

SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following six Additional Judges of the Calcutta High Court, as Permanent Judges of that High Court:

1. Mr. Justice Rajasekhar Mantha,
2. Mr. Justice Protik Prakash Banerjee,
3. Mr. Justice Sabyasachi Bhattacharyya,
4. Mrs. Justice Moushumi Bhattacharya,
5. Mr. Justice Shekhar Bobby Saraf, and
6. Mr. Justice Rajarshi Bharadwaj.

The above recommendation was made by the Chief Justice of the Calcutta High Court on 7th May, 2019, in consultation with his two senior-most colleagues.

We have perused and duly taken note of the views of the Chief Minister and the Governor for the State of West Bengal placed in the file.

In order to ascertain suitability of the above-named Additional Judges for being appointed as Permanent Judges, we have consulted our colleagues who are conversant with the affairs of the Calcutta High Court. We have duly taken note of the opinion expressed by each of them. Copies of letters of opinion of our consultee-colleagues are placed below.

The Committee constituted in terms of the Resolution dated 26th October, 2017 of the Supreme Court Collegium to assess the Judgments of the above-named recommendees, has submitted its report. A copy of the said report dated 29th July, 2019 of the Judgment Evaluation Committee is placed below.

For purpose of assessing merit and suitability of the above-named recommendees for appointment as Permanent Judges, we have carefully scrutinized the material placed on record, including certain complaints against some of the above-named recommendees.

On overall assessment and having regard to all relevant factors including the views of our consultee-colleagues, concurrence of the State Government, the Judgment Committee Report and the observations made by the Department of Justice in the file, the Collegium is of the view that Mr. Justices (1) Rajasekhar Mantha, (2) Sabyasachi Bhattacharyya, (3) Mrs.Moushumi Bhattacharya, (4) Shekhar Bobby Saraf, and (5) Rajarshi Bharadwaj, Additional Judges, are suitable for being appointed as Permanent Judges.

As regards Mr. Justice Protik Prakash Banerjee (mentioned at Sl.No.2 above), having regard to the material on record, the Collegium is of the considered view that, for the present, he be appointed as Additional Judge for a fresh term of six months w.e.f. 21st September, 2019. Meanwhile, additional information be sought from the Chief Justice of the Calcutta High Court.

In view of the above, the Collegium resolves to recommend that:

- A. Mr. Justices (1) Rajasekhar Mantha, (2) Sabyasachi Bhattacharyya, (3) Mrs.Moushumi Bhattacharya, (4) Shekhar Bobby Saraf, and (5) Rajarshi Bharadwaj, Additional Judges, be appointed as Permanent Judges of the Calcutta High Court, and
- B. Mr. Justice Protik Prakash Banerjee be appointed as Additional Judge for a fresh term of six months w.e.f. 21st September, 2019 with a view to watch his performance as such.

(Ranjan Gogoi), C.J.I.

(S.A. Bobde), J.

(N.V. Ramana), J.

July 31, 2019.