

W.P(C)No. 410 OF 2001

ITEM No.4

Court No. 1

SECTION X
A/N MATTER

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

Writ Petition (Civil) No.410/2001

KULDIP SINGH

Petitioner (s)

VERSUS

UNION OF INDIA

Respondent (s)

(With Office Report) (For Final Disposal)
With

W.P(C)No.521/2002,W.P(C)No.523/2002,W.P(C)No.524/2002,
W.P(C)No.525/2002

Date : 31/10/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)

Mr. P.H. Parekh,Adv.

Mr.M.N. Rao,Sr.Adv.,
Ms.Promila,Adv.
Mr.A.P.Jyotish,Adv.

For Respondent (s)

Mr.Soli J.Sorabji, AG
Mr.Dhruv Mehta,Adv.

Mr.V.G. Pragasam,Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

W.P.(c) 525/2002. Response to be filed by the Union@@
CCCCCCCCCCCCCCCC
of India within 8 weeks.
List thereafter.
W.P. (c) 410/2001. Learned Attorney General@@
CCCCCCCCCCCCCCCC

submits that Bill for bringing about the necessary amendment
in the rules has been tabled. According to the proposed
Bill with regard to the calculation of the pension, 5 years
will be added to the number of years, the Judge has served

in the Supreme Court, where he has been appointed directly
from the Bar, for the purpose of determining the amount of
pension payable. Mr.Parekh contends and in our view rightly

that it would be logical that instead of 5 years, the period to be added should be 10 years, inasmuch as same is the period prescribed by Article 124 (3) (b) for a lawyer to be eligible to be considered for appointment as a Judge of this Court. Ordinarily, no member of the Bar would be directly appointed as a Judge of this Court unless he has put in at least about 30 years of practice. This being so, giving credit of only 5 years seems to be insufficient. The learned Attorney General may kindly consider this aspect and take appropriate action.

To come up for further directions after eight weeks.

We hope that by that time the necessary amendments will be carried out.

Remaining Petitions to come up after eight weeks.

To be listed before a Bench of which Hon'ble Mr. Justice Y.K. Sabharwal is a Member

.SP1

(Vijay Kumar Sharma)
Court Master

(S.L. Goyal)
Asstt.Registrar