

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL ) NO. 538 of 2019

RUPASHREE H. R. ... PETITIONER(S)

Versus

THE STATE OF KARNATAKA & ... RESPONDENT(S)  
ORS.

O R D E R

This matter is pending since 2019 and despite repeated notice, respondent no. 3 i.e. the Mysore Bar Association has not put in appearance.

2. Challenge by means of this petition under Article 32 of the Constitution is to the Resolution dated 16<sup>th</sup> March, 2019 [Annexure P3], whereby the Mysore Bar Association resolved that no member of the Association would file a vakalatnama on behalf of the present petitioner, details of which were

given in the Resolution and any other related case. This Court while entertaining the petition, vide order dated 6<sup>th</sup> October, 2021 stayed the aforesaid Resolution of the Mysore Bar Association. On the previous date that is 14<sup>th</sup> November, 2022 notices to respondent no. 3 were to be served through the Commissioner of Police, Mysore but despite the same, respondent no. 3 has not put in appearance.

3. In that view of the matter, we have proceeded ex-parte. Having perused the impugned Resolution, we are of the definite view that such a Resolution could not have been passed. Right to defend oneself is a Fundamental Right under Part III of the Constitution of India and further right to appear for a client is also a Fundamental Right being a part of carrying on one's profession as a lawyer. As such, the said Resolution is hereby quashed.

4. The Writ Petition stands allowed, as above.

5. Pending application(s), if any, shall stand disposed of.

..... J.  
[VIKRAM NATH]

..... J.  
[ SATISH CHANDRA SHARMA]

NEW DELHI;  
FEBRUARY 12, 2024.

ITEM NO.67

COURT NO.8

SECTION X

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

Writ Petition(s)(Civil) No(s). 538/2019

RUPASHREE H. R.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ORS.

Respondent(s)

(IA No. 67303/2019 - EXEMPTION FROM FILING O.T.  
IA No. 67302/2019 - STAY APPLICATION)

Date : 12-02-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE VIKRAM NATH  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Lakshmi Raman Singh, AOR  
Mrs. Malavika Rajkotia, Adv.  
Ms. Aashna Talwar, Adv.  
Ms. Ekta Sharma, Adv.  
Mr. Ramakant Sharma, Adv.

For Respondent(s) Mr. Anand Sanjay M Nuli, Sr. Adv.  
M/S. Nuli & Nuli, AOR  
Mr. Suraj Kaushik, Adv.  
Mr. Nanda Kumar, Adv.  
Mr. Agam Sharma, Adv.  
Ms. Akhila Wali, Adv.

Mr. V. N. Raghupathy, AOR  
Mr. Manendra Pal Gupta, Adv.

Mrs. Vaijyanthi Girish, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The Writ Petition stands allowed in terms of  
the signed order.

Pending application(s), if any, shall stand  
disposed of.

(SONIA BHASIN)  
COURT MASTER (SH)

(RANJANA SHAILEY)  
COURT MASTER (NSH)

Pending application(s), if any, shall stand disposed of.