



A.P. HIGH COURT ADVOCATES' ASSOCIATION

WWW.LIVEFLAW.IN (Regd No. 158/1991)

Under the Andhra Pradesh Societies Registration Act, 2001 (Act. No. 35 of 2001)

High Court Buildings, Amaravati

Website : www.aphcaa.com E-mail : secretaryaphcaa@gmail.com

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SRI Y.V. RAVI PRASAD

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Vice President :

SRI G.L. NAGESWARA RAO

CELL : 9701115656

Secretaries:

SRI J.U.M.V. PRASAD

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SRI PEETA RAMAN

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Joint Secretary :

SRI EERLA SATHEESH KUMAR

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Treasurer :

Smt THOTA SUNEETHA

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Executive Committee

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CELL : 9848051297

SRI K. ANAND RAO

CELL : 9848509995

SRI THALAPAKA K. RAGHAVAN

CELL : 9676475123

Ms HABEEB SHEIKH

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Smt KODATI RAMYA KRISHNA

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SRI TEJESWARA RAO TOTA

CELL : 9177163874

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SRI SIVA PRASAD REDDY MEDAM

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SRI RAVI KIRAN KUMAR KOLUSU

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SRI S. BALA MOHAN RANGA

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SRI K.R.K. RAO

CELL : 9346335567

Smt SURYA LAKSHMI TULASI G.V.

CELL : 9949669685

Amaravati,
Dt:11-06-2021.

To
Mr. Vikas Singh,
Senior Advocate and President,
Supreme Court Bar Association,
Supreme Court of India,
Tilak Mark, New Delhi-110001.

The Supreme Court Bar Association (SCBA) by its letter dated 08.06.2021 (by way of Press Note) signed by the President Mr.Vikas Singh, Sr.Adv., informed that its request to consider those practicing in the Supreme Court for elevation to the High Courts has been agreed by the Hon'ble CJI, also made certain offensive and disgraceful comments against the lawyers practising in High Courts while also proposing to constitute a 'Search Committee' to identify the deserving and the meritorious Supreme Court lawyers. While the requests made by the SCBA as well as the Supreme Court Advocates on Record Association, over the last few years to Hon'ble the Chief Justice of India and Hon'ble the Chief Justices of the High Courts to consider those practicing in the Supreme Court for elevation to the High Courts, which requires a high level of deliberations in the absence of judicial precedents or statutory guidance or constitutional approval; The self-styled 'Search Committee' constituted to make such recommendations is objectionable for the sole reason that a private body of lawyers (SCBA) cannot institutionalise the recommendation process and be a participant.

That as observed by the Hon'ble Supreme Court in the Second Judges Case, (Supreme Court Advocates-on-Record Association and Ors. vs. Union of India – (1993) 4 SCC 441) the process of appointment of Judges to the High Court is an integrated participatory consultative process for selecting the best and most suitable persons available for appointment and the duty for such selection has been



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conferred on all the constitutional functionaries. Therefore, a private body of lawyers called a 'Search Committee' cannot undertake the duties bestowed upon the constitutional machineries. The said committee is unrecognised by law and lacks transparency, as such the proposal to constitute the same may be withdrawn. There cannot be any selection or recommendation made by a private committee for a Judicial Appointment.

Further, it is in very bad taste that the said letter makes unwarranted comments on the merits of the lawyers. The SCBA is a private body of lawyers who happen to be practicing in the Supreme Court, and enjoy no special privileges or status. It would do well to bear in mind that the SCBA is a Bar Association, and in no manner superior to all other Bar Associations in the High Courts . Merely because the SCBA is a body of lawyers practicing at the Apex Court, does not make it any sort of elevation and cannot be said that they are on the higher pedestal. The unprecedented comment in the letter that lawyers practicing in the Supreme Court "while being professionally more meritorious than their colleagues at the High Courts, loose (sic) the opportunity for being considered as such" is completely uncalled for, and it is rather disgraceful for the President of an association of Advocates to say about fellow colleagues, and ought be condemned by one and all. The contribution towards judicial institution of the lawyers who practised in High Courts who have eventually become Judges of the Supreme Court is immense and significant. The intellectual wealth possessed by the said Judges who have practised in High Courts is immeasurable and the same is reflected in the judgments rendered by them. Even most of the doyens of the Supreme Court Bar were initially practised at the High Courts, and most have conferred Senior designation from various High Courts only.



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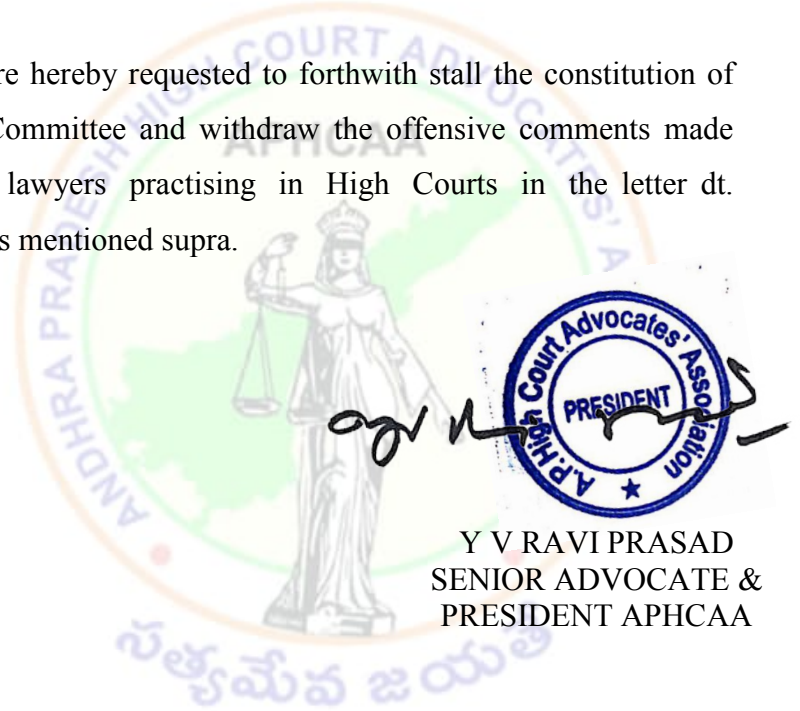
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The assertions and declarations by SCBA that the lawyers practicing in Supreme Court are more meritorious than lawyers at the High Court, damages the faith in judicial system more particularly at the level of High Courts. It must be understood that the hierarchy of Courts does not signify the levels of merit and it is only depending on individual interest, convenience and various other factors. Further, there is no dearth of eligible and efficient Advocates on the rolls of High Courts. The said assertions also have an impact on general public having an adverse effect on the Advocate community.

You are hereby requested to forthwith stall the constitution of the Search Committee and withdraw the offensive comments made against the lawyers practising in High Courts in the letter dt. 08.06.2021 as mentioned supra.



Y V RAVI PRASAD
SENIOR ADVOCATE &
PRESIDENT APHCAA