

SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Dhiraj Singh Thakur, Judge, the High Court of Bombay [PHC: Jammu & Kashmir and Ladakh], as the Chief Justice of the High Court of Andhra Pradesh.

The office of the Chief Justice of the High Court of Andhra Pradesh fell vacant on 19 May 2023 consequent upon the elevation of Mr Justice Prashant Kumar Mishra to the Supreme Court. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Dhiraj Singh Thakur as the Chief Justice of the High Court of Andhra Pradesh. He was appointed as a Judge of the High Court of Jammu & Kashmir on 08 March 2013 and is now the senior-most Judge in his parent High Court. He was transferred, in the interest of better administration of justice, to the High Court of Bombay in June 2022 and has been functioning there since then. The recommendation made by the Collegium on 09 February 2023 for his elevation as Chief Justice of the High Court of Manipur has been pending with the Government.

On appointment of Mr Justice Thakur, the High Court of Jammu and Kashmir and Ladakh would get representation amongst the Chief Justices of the High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Dhiraj Singh Thakur is fit and suitable in all respects for being appointed as Chief Justice of the High Court of Andhra Pradesh.

In view of the above, the Collegium, in supersession of its recommendation dated 09 February 2023, resolves to recommend that Mr Justice Dhiraj Singh Thakur be appointed as Chief Justice of the High Court of Andhra Pradesh.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023.

SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Devendra Kumar Upadhyaya, Judge, High Court of Judicature at Allahabad as the Chief Justice of the High Court of Bombay.

A vacancy in the office of the Chief Justice of the High Court of Bombay has arisen recently consequent upon retirement of Mr Justice Ramesh D Dhanuka. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Devendra Kumar Upadhyaya as the Chief Justice of the High Court of Bombay. He was appointed as a Judge of the High Court of Judicature at Allahabad on 21 November 2011 and is now a senior puisne Judge in his parent High Court. He has been functioning there since his elevation and has acquired experience of more than 11 years in dispensing justice in the largest High Court in the country.

On appointment of Mr Justice Upadhyaya, the High Court of Judicature at Allahabad which is the largest High Court with a total judge-strength of 160 would get adequate representation among the Chief Justices of High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Devendra Kumar Upadhyaya is fit and suitable in all respects for being appointed as Chief Justice of the High Court of Bombay.

In terms of the Memorandum of Procedure, consultation has been held with the consultee-Judge/s with a view to ascertain the fitness and suitability of Mr Justice Devendra Kumar Upadhyaya for appointment as the Chief Justice of the High Court of Bombay. The consultee-Judge/s have concurred with the proposal of his appointment as the Chief Justice of the High Court of Bombay.

In view of the above, the Collegium resolves to recommend that Mr Justice Devendra Kumar Upadhyaya be appointed as Chief Justice of the High Court of Bombay.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023.

SUPREME COURT OF INDIA

Re: Appointment of Ms Justice Sunita Agarwal, Judge, High Court of Judicature at Allahabad as the Chief Justice of the High Court of Gujarat.

A vacancy in the office of the Chief Justice of the High Court of Gujarat has arisen consequent upon the retirement of Ms Justice Sonia G Gokani. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Ms Justice Sunita Agarwal as the Chief Justice of the High Court of Gujarat. She was appointed as a Judge of the High Court of Judicature at Allahabad on 21 November 2011 and is now the senior-most puisne Judge in her parent High Court. She has been functioning there since her elevation and has acquired experience of more than 11 years in dispensing justice in the largest High Court in the country.

The High Court of Judicature at Allahabad is the largest High Court in the country. On the appointment of Ms Justice Sunita Agarwal, the Allahabad High Court would have a second Chief Justice among the Chief Justices of the High Courts. Besides, while considering the name of Ms Justice Sunita Agarwal, the Collegium has taken into consideration the fact

that she would be the only woman Chief Justice of a High Court as presently there is no woman among the Chief Justices of the High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Ms Justice Sunita Agarwal is fit and suitable in all respects for being appointed as Chief Justice of the High Court of Gujarat.

