime that was obtained prior to the order of this Court dated 29.05.2026 since the electoral roll already stood finalized before the order of 29.05.2026, with the cut-off being 28.02.2026;
- v) The election schedule for the year 2026-27 will be notified by the Election Committee in such a manner that polling takes place around 18.08.2026 and the Executive Committee is in position on or before 21.08.2026. This direction is in supersession of earlier directions on this aspect;
- vi) We direct that the Election Committee after the declaration of results for the year 2026-27 will not become *functus officio*. It will be a continuing body so as to operationalize the reforms and work out the details and do everything that is required to put in place the reforms, except the finalization of the electoral roll. The exercise be done on or before 31.12.2026. The electoral roll for 2027-28 will be finalized by the above referred Election

Committee as on 28.02.2027 followed by the election in July,
2027.

7. Liberty is reserved to the Election Committee to mention
the matter.

8. Post these IAs for consideration on 01.09.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR