

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). 1022/1989

ALL INDIA JUDGES ASSOCIATION & ORS.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

[ONLY I.A. NO. 230675/2025 IS LISTED UNDER THIS MATTER]
IA No. 230675/2025 - APPROPRIATE ORDERS/DIRECTIONS

Date : 07-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

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

1. All the applications seeking intervention are allowed.
2. This Court, *vide* order dated 17th September, 2025, had considered an application filed by Shri. Siddharth Bhatnagar, learned *amicus curiae*, who had pointed out an anomalous situation *viz.*, in most of the states, judicial officers recruited as Civil Judge ('CJ') often do not reach the level of Principal District Judge ('PDJ'), leave aside reaching the position of a High Court Judge. This has resulted in many bright young lawyers being dissuaded from joining the service at the level of CJ.
3. This Court, therefore, by the aforesaid order issued notice to the Chief Secretaries/Administrators of all the States/Union Territories as well as the Registrar Generals of all the High Courts. In response to the notice issued by this Court, certain High Courts so also certain States/Union Territories have filed their respective responses.
4. Today, Shri. Bhatnagar has placed before this Court a note for consideration and has submitted his recommendations in a tabulated chart.
5. A perusal of the note reveals the divergent stands taken by the High Courts as well as the States/Union Territories in this regard. Some of the High Courts have taken a view that on account of the prevailing situation, the judges who initially entered the service as CJ are not in a position to reach up to the level of PDJ

and in very rare circumstances they are in a position to reach the level of a High Court Judge. *On the contrary*, some of the States/Union Territories and High Courts have disputed the said position.

6. Applications for intervention have also been filed on behalf of both, the judges recruited initially as CJ as well as the judges who have been directly recruited as District Judges.

7. It is the stand of the applicants/judges who were initially recruited as CJ that they seldom make it to the post of PDJ and in rarest of the rare cases they are in a position to reach the level of a High Court Judge.

8. In support of the aforesaid contention, Shri. S.B. Talekar, learned Senior Counsel appearing for the Maharashtra State Judges Association submits that after 2020, out of the 19 judges elevated to the High Court of Bombay from the service category, only 3 judges were initially appointed as CJ, while the remaining 16 judges were directly recruited as District Judges.

9. The said contention is disputed by the learned Senior Counsel appearing for the applicants/judges who have been directly recruited as District Judges. It is submitted that any intervention by this Court would lead to a situation wherein judges recruited directly as District Judges would retire as Additional District Judges.

10. It cannot be disputed that the judges who were initially appointed as CJ gain rich experience since they have been serving in the judiciary for a number of decades. Furthermore, every judicial officer, be it one who was initially recruited as CJ or one who was directly recruited as a District Judge, has an aspiration to reach at least up to the position of a High Court Judge.

11. We are, therefore, of the view that a proper balance has to be struck between the competing claims. However, this issue would involve consideration of some of the judgments and orders passed by Benches comprising of three learned judges of this Court. Therefore, in order to put the entire controversy at rest and

provide a meaningful and long-lasting solution, we are of the considered view that it will be appropriate if the issue is considered by a Constitution Bench consisting of five learned Judges of this Court.

12. We, therefore, direct the Registrar (Judicial) to place the matter before the Chief Justice of India, on the administrative side for obtaining appropriate orders.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
ASSISTANT REGISTRAR