

5. We are informed that, meanwhile, the Bar Council of India has notified the Bar Council of India Rules for Co-option of Women Advocates in State Bar Council and Removal of Women Representation Deficiency for the Current Election Cycle, which, inter alia, provides that the selection of candidates for 10% co-option shall be made by the Bar Council of India.

6. The lack of clarity in the previous orders of this Court as to what ought to be the mode and manner of 10% co-option is the essential cause of action giving rise to the present proceedings.

7. It is urged before us that in various States, like Andhra Pradesh and Telangana, there are instances where women candidates have succeeded and won the elections, securing votes even more than their male counterparts. On this premise, it is urged that instead of the Bar Council of India proceeding with co-option, one of the following alternatives be adopted:

(a) the co-option should be from amongst the contesting women candidates who have secured the highest votes, though they could not be elected within the initial 20% representation;

(b) the discretion of co-option should be left to the State Bar Councils; or

(c) the exercise of co-option be done by the State Election Committees.

8. These are all suggestions, and each option has its own merits and demerits. It seems to us that the High-Powered Supervisory Committee headed by Justice Sudhanshu Dhulia is well-equipped to take a final call in this regard. It goes without saying that the petitioners/intervenors, State Bar Councils, Bar Council of India, and the women candidates, who are in the fray in different States, and other women advocates, would be the direct stakeholders whose