

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 15991 of 2016 (O&M)
Date of decision: 22.8.2016

Satya Veer Sharma

.. Petitioner

v.

Union of India and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Satya Veer Sharma-petitioner in person.

...

Rajesh Bindal J.

The petitioner, who appeared in person and claims that he is a practising Advocate in District Courts, Gurgaon, filed the present petition praying for setting aside the present collegium system of appointment of Judges to the High Courts and the Supreme Court. The grievance is that the process is non-transparent and secret and excludes 95% of the lawyers, who are practising in subordinate courts and the Tribunals, though they are equally meritorious. Further prayer has been made to invite applications from all eligible persons at the time of filling up the vacancies. Interim directions have been prayed for to the respondents not to act upon the recommendations made by the collegium for elevation as Judges of this Court. It was not disputed by the petitioner that there is no bar as such in consideration of lawyers practising in district courts or the Tribunals, but he submitted that none has been appointed so far.

After hearing the petitioner in person, we do not find any reason to interfere in the present petition, as the system regarding appointment of Judges to the High Courts and Hon'ble the Supreme Court has already been gone into by a Constitution-Bench of Hon'ble the Supreme Court in Supreme Court Advocates-on-Record-Association and another v. Union of India, JT 2015 (10) SC 1 and guide-lines have been laid down. Further, the issue regarding suitability of the candidates recommended by the High Court for appointment as Judges for Madras High Court came up for consideration before Hon'ble the Supreme Court in Registrar General, High Court of Madras v. R. Gandhi and others, (2014) 11 SCC 547, and the writ petitions were dismissed as not maintainable.

For the reasons mentioned above, we do not find that any ground is made out to entertain the writ petition. Accordingly, the same is dismissed.

(Rajesh Bindal)
Judge

(Darshan Singh)
Judge

22.8.2016
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No