

SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following one Advocate and seven Judicial Officers, as Judges of the Bombay High Court:

ADVOCATE:

- 1 Shri Amit B. Borkar,

JUDICIAL OFFICERS:

- 2 Shri M.G. Sewlikar,
- 3 Shri V.G. Bisht,
- 4 Shri B.U. Debadwar,
- 5 Ms. M.S. Jawalkar,
- 6 Shri S.P. Tavade,
- 7 Shri N.R. Borkar, and
- 8 Shri S.D. Kulkarni.

The above recommendation has been made by the then Chief Justice of the Bombay High Court on 11th March, 2019, in consultation with his two senior-most colleagues.

We have duly taken note of the views of Chief Ministers and the Governors for the States of Maharashtra & Goa placed in the file.

In order to ascertain suitability of the above-named recommendees for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the Bombay High Court. Copies of letters of opinion of our consultee-colleagues received in this regard are placed below.

For purpose of assessing merit and suitability of the above-named recommendees for elevation to the High Court, we have carefully scrutinized the material including the observations made by the Department of Justice as well as complaints placed in the file against some of the above-named recommendees. Apart from this, we considered it appropriate to invite all the recommendees for interaction with the Collegium. On the basis of interaction and having regard to all relevant factors, the Collegium is of the considered view that (1) Shri Amit B. Borkar, Advocate and S/Shri (2) M.G. Sewlikar, (3) V.G. Bisht, (4) B.U. Debadwar, (5) Ms. M.S. Jawalkar, (6) S.P. Tavade, (7) N.R. Borkar, and (8) S.D. Kulkarni, Judicial Officers are suitable for being appointed as Judges of the Bombay High Court.

The Collegium has duly taken note of the observation made in the file that three Judicial Officers viz. S/Shri B.U. Debadwar, S.P. Tavade, and S.D. Kulkarni had crossed the prescribed age limit of 58-1/2 years on the date of vacancies against which their names have been recommended. In this regard, while approving the proposal for their elevation we have taken into account the fact that Bombay High Court is grappling with huge pendency of civil as well as criminal cases, as it is functioning with 67 Judges against the total Judge-strength of 94 (constituting about 29 per cent vacancies). Apart from this, we have taken into account their excellent service record which reflects that they are persons with all the qualities like high level of judicial acumen, conduct, character and integrity, which make them eminently suitable for elevation. Their judgments have been graded as A/B+.

We have also taken note of the fact that the above proposal involves non-recommendation of three senior Judicial Officers. In this regard, we are in agreement with the justification given by the High Court Collegium in its Minutes for not recommending the senior Judicial Officers.

In view of the above, the Collegium resolves to recommend that (1) Shri Amit B. Borkar, Advocate and S/Shri (2) M.G. Sewlikar, (3) V.G. Bisht, (4) B.U. Debadwar, (5) Ms. M.S. Jawalkar, (6) S.P. Tavade, (7) N.R. Borkar, and (8) S.D. Kulkarni, Judicial Officers, be appointed as Judges of the Bombay High Court. Their *inter se* seniority be fixed as per the existing practice.

(Ranjan Gogoi), C.J.I.

(S.A. Bobde), J.

(N.V.Ramana), J.

September 26, 2019.

