

SUPREME COURT OF INDIA

The Collegium of the Supreme Court recommended the names of the following two Advocates and one Judicial Officer, for appointment as Judges of the High Court of Himachal Pradesh:

ADVOCATES

1. Shri Ranjan Sharma, and
2. Shri Bipin Chander Negi.

JUDICIAL OFFICER

3. Shri Rakesh Kainthla.

The Chief Justice of the High Court of Himachal Pradesh in consultation with his two senior-most colleagues made the recommendation on 05 December 2022. The Chief Minister and the Governor of the State of Himachal Pradesh have concurred in the recommendation.

In terms of the Memorandum of Procedure, we have consulted Judges of the Supreme Court who are conversant with the affairs of the High Court of Himachal Pradesh in order to ascertain the suitability of the above-named Advocates and Judicial Officer for elevation to the High Court of Himachal Pradesh.

For the purpose of assessing the merit and suitability of the candidates for elevation to the High Court of Himachal Pradesh, we have

scrutinized and evaluated the material placed on record. We have also perused the observations made by the Department of Justice in the file.

1. Shri Ranjan Sharma, Advocate

He was enrolled as an Advocate on 11 December 1991 and was designated as a Senior Advocate on 29 March 2019. He has extensive practice at the Bar. He is serving as an Additional Advocate General and has a reasonably good professional income. The inputs received from the Government indicate that he enjoys a good personal and professional image and nothing adverse has come to notice with regard to his integrity. The judges of the Supreme Court consulted in terms of the Memorandum of Procedure have concurrently found him suitable for appointment.

Having regard to the above, the Collegium is of the considered view that Shri Ranjan Sharma is suitable for being appointed as a Judge of the High Court of Himachal Pradesh.

2. Shri Bipin Chander Negi, Advocate

The candidate has been in practice at the Bar for the last 28 years. He was enrolled in 1994 and was designated as a Senior Advocate in 2015. He was appointed as an amicus curiae by the High Court in several matters. He is reported to have knowledge of diverse branches of law and has appeared before the High Court and district courts. He would have tenure of over seven years. The inputs provided by the Government in the file indicate that he enjoys a good personal and professional

image. Nothing adverse has come to notice with regard to his integrity. Our consultee-colleagues have unanimously opined that he is suitable for appointment. The candidate belongs to a Scheduled Tribe.

Having regard to the material on record and all relevant factors, the Collegium is of the considered view that Shri Bipin Chander Negi is suitable for being appointed as Judge of the High Court of Himachal Pradesh.

3. Shri Rakesh Kainthla, Judicial Officer

Shri Rakesh Kainthla joined judicial service on 07 August 1995. He has served as Judicial Officer in various capacities in the State. The inputs placed by the Government in the file indicate that he enjoys a good personal and professional image. Nothing adverse has come to notice with regard to his integrity. The consultee-judges have concurrently given a positive opinion about his suitability for appointment as a Judge of the High Court of Himachal Pradesh. Having regard to the material on record and all relevant factors, the Collegium is of the considered view that Shri Rakesh Kainthla is suitable for being appointed as a Judge of the High Court of Himachal Pradesh.

We have also taken note of the fact that the proposal involves non-recommendation of a senior Judicial Officer. We have gone through Minutes of the High Court Collegium wherein it is stated that he is ineligible to be considered for elevation. We accept the justification given by the High Court Collegium in the Minutes for not recommending the name of the senior Judicial Officer.

In view of the above, the Collegium resolves to recommend that S/Shri (1) Ranjan Sharma, (2) Bipin Chander Negi, Advocates and (3) Rakesh Kainthla, Judicial Officer, be appointed as Judges of the High Court of Himachal Pradesh. Their *inter se* seniority be fixed as per the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

12 July 2023

