

SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following six Judicial Officers as Judges of the Karnataka High Court:

1. Shri Ashok Golappa Nijagannavar,
2. Shri Hethur Puttaswamy Gowda Sandesh,
3. Shri Kokkengada Bheemayya Changappa,
4. Shri Krishnan Natarajan,
5. Shri Pralhadrao Govindrao Mutalik Patil, and
6. Shri Appasaheb Shantappa Bellunke,

The above proposal unanimously made by the Collegium of the Karnataka High Court on 13th January, 2017 was taken up for consideration by this Collegium on 1st November, 2017 and 4th December, 2017 but consideration thereof was deferred.

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 Karnataka 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 placed on record. On the basis of material on record and having regard to all relevant factors, the Collegium is of the considered view that S/Shri (1) Ashok Golappa Nijagannavar, (2) Hethur Puttaswamy Gowda Sandesh, (3) Krishnan Natarajan, (4) Pralhadrao Govindrao Mutalik Patil, and (5) Appasaheb Shantappa Bellunke, Judicial Officers (mentioned at Sl.Nos. 1, 2, 4, 5, & 6 above) are suitable for being appointed as Judges of the Karnataka High Court.

As regards Shri Kokkengada Bheemayya Changappa, Judicial Officer (mentioned at Sl.Nos. 3 above), although he is suitable for appointment, but being aged 61 years and 3 months, he would, if appointed, have a really short tenure on the High Court Bench, which,

in our view, would not serve the desired purpose. The Collegium, therefore, is not inclined to recommend his name for elevation.

We have taken note of the observations made in the file by the Department of Justice relating to undertaking furnished by practising blood relatives of certain recommendees. Since the Collegium has taken stand on 4th December, 2017 in a file relating to appointment of Judges in Calcutta High Court, such undertaking need not be insisted upon as it is based merely on administrative instruction and is not a mandatory requirement.

Lastly, we have also taken note of two complaints received in the office of Chief Justice of India making allegations against two of the above-named recommendees. We have examined the complaints and do not find any *prima facie* substance in these complaints, which deserve to be ignored.

In view of the above, the Collegium resolves to recommend that S/Shri (1) Ashok Golappa Nijagannavar, (2) Hethur Puttaswamy Gowda Sandesh, (3) Krishnan Natarajan, (4) Pralhadrao Govindrao Mutalik Patil, and (5) Appasaheb Shantappa Bellunke, Judicial Officers be appointed as Judges of the Karnataka High Court. Their *inter se* seniority be fixed as per the existing practice.

(Dipak Misra) C.J.I.

(Ranjan Gogoi), J.

(Madan B. Lokur), J.

August 01, 2018.