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अनुशासन समिति भारतीय विधिज्ञ परिषद्
Disciplinary Committee of the Bar Council of India

21, राउज ऐवन्यू इन्सटीटूशनल एरिया, नई दिल्ली - 110 002
21, Rouse Avenue Institutional Area, New Delhi - 110 002

DCLD: 1878/24

28.03.2024

DC APPEAL NO. 41/2021

Mandeep Singh
(Through Power Of Attorney Holder)

Appellant

VS.

Ajit Singh Lyllpuri And Ors.

Respondent

Sir(s),

I am sending herewith a certified copy of order dated 18.03.2024. Passed by the Disciplinary Committee, Bar Council of India, in the above matter for your information and compliance.


Registrar
Disciplinary Committee

To.

✓ 1. **Gagan Deep Kaur**
Chamber No. 206 C.K Daphtary Block
Lawyer's Chamber Tilak Lane Supreme
Court Of India New Delhi- 110001.

2. **Ajit Singh Lyllpuri**

Residential Address Has Been Hidden

3. **Satvir Kaur**

Residential Address Has Been Hidden

4. **Gurmail Singh**

Residential Address Has Been Hidden

5. **The Secretary**
Bar Council of Punjab & Haryana
Law Bhawan, Sector-37-A,
Dakshin Marg, Chandigarh-160036

ABHI

The Disciplinary Committee of the Bar Council of India

D.C. Appeal No 44//2021

Mandeep Singh

Appellant

Through power of attorney holder

Vs

Ajit Singh Layalpuri & Ors

Respondents

Committee:

Chairman: Mr. Suresh Chand Shrimali, Advocate

Member: Dr. Amit K. Vaid, Advocate, Advocate

Member: Mr. Sangram Desai, Advocate

Proceeding dated 9.9.2023

The matter is taken up through VC mode.

Advocate, Mr. Gagan, Ld. Counsel for the appellant appears through VC mode.

Advocate, Mr. Gurmail Singh, Ld. Counsel for both the respondent appears through VC mode.

Arguments heard from both the sides in detail.

Reserve for orders.

**Sd/-
Chairman**

**Sd/-
Member**

**Sd/-
Member**



CERTIFIED TO BE A TRUE COPY

REGISTRAR,
DISCIPLINARY COMMITTEE,
BAR COUNCIL OF INDIA
NEW DELHI

The Disciplinary Committee of the Bar Council of India

D.C. APPEAL No. 44/2021

Mandeep Singh

Appellant

(Through power of attorney holder)

Vs

Ajit Singh Lyallpuri & Ors.

Respondent/s

Committee:

Chairman: Mr. Suresh Chand Shrimali, Advocate

Member: Dr. Amit K. Vaid, Advocate, Advocate

Member: Mr. Sangram Desai, Advocate

Judgment reserved on 09:09.2023

Judgement dated 18.03.2024

This order shall dispose off an appeal arising out of order dated 14.08.2021 passed by the DC Committee No. 10 of Bar Council of Punjab and Haryana in Complaint Case No. 255/2018. The present appellant is a permanent resident of United States of America and the present appeal is being preferred through his power of attorney holder. Brief facts of the case are that the marriage was solemnized between the Appellant/Complainant Hereinafter called the Complainant with the Respondent No. 2. Respondent No. 2 is daughter and sister of Respondent No. 1 and 3. Thereafter, from the wedlock a child was born who is a US citizen. Respondent No. 2 stayed with the Complainant at USA. During this period, they had a matrimonial dispute. In the year 2002, litigations started between the complainant and Respondent No. 2 in Circuit Court of Virginia, USA. It is further alleged that Respondent No. 2 illegally abducted the child and came back to India and she was found to be in contempt of court by the competent court of law in USA. After coming back to India, Respondents taking advantage of their legal background filed false and frivolous cases not only against the Complainant but against his entire family. Complainant has referred the details of the said Complaint which were filed by the Respondents. Copy of the same has been annexed with the complaint. Due to these acts of the Respondents the Complainant has suffered at the hands of Respondents. It is further stated that Respondent No. 3 who was a witness in one proceeding is conducting the case on behalf of Respondent No.2 which is not permissible under the law.

The allegations as levied by the Complainant in this appeal were duly denied by the Respondents and they submitted that they have exhausted the civil remedies which were available to every citizen. An advocate cannot be debarred for exhausting his or her judicial rights.

We have heard both the parties at length and this committee is of the opinion that exhausting legal rights is a fundamental right which was granted to the citizens by the Constitution of India. It cannot be curtailed irrespective of the caste, creed, religion etc. of an individual. But in the present case it appears from the documentary evidence annexed with the complaint that the Respondents have filed number of cases against the Complainant and his family with the bare intention to harass the Complainant and his family and the same is evident from the report dated 08.06.2015 filed by Deputy Superintendent/ Investigation NRI Wing. From the perusal of the this is admitted case the Respondents have left no stone unturned to implicate the Complainant in false and frivolous case which is not expected from a common citizen



We have gone through the record and documents annexed with the complaint and it is evident that Respondent no. 1 in connivance with other Respondents have not only given statements before the competent authorities and at the same time they are also conducting the cases on behalf of Respondent No. 2 which amounts of Professional Misconduct as described in the BCI Rules.

This committee is of the opinion that to simply dismiss the complaint by the State Bar Council is erroneous and wrong hence, this committee is of the opinion to press the following orders:

Respondent No.1 filed a case under the DV Act on behalf of Respondent No.2 and Respondent No. 1 has deposed as a witness in the same case which is a violation of the Part IV, Section 2, Rule 13 of the BCI Rules of Professional Standards. This committee is of the opinion that being the brother of Respondent No.2, Respondent No.1 acted in a careless manner which is not expected from a lawyer. But at the same time we cannot ignore the relationship between the Respondents. Hence, the committee is of the opinion to take lenient view. Hence, this committee imposes a fine of Rs. 50,000/- on Respondent No.1. Respondents No. 2 and 3 are further reprimanded not to involve in such kind of activities in future. Respondent Advocate is directed to deposit the same in the Advocate Welfare Fund of Bar Council of India, within one -month. If the Respondent Advocate fails to deposit the said amount, he is debarred from doing practice for a period of two years. In case of non compliance of these orders Secretary Bar Council of Punjab and Haryana is directed to initiate the publication proceedings.

Records of the Punjab and Haryana Bar Council be sent back along with copy of this order.

**Sd/-
Chairman**

**Sd/-
Member**

**Sd/-
Member**

Certified to be a True Copy


Registrar

**Disciplinary Committee
Bar Council of India**

