

# **SUPREME COURT OF INDIA**

Vasant M Mehendale

Vs.

Ashok Anant Temkar

C.A.No.3550 of 2006

(B.N. Agrawal and G.S. Singhvi JJ.)

10.07.2008

## **ORDER**

1. Heard learned counsel for the parties.
2. A complaint was filed against the appellants of these three appeals before the Bar Council of Maharashtra for taking disciplinary action, which dismissed the complaint on merit. Against the said order, when the case was taken in appeal to the Bar Council of India [for short, 'the B.C.I.'], the matter has been remitted to the Bar Council of Maharashtra. Aggrieved by the said order, these appeals have been filed.
3. It has been stated, at the Bar, that, during the pendency of these appeals, Shri G.D. Sakpal, who was the appellant in Civil Appeal No.3857 of 2006, has expired. In view of this, we feel that the impugned order of remand in relation to him would be futile. Accordingly, Civil Appeal No.3857 of 2006 is allowed and the order of remand in relation to Shri G.D. Sakpal is set aside, but this will not in any manner affect the order of remand in relation to the appellants in other two appeals as, in our view, the B.C.I. has not committed any error in remanding the matter to the Bar Council of Maharashtra. With the aforesaid observations, Civil Appeal Nos.3550 of 2006 and 3552 of 2006 are dismissed. There will be no order as to costs.
4. Needless to say that any observation made in the impugned order by the B.C.I. shall not in any manner prejudice case of any of the parties while hearing the complaint upon remand.