

ITEM NO.30

COURT NO.2

SECTION XI-A

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

CONMT.PET.(C) No. 867/2021 in T.P.(C) No. 2419/2019

THE ADVOCATES ASSOCIATION BENGALURU

Petitioner(s)

VERSUS

BARUN MITRA & ANR.
(FOR ADMISSION)

Respondent(s)

WITH

W.P.(C) No. 895/2018 (PIL-W)

IA No. 5673/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 104810/2018 - APPROPRIATE ORDERS/DIRECTIONS

Date : 09-10-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Arvind P. Datar, Sr. Adv.
Mr. Pai Amit, AOR
Ms. Pankhuri Bhardwaj, Adv.
Mr. Abhiyudaya Vats, Adv.
Mr. Kushal Dube, Adv.

Mr. Prashant Bhushan, AOR
Mrs. Cheryl D'Souza, Adv.
Ms. Ria Yadav, Adv.

For Respondent(s) Mr. R Venkataramani, Attorney General for India
Mr. Balbir Singh, A.S.G.
Mr. Kanu Agarwal, Adv.
Mr. Rajat Nair, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. Shyam Gopal, Adv.
Mr. Mayank Pandey, Adv.
Mr. Anandh Venkataramani, Adv.
Mrs. Vijayalakshmi Venkataramani, Adv.
Mr. Vinayak Mehrotra, Adv.
Ms. Mansi Sood, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Sonali Jain, Adv.
Mr. Abhishek Kumar Pandey, Adv.

Mr. Raman Yadav, Adv.
Mr. Kartikey Aggarwal, Adv.
Mr. Arvind Kumar Sharma, AOR

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

We have heard learned counsel for parties. The positive developments first.

A large number of recommendations from High Court which were still pending with the Ministry and not forwarded to the Collegium have finally been forwarded. Thus, in the note given to us it would not be correct to say that they are pending with the Collegium as they have been received either just on the anvil of the last hearing or in the last few days. The Collegium requires consulting Judges' opinions to be taken and process has to be done and it is underway and will be done at the earliest.

The list which has been recommended for the first time and not appointed, either the appointment should take place or if the Government has something to say, they should be returned with whatever has to be said.

Next issue is of transfer of 26 Judges recommended by the High Court. It is stated that 14 cases have been cleared and notification will be issued shortly. In respect of the remaining 12 cases, it is stated to be under process.

As far as the appointment of a Chief Justice of a High Court which has been pending for a considerable time, that too for a sensitive State, it is submitted that the file has been cleared and notification will be issued shortly.

There are also some names which were recommended but neither appointed nor returned back. There is another category of cases which has been reiterated after they were returned back. Five of the names are stated to have been cleared from these categories numbering 9 and 5, respectively (14).

We have already put to the learned Attorney General that the processes in view of the judgments dealing with the mode of appointment and the time period should follow by themselves and should not require monitoring by this Court. The Attorney submits that that is the objective.

In order to see further progress made, list on 20.10.2023.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR CUM PS

(POONAM VAID)
COURT MASTER (NSH)