

ITEM NO.15

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
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 867/2021 in T.P.(C) No. 2419/2019

THE ADVOCATES ASSOCIATION BENGALURU

Petitioner(s)

VERSUS

BARUN MITRA & ANR.

Respondent(s)

(FOR ADMISSION)

WITH

W.P.(C) No. 895/2018 (PIL-W)

IA No. 104810/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 5673/2022 - APPROPRIATE ORDERS/DIRECTIONS

Date : 07-11-2023 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. 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. Prashant Bhushan, AOR

Ms. Cheryl Dsouza, Adv.

Ms. Ria Yadav, Adv.

Ms. Ayushi Yadav, Adv.

Mr. Akshat Malpani, Adv.

For Respondent(s)

Mr. R Venkataramani, Ld. 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

We have expressed our concern to the learned Attorney General over the lack of progress since the last date:

1) The pendency of transfer matters is an issue of great concern as it has been selectively done. Learned Attorney General submits that the issue is being taken up by him with the Government. We have emphasized to him again that once these people are already appointed as Judges, where they perform judicial duties should not be a matter of really a concern to the Government and we hope that a situation would not come to pass where this Court or the Collegium has to take a decision which would not be palatable.

2) There are 14 recommendations which are pending with the Government to which there has been no response. In the recommendation process recently made, selectively appointments have been made. We have put to the learned Attorney General that this is again a matter of concern, as emphasized on numerous occasions that if some are made and some are not, the *inter se* seniority is disturbed. This is hardly conducive to persuade successful lawyers to join the Bench.

3) There are also 5 names which are pending either after second time reiteration or otherwise for quite some time. This issue of pending names, 5 or as suggested by the petitioner more, also needs to be addressed.

Learned Attorney General requests for some time to have a fruitful discussion in this behalf with the Government.

List on 20.11.2023.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)