

ITEM NO.27

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 : 20-11-2023 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. Dushyant Dave, Sr. Adv.
Ms. Ayushi Gaur, Adv.
Mr. Akshat Malpani, Adv.
Ms. Ria Yadav, Adv.
Ms. Ananya Kumar, Adv.
Mr. Prashant Bhushan, AOR

Mr. Arvind P. Datar, Sr. Adv.
Mr. Pai Amit, AOR
Ms. Pankhuri Bhardwaj, Adv.
Mr. Abhiyudaya Vats, Adv.
Ms. Vanshika Dubey, Adv.
Mr. Tathagata Dutta, Adv.
Mr. P. Ashok, Adv.
Mr. Kushal Dubey, Adv.

For Respondent(s) Mr. R Venkataramani, Attorney General for India
Mr. Kanu Agarwal, Adv.
Mr. Rajat Nair, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. Shyam Gopal, Adv.
Mr. Mayank Pandey, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. Chitvan Singhal, Adv.
Ms. Sonali Jain, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Raman Yadav, Adv.

Mr. Kartikay Agarwal, Adv.

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

The following aspects are pending:-

1) Out of the remaining 11 names where the Judges had to be transferred from one Court to the other in which we have said the Government has little to do, 5 have been transferred but 6 transfers are still pending - 4 from Gujarat, 1 from Allahabad, 1 from Delhi.

2) Out of the recently recommended names, 8 candidates have not been cleared and appointed. Some of these people are senior to the others who have been appointed. This is something on which we have commented earlier that if a candidate does not know at what seniority he will stand as a Judge, it becomes difficult to persuade other eligible and deserving candidates. There are 5 older recommended candidates where neither have names come back with any comment nor has there been a progress.

3) There are 5 older names where the names have been reiterated once or reiterated twice.

4) There are three candidates recommended in the month of July where the expected time line is over for names to be sent with the inputs to the Collegium - two of them are from Jammu & Kashmir and 1 is from Jharkhand.

Learned Attorney General requests the matter be taken up after some time and assures that this Court will not be disappointed looking to the efforts he is making.

List on 05.12.2023.

We may record that in Gauhati, one of the senior candidates and a designated senior advocate, at the first instance, warrants were not issued which was taken up on a very serious note and ultimately oath of the others was delayed for some time to facilitate the Government to issue the warrants of appointment for the said person.

We appreciate the stand taken in this behalf by the Collegium and the consequent action taken by the Government.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)