



## **SUPREME COURT OF INDIA**

The Supreme Court Collegium has recommended the names of the following Judicial Officers for appointment as Judges of the High Court of Judicature at Patna:

- (i) Shri Rudra Prakash Mishra, and
- (ii) Shri Ramesh Chand Malviya.

On 8 May 2023, the Chief Justice of the High Court of Judicature at Patna in consultation with his two senior-most colleagues recommended the elevation of the above judicial officers as Judges of the High Court of Judicature at Patna. The Chief Minister and the Governor of the State of Bihar have concurred with the recommendation.

In order to ascertain the fitness and suitability of the above persons for elevation to the High Court, we have consulted Judges of the Supreme Court who are conversant with the affairs of the High Court of Judicature at Patna.

For the purpose of assessing the merit and suitability of the above candidates for elevation to the High Court, we have scrutinized and evaluated the material placed on record including the observations made by the Department of Justice in the file as well as the complaints received against the candidates.



(i) **Shri Rudra Prakash Mishra**

We have considered the opinion of our consultee-colleagues on the suitability of the candidate. One of our consultee-colleagues has opined that the candidate is the seniormost in the seniority of the cadre concerned and can be said to be most deserving as he meets all the criteria for elevation. The inputs provided by the Department of Justice in the file indicate that he enjoys a good personal and professional image and that nothing adverse has come to notice against his integrity. Bearing in mind all the relevant facts and circumstances, the Collegium is of the considered view that Shri Rudra Prakash Mishra is suitable for appointment as a Judge of the High Court.

(ii) **Shri Ramesh Chand Malviya**

We have considered the opinion of our consultee-colleagues on the suitability of the candidate. One of our consultee-colleagues has opined that considering the relevant factors, especially the period for which he would be in office, his appointment as a Judge of the Patna High Court can be favourably considered. The inputs provided by the Department of Justice in the file indicate that he enjoys a good personal and professional image and that nothing adverse has come to notice against his integrity. His service record shows that he has mostly been rated as a very-good officer. An observation made in the file that his professional competence is average should not come in the way of his recommendation inasmuch as it is for the



judiciary to assess judicial performance of a judicial officer. Bearing in mind all the relevant facts and circumstances, the Collegium is of the considered view that Shri Ramesh Chand Malviya is suitable for appointment as a Judge of the High Court.

In view of the above, the Collegium resolves to recommend that S/Shri (i) Rudra Prakash Mishra, and (ii) Ramesh Chand Malviya, Judicial Officers, be appointed as Judges of the High Court of Judicature at Patna. Their *inter se* seniority be fixed as per the existing practice.

( Dhananjaya Y Chandrachud ), CJI

( Sanjay Kishan Kaul ), J

( Sanjiv Khanna ), J

17 October 2023