In terms of the Memorandum of Procedure, consultation has been held with the consultee-Judge/s with a view to ascertain the fitness and suitability of Ms Justice Sunita Agarwal for appointment as the Chief Justice of the High Court of Gujarat. The consultee-Judge/s have concurred with the proposal of her appointment as the Chief Justice of the High Court of Gujarat.

In view of the above, the Collegium resolves to recommend that Ms Justice Sunita Agarwal be appointed as Chief Justice of the High Court of Gujarat.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023

SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Ashish J Desai, Judge, High Court of Gujarat as the Chief Justice of the High Court of Kerala.

A vacancy in the office of the Chief Justice of the High Court of Kerala would arise consequent upon elevation of Mr Justice S Venkatanarayana Bhatti to the Supreme Court in terms of the separate recommendation made by the Supreme Court Collegium. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Ashish J Desai as the Chief Justice of the High Court of Kerala. Mr Justice Ashish J Desai was appointed as a Judge of the High Court of Gujarat on 21 November 2011. He has acquired experience of more than 11 years in dispensing justice in a large High Court. He is the seniormost puisne Judge in his parent High Court and is currently performing the duties of the office of Chief Justice of that High Court. While recommending his name, the Collegium has taken into consideration the fact that the High Court of Gujarat presently has no representation among the Chief Justices of the High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Desai is suitable in all respects for being appointed as Chief Justice of the High Court of Kerala.

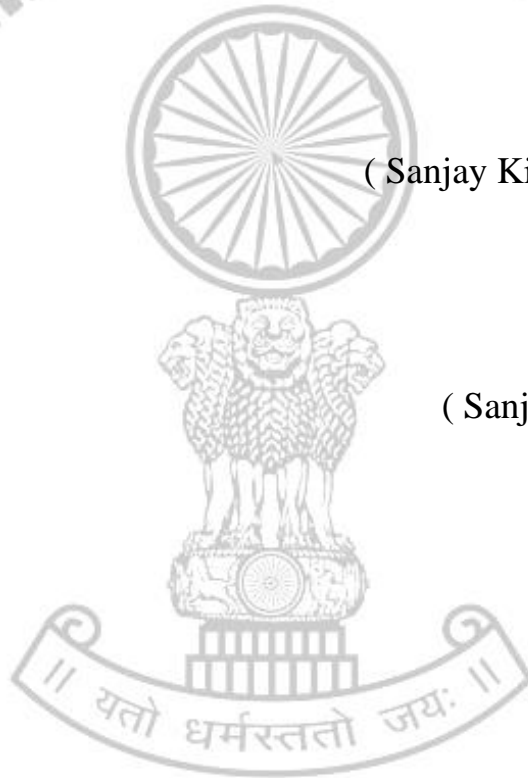
In view of the above, the Collegium resolves to recommend that Mr Justice Ashish J Desai be appointed as the Chief Justice of the High Court of Kerala.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023



SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Siddharth Mridul, Judge, High Court of Delhi, as the Chief Justice of the High Court of Manipur.

The office of the Chief Justice of the High Court of Manipur fell vacant in February 2023 consequent upon the elevation of Mr Justice P V Sanjay Kumar to the Supreme Court of India. Therefore, appointment to that office is required to be made.

The Supreme Court Collegium on 09 February 2023 made a recommendation for elevation of Mr. Justice Dhiraj Singh Thakur as Chief Justice of the High Court of Manipur, which has been pending with the Government. Now, the Collegium has, vide a separate resolution, recommended that Mr. Justice Dhiraj Singh Thakur be appointed as Chief Justice of the High Court of Andhra Pradesh.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“ A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Siddharth Mridul as the Chief Justice of the High Court of Manipur. Mr Justice Siddharth Mridul was

appointed as a Judge of the High Court of Delhi on 13 March 2008 and has been functioning as the seniormost puisne Judge in his parent High Court.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Siddharth Mridul is fit and suitable in all respects for being appointed as the Chief Justice of the High Court of Manipur.

