

SUPREME COURT OF INDIA

The Supreme Court Collegium recommended the names of the Advocates for appointment as Judges in the High Court of Gujarat in the following terms:

The Collegium of the High Court of Gujarat comprising of the then Chief Justice and two senior-most Judges unanimously made the recommendation on 26 September 2022. The Chief Minister and the Governor of the State of Gujarat have concurred with the recommendation.

In order to ascertain the fitness and suitability of the Advocates for elevation to the High Court, in terms of the Memorandum of Procedure, the Judges of the Supreme Court conversant with the affairs of the High Court of Gujarat were consulted.

For the purpose of assessing the merit and suitability of the candidates for elevation to the High Court of Gujarat, we have scrutinized and evaluated the material placed on record, including the inputs furnished by the Intelligence Bureau. We have also perused the observations made by the Department of Justice in the file.

1. Shri Devan Mahendrabhai Desai

Shri Desai is 52 years old and has considerable standing at the Bar. He practices predominantly in the City Civil Court at Ahmedabad. His experience at the Bar in handling cases at the trial level before the City Civil Court would be an asset particularly in dealing with civil and commercial work in the High Court of Gujarat. We have duly considered the opinions of the consultee-judges. We have also analysed the IB report and find that Shri Desai enjoys a good personal and professional

image and nothing adverse has come to notice against his integrity. In view of the above, the Collegium is of the considered opinion that Shri Devan Mahendrabhai Desai is suitable for being appointed as a Judge of the High Court of Gujarat.

2. Ms Moxa Kiran Thakker

The Collegium has duly considered the concurrent opinion of the consultee-judges in regard to the suitability of Ms. Moxa Kiran Thakker for elevation to the High Court. She has been opined to be a competent lawyer with practice both on the civil and criminal sides. The IB has opined that she enjoys a good personal and professional image and nothing adverse has come to notice with regard to her integrity. She has been able to overcome her own physical disabilities and her appointment would bring greater inclusion to the composition of the High Court. In view of the above, the Collegium is of the considered opinion that Ms Moxa Kiran Thakker is suitable for being appointed as a Judge of the High Court of Gujarat.

In view of the above, the Collegium resolves to recommend that (1) Shri Devan Mahendrabhai Desai and (2) Ms Moxa Kiran Thakker, Advocates, be appointed as Judges of the High Court of Gujarat. Their *inter se* seniority be fixed as per the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(K.M. Joseph), J

02 March 2023