

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.109 OF 2005

MAHARASHTRA STATE JUDGES ASSN. & ANR.

Petitioner(s)

VERSUS

HON'BLE BOMBAY H.COURT THR.REGISTRAR & ORS.

Respondent(s)

(With appln(s) for interim relief, modification of Court's order dated
14/03/2005 and office report)

With Writ Petition (C) No.85 of 2006

(With appln.(s) for stay, directions and office report)

Writ Petition (C) No.279 of 2004

(With appln.(s) for stay and office report)

Writ Petition (C) No.401 of 2004

(With appln.(s) for stay, directions and office report)

Date: 16/11/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. M.D. Adkar, Adv.

In WP 109/2005: Mr. Vijay Kumar, Adv.

Mr. Vishwajit Singh,Adv.

In WP 85/2006:

Dr. A.F. Julian,Adv.

Mr. Sumit Kumar,Adv.

Mr. Sanjeet Trivedi,Adv.

Mr. Anil Jain,Adv.

for M/s. Arputham, Aruna & Co.,Adv.

In WP 279/2004:

Mr. Senthil Jagadeesan,Adv.

Mr. V. Ramasubramanian,Adv.

In WP 401/2004:

Mr. M.N. Rao,Sr.Adv.

Ms. Promila Thananjayan,Adv.

Mr. S. Thananjayan,Adv.

For Respondent(s) Mr. U.U. Lalit,Sr.Adv.

Mr. Aniruddha P. Mayee,Adv.

Mr. Sanjeev Kumar Choudhary,Adv.

Mr. Sanjay Visen,Adv.

Mr. Shekhar Naphade,Sr.Adv.

Mr. S.S. Shinde,Adv.

Mr. Ravindra K. Adsure,Adv.

for Mr. V.N. Raghupathy,Adv.

...2/-

- 2 -

Dr. A.F. Julian,Adv.

Mr. Sumit Kumar,Adv.

Mr. Sanjeet Trivedi,Adv.

Mr. Anil Jain,Adv.

for M/s. Arputham, Aruna & Co.,Adv.

Mr. Gopal Prasad,Adv.

Mr. V. Balachandran,Adv.

Mr. Riku Sharma,Adv.

for M/s. Corporate Law Group,Adv.

Mr. K. Ramamoorthy,Sr.Adv.

Ms. N. Shoba,Adv.

Mr. Sriram J. Thalapathy,Adv.

Mr. Jitendra Mohan Sharma,Adv.

Mr. Sandeep Singh,Adv.

Mr. Dilip Tandon,Adv.

Mr. R. Mohan,ASG.

Mr. V.G. Pragasam,Adv.

Mr. S. Vallinayagam,Adv.

UPON hearing counsel the Court made the following

O R D E R

In Writ Petition (C) No.109 of 2005:

From the affidavit of the Registrar (Legal) of the High Court of Bombay dated 9th November, 2006, it is clear now that after the order was passed by this Court on 12th October, 2006, the process of amendment of the Rules has commenced and the Rules Committee of the High Court has approved modification/changes in Rules 5 1(a), (b) and (c) in Chapter III as also in Rule 11 of the Maharashtra Judicial Service Rules, 2006. The proposed Rules have also been approved by the

Committee of Administrative Judges on 6th November, 2006. Proposed Rules 5 1(a), (b) and (c) and Rule 11(3)(i) and (ii) and deletion of Rule 11(3)(b), (c) and (d) have been placed before us. Mr. U.U. Lalit, learned counsel appearing for the Bombay High Court, states that the Rules will now be placed before the Full Court of the High Court for approval, the meeting whereof is likely to take place on 16th December, 2006.

We have no manner of doubt that the Full Court meeting of the High Court will take into consideration all relevant factors and thereupon accord its approval to the proposed amendment in the Rules. The petitioner-Association is permitted to give its view-point as to the proposed amendment in the Rules to the

...3/-

- 3 -

Registrar General of the High Court within a period of one week. The meeting of the Full Court, again we have no doubt, