

SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following four Advocates and three Judicial Officers, whose names are mentioned below, as Judges of the Chhattisgarh High Court:

Advocates:

S/Shri

1. Abhishek Kumar Sinha
2. Parth Prateem Sahu
3. Ashish Kumar Shrivastava
4. Sunil Pillai

Judicial Officers:

S/Shri

5. Gautam Chouradia
6. Smt. Vimla Singh Kapoor
7. Smt. Rajani Dubey

The above recommendation made by the then Chief Justice of the Chhattisgarh High Court, in consultation with his two senior-most colleagues, vide Minutes dated 3rd May, 2017 and 8th September, 2017 has the concurrence of the concerned State Government.

In order to ascertain suitability of the above-named recommendees for elevation to the High Court, we have consulted our colleagues who are conversant with the affairs of the Chhattisgarh High Court. Copies of letters of opinion of our consultee-colleagues 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. Apart from this, we invited all the recommendees with a view to have an interaction with them. On the basis of interaction and having regard to all relevant factors, the Collegium is of the considered view that (1) Shri Parth Prateem Sahu, Advocate and (2) Shri Gautam Chouradia, (3) Smt. Vimla Singh Kapoor, and (4) Smt. Rajani Dubey, Judicial Officers, (mentioned at Sl.Nos. 2, 5, 6, & 7 above) are suitable for being appointed as Judges of the Chhattisgarh High Court.

As regards S/Shri (1) Abhishek Kumar Sinha, (2) Ashish Kumar Shrivastava, and (3) Sunil Pillai, Advocates (mentioned at Sl. Nos. 1, 3 & 4 above), having regard to the material on record, we are of the considered view that consideration of their cases can wait. The proposal for their elevation is accordingly deferred for the present.

While considering the above recommendation of Shri Parth Prateem Sahu, Advocate (mentioned at Sl. No. 2 above) we have duly taken note of the fact that average net professional income is less than the prescribed income limit. In this regard, we consider it necessary to mention that the revised income criterion was communicated to the High Courts including the Chhattisgarh High Court on 13th May 2017 whereas the instant recommendation was made earlier i.e., on 3rd May, 2017.

We have also taken note of the fact that the above proposal involves non-recommendation of two senior Judicial Officers. In this regard, we have gone through Minutes dated 3rd May, 2017 and 8th September, 2017 of the High Court Collegium which has duly recorded reasons for not recommending names of these Judicial

Officers. We are in agreement with the justification given by the High Court Collegium in its Minutes for not recommending the names of two senior Judicial Officers.

In view of the above, the Collegium resolves to recommend that (1) Shri Parth Prateem Sahu, Advocate and (2) Shri Gautam Chouradia, (3) Smt. Vimla Singh Kapoor, and (4) Smt. Rajani Dubey, Judicial Officers be appointed as Judges of the Chhattisgarh High Court. Their *inter se* seniority be fixed as per the existing practice.

(Dipak Misra), C.J.I.

(J. Chelameswar), J.

(Ranjan Gogoi), J.

April 19, 2018.

