

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

ORIGINAL SIDE

WP 150 of 2018

DR. KUNAL SAHA & ANR.

Versus

BAR COUNCIL OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble CHIEF JUSTICE THOTTATHIL B. RADHAKRISHNAN

The Hon'ble JUSTICE ARIJIT BANERJEE

Date : 3rd May, 2019.

Mr. Ranjit Sarkar, appears  
In person on behalf of petitioners

The Court : Mr. Ranjit Sarkar, who states that he is duly constituted attorney of the petitioners, wants WP No.150 of 2018 to be taken up for consideration. That matter relates to cessation of work resorted to by the learned lawyers. It is a public interest litigation.

On 15<sup>th</sup> June, 2018, an order was minuted by the Division Bench headed by the then Chief Justice that the said matter would stand deferred to be mentioned by the petitioners after disposal of Special Leave to Appeal (C) No.9624 of 2018.

Today, on behalf of the petitioners the final disposal order of the Hon'ble Supreme Court of India dated 6.8.2018 in SLP (C) No.9624 of 2018 is brought to our notice. The Hon'ble Supreme Court noted that continuing a strike is contrary to the law laid down by the Apex Court in Ex-Capt. Harish Uppal vs. Union of India, (2003) 2 SCC 45.

The anxiety of the petitioners at this point of time is the currently on-going cessation of work by certain sections of the Bar as pointed out on behalf of the petitioners.

We may note that this Court has initiated a suo motu public interest litigation following the incidence reported from Howrah District Court Premises that is presently listed on 8<sup>th</sup> May, 2019 on the Appellate Side. List this matter along with the Appellate Side matter.

(THOTTATHIL B. RADHAKRISHNAN, C.J.)

(ARIJIT BANERJEE, J.)

sm