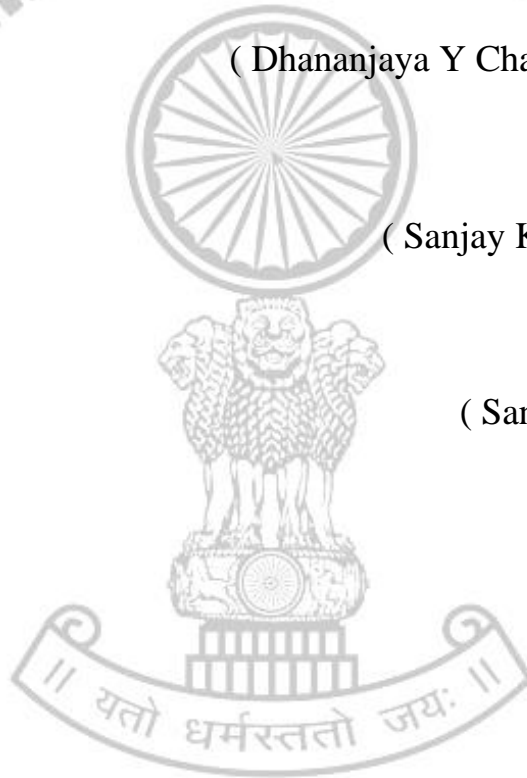
The Collegium, therefore, resolves to recommend the appointment of Mr Justice Siddharth Mridul as Chief Justice of the High Court of Manipur.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023.



SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Subhasis Talapatra, Judge, High Court of Orissa (PHC: Tripura) as the Chief Justice of the High Court of Orissa.

A vacancy in the office of the Chief Justice of the High Court of Orissa would arise in August 2023 consequent upon retirement of Dr Justice S Muralidhar. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to recommend the name of Mr Justice Subhasis Talapatra, the senior-most Judge from the Tripura High Court, for appointment as Chief Justice of the High Court of Orissa. He was elevated as a Judge of the Gauhati High Court on 15 November 2011 and on establishment of a separate High Court for the State of Tripura in 2013 he opted the High Court of Tripura as his parent High Court. He has been functioning, on transfer, in the High Court of Orissa since 10 June 2022. He has acquired considerable experience of dispensing justice in two High Courts. While considering his name, the Collegium has taken into consideration the fact that since its inception in 2013, the High Court of

Tripura till date has not got representation among the Chief Justices of the High Courts. Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Subhasis Talapatra is fit and suitable in all respects for being appointed as Chief Justice of the High Court of Orissa.

In terms of the Memorandum of Procedure, consultation has been held with the consultee-Judge/s with a view to ascertain the fitness and suitability of Mr Justice Subhasis Talapatra for appointment as the Chief Justice of the High Court of Orissa. The consultee-Judge/s have concurred with the proposal of his appointment as the Chief Justice of the High Court of Orissa.

In view of the above, the Collegium resolves to recommend that Mr. Justice Subhasis Talapatra be appointed as the Chief Justice of the High Court of Orissa consequent upon retirement of Dr. Justice S. Muralidhar.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023.

SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Alok Aradhe, Judge, High Court of Karnataka (PHC: Madhya Pradesh) as the Chief Justice of the High Court for the State of Telangana.

A vacancy in the office of the Chief Justice of the High Court for the State of Telangana would arise consequent upon the elevation of Mr Justice Ujjal Bhuyan to the Supreme Court in terms of the separate recommendation made by the Supreme Court Collegium. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Alok Aradhe as the Chief Justice of the High Court for the State of Telangana. He was appointed as a Judge of the High Court of Madhya Pradesh on 29 December 2009 and is now a senior puisne Judge in his parent High Court. He has been functioning, on transfer since November 2018 as a Judge of the Karnataka High Court and has acquired experience of more than 13 years in dispensing justice in two large High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Alok Aradhe is fit and suitable in all respects for being appointed as Chief Justice of the High Court for the State of Telangana.

In terms of the Memorandum of Procedure, consultation has been held with the consultee-Judge/s with a view to ascertain the fitness and suitability of Mr Justice Alok Aradhe for appointment as the Chief Justice of the High Court for the State of Telangana. The consultee-Judge/s have concurred with the proposal of his appointment as the Chief Justice of the High Court for the State of Telangana

In view of the above, the Collegium resolves to recommend that Mr Justice Alok Aradhe be appointed as Chief Justice of the High Court for the State of Telangana.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023.

SUPREME COURT OF INDIA

Re: Filling up vacancies of judges in the Supreme Court.

The Supreme Court of India has a sanctioned strength of thirty-four Judges and is presently functioning with thirty-one Judges. Thus, there are three clear vacancies. That makes it imperative for the Collegium to take steps to fill up the vacancies with a view to augment the working judge-strength to take care of the backlog of cases and the large institution of fresh matters.

The Collegium deliberated on and discussed the names of Chief Justices and senior puisne Judges of the High Courts eligible for appointment to the Supreme Court. Judgments authored by those falling in the zone of consideration for elevation to the Supreme Court were circulated among the members of the Collegium, well in advance, for a meaningful discussion on and assessment of their judicial acumen. The Centre for Research & Planning of the Supreme Court has prepared a compilation of relevant background material to assist the Collegium.

While recommending appointments to the Supreme Court the Collegium has taken into consideration the following aspects:

- a. The seniority of Chief Justices and senior puisne Judges in their respective parent High Courts as well as overall seniority of the High Court Judges;
- b. The merit, performance and integrity of the judges under consideration; and
- c. The need to ensure diversity and inclusion in the Supreme Court by:
 - (i) representation of High Courts which are not represented or are inadequately represented, in the Supreme Court;
 - (ii) appointment of persons from marginalized and backward segments of society;
 - (iii) gender diversity; and
 - (iv) representation of minorities.

After carefully evaluating the merit, integrity and competence of eligible Chief Justices and senior puisne Judges of the High Courts and also accommodating a plurality of considerations, the Collegium finds the following persons to be deserving and suitable in all respects for being appointed as Judges of the Supreme Court of India:

- i. Mr Justice Ujjal Bhuyan,
Chief Justice, High Court for the State of Telangana,
(PHC: Gauhati)
- ii. Mr Justice S Venkatanarayana Bhatti,
Chief Justice, High Court of Kerala,
(PHC: Andhra Pradesh)

The Collegium, therefore, unanimously resolves to recommend that (i) Mr Justice Ujjal Bhuyan, and (ii) Mr. Justice S

Venkatanarayana Bhatti, be appointed as Judges of the Supreme Court of India.

Mr Justice Ujjal Bhuyan was appointed as a judge of the Gauhati High Court on 17 October 2011. He is the senior-most judge of his parent High Court and is presently serving as Chief Justice of the High Court for the State of Telangana since 28 June 2022. Mr Justice Bhuyan has served as a judge of the Gauhati High Court and as Chief Justice of High Court for the State of Telangana. During his long tenure as a judge of the High Court Mr Justice Bhuyan has acquired significant experience in diverse fields of law. He has acquired specialisation and domain knowledge in the law of taxation. He has also served as a judge of the Bombay High Court dealing with a wide spectrum of cases including taxation. His judgments cover wide ranging issues pertaining to law and justice. Mr. Justice Ujjal Bhuyan is a judge with a good reputation for integrity and competence.

Mr Justice S Venkatanarayana Bhatti was appointed as a Judge of the High Court of Andhra Pradesh on 12 April 2013 and is the senior-most in his parent High Court. The High Court of Andhra Pradesh does not have any representation on the Bench of the Supreme Court since August 2022. He was transferred to the High Court of Kerala in March 2019 and is presently serving as Chief Justice there since 01 June 2023. During his long tenure as a judge of the High Court of Andhra High Pradesh and as a Judge and subsequently as Chief Justice of the High Court of Kerala, Mr Justice Bhatti has acquired considerable experience in various branches of law. The judgments authored by him dealing

with issues in various branches of law stand testimony to his legal acumen and competence. Apart from according representation to the State of Andhra Pradesh, the appointment of Mr Justice Bhatti will provide a value addition in terms of his acquired knowledge and experience. He commands a good reputation and possesses integrity and competence.

In view of the foregoing, the Collegium further resolves to recommend that the appointments of the above persons be made in the following order of seniority:

- i. Mr Justice Ujjal Bhuyan, and
- ii. Mr Justice S Venkatanarayana Bhatti.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

(B R Gavai), J

(Surya Kant), J

05 July 2023.