

HIGH COURT OF TRIPURA
AGARTALA
IA No. 01 of 2026
in
WP(C) No. 305 of 2026

Sri Sampad Choudhury,

Son of Late Bidhu Bhusan Choudhury, Resident of Bholananda Palli, P.O: Kathal Bagan, Kunjaban P.S: New Capital Complex, District: West Tripura, Pin: 799006, presently residing at C/O: Shri Dilip Das, Barjala, Behind Old Bandhan Bank Building, P.O: Barjala, P.S: New Capital Complex, District: West Tripura, Pin: 799002.

.....Applicant.

Versus

1. The State Of Tripura (to be represented by) Secretary, Department of Co-Operation, Government of Tripura, New Secretariat Building, Capital Complex, Agartala, PIN-799006.

2. Bar Council Of Tripura, (to be represented by) the Secretary, High Court of Tripura Complex, Khejurbagan, Agartala, West Tripura, Tripura, India, PIN-799010.

3. Tripura Bar Association, (to be represented by) the Secretary, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

4. Registrar Of Societies, (to be represented by) The Registrar, Palace Compound, Uttar Gate, Agartala, Sadar, West Tripura District, PIN: 799001.

5. Shri Mrinal Kanti Biswas, Advocate, President of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

6. Shri Subrata Debnath, Advocate, Vice-President of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

7. Shri Kaushik Indu, Advocate, Secretary of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

8. Shri Utpal Das, Advocate, Assistant Secretary of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

9. Shri Amar Debbarma, Advocate, Ex-Assistant Secretary of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

10. Shri Niladri Mukherjee, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

11. Shri Pulak Saha, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

12. Shri Swarup Pandit, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

13. Shri Tarun De Sarkar, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

14. Shri Diptanu Debnath, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

15. Shri Arghya Kusum Paul, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

16. Smti. Baisakhi Chakraborty, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

17. Shri Anirban Lodh, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

18. Shri Manisha Majumder, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

19. Shri Arpan Das, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

20. Shri Saikat Rahaman, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

21. Shri Debojit Biswas, Advocate, Member of Executive Committee of Tripura Bar Association, District & Sessions Judge Court Complex, Agartala, West Tripura, Tripura, India, PIN-799001.

.....**Respondents.**

For Applicant(s) : Mr. S. Choudhury, Advocate and Petitioner
in Person
Ms. M. Sarkar, Advocate.
Mr. A. Kakoti, Advocate
For Respondent(s) : Mr. P. Gautam, Sr.G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

ORDER

11.05.2026

[1] This Interlocutory application has been filed along with the Writ Petition No. 305 of 2026 under Article 226 of the Constitution of India read with Chapter VIII Rule A (3)(g) of the High Court of Tripura Rules, 2023 seeking the following reliefs:-

“ i. Pass an ad interim Order staying the operation of Show cause notice dated 07.02.2026 (Ref No. F3/MISC/ TBA/2026/05) issued by Respondent No.3 and the consequential suspension order against the Petitioner, till disposal of the connected Writ Petition.

ii. Call for records.

iii. Pass any further order/orders as this Hon'ble High Court considered fit and proper.”.

[2] It is the case of the applicant that he is a junior advocate practicing at District Bar Association of Tripura, West Tripura District. The Office bearers of the said Bar Association has passed a resolution on 19.01.2026 for boycotting the appearance in the Courts more particularly in the Court of President, District Consumer Disputes Redressal Commission, Agartala. The applicant feeling responsibility towards his client and being a young lawyer have chosen to represent the matter before the Learned District Consumer Disputes Redressal Commission, Agartala on 06.02.2026.

[3] The Office bearers of the Bar Association becomes furious against the action of the petitioner herein, in attending the Court and thereafter on 07.02.2026 a Show cause Notice has been issued against the applicant wherein it has been stated that the applicant being a member of this Bar Association have willfully gone against the resolution of the General Body meeting held on 19.01.2026 and appeared before the learned District Consumer Disputes Redressal Commission, Agartala on 06.02.2026 to which the applicant has filed an explanation to the Secretary, Tripura Bar Association and he has further represented the matter before the Chairman, Bar Counsel of Tripura and Bar Council of Tripura has granted stay until further orders(s) by its letter dated 18.02.2026.

[4] In the present writ petition the applicant has challenged the impugned notice and by filing this instant application has sought for interim order for staying of the proceedings against him. The main grievance of the applicant is that no lawyer can be prevented / restrained by any person in performing his duties as per the Advocates Act and obligation under *Vakalatnama*. The duty of a lawyer towards his/her client is paramount and the manner in which the Bar Association has acted against the applicant is uncalled for and places reliance on *Ex Capt. Harish Uppal v. Union of India (2003) 2 SCC 45* of Hon'ble

Supreme Court and prayed to interfere with the action of the respondents Bar Association.

[5] On a fair reading of the notice and on perusal of the pleadings, it is evident from the record that admittedly, the applicant has appeared before the District Consumer Redressal Commission on 06.02.2026 and on which date there was a resolution in force of Bar Association to boycott the Court and in restraining all advocates in attending / appearing before the State Forum for whatever the reasons. Since, the applicant has represented the matter before the District Consumer Redressal Commission against the resolution of the Bar Association, they have issued a notice to which the applicant has submitted his explanation and further move before the Bar Council and also obtained stay order, though the applicant has got the relief of staying the resolution of the Bar Association by Bar Council of the State of Tripura, the Office bearers of Bar Association again wrote a letter to the Chairman, Bar Council of Tripura citing that Bar Council of Tripura has no jurisdiction to issue any order overriding the Tripura Bar Association's decision.

[6] This Court having concerned to the majesty of the legal profession and concerned towards its fraternity and in light of the similar decision of the Hon'ble Supreme Court of India wherein it has been held that lawyers have no right to go on strike or boycott courts and such actions are wholly unjustified and impermissible in law. In some other matter, Hon'ble Supreme Court has come down heavily in initiating contempt proceedings against the office bearers of the Bar Association wherein the lawyers are injuncted on the name of boycotting in appearing before the Court.

[7] Considering the stand taken by the Hon'ble Supreme Court of India, this Court has also felt like it is an occasion where the High Court judiciary has raised the occasion in the State of Tripura to protect the majesty and dignity of the legal fraternity and thus, this Court is of

the opinion that the manner in which the Office bearers of the Bar Association have initiated action against the applicant in issuing a show Cause Notice is irrelevant, extraneous and also arbitrary.

[8] In the present context, the action of the Office bearers of the Bar Association is totally contrary to law and such action of the Office bearers of the Bar Association cannot be appreciated and thus, it needs to be corrected. No Bar Council or Bar Association's Rules and Regulations or its *bye laws* demands for boycotting of Courts. In any event, if a lawyer is attending the Court there is no rule under law empowers the respondents to initiate action against the lawyer who is performing his lawful duties before the Court of law / forum in order to fulfill his obligatory duties under Advocates Acts and *Vakalatnama* towards his client .

[9] For the reasons stated above, this Court feels that the applicant is entitled for an interim relief at this stage and thus, the action of the Bar Association in its resolution dated 19.01.2026 is stayed. Consequently, the applicant is permitted to appear in all Courts without any reference to the said resolution of the Bar Association as the same is now inoperative.

[10] Accordingly, there shall be an interim stay until further order(s).

[11] Applicant shall take steps with the Registry for issuing of notice upon the un-represented respondents at the earliest as per procedure.

[12] List this Interlocutory Application along with the WP(C) No. 305 of 2026.

DR. T. AMARNATH GOUD, J

Paritosh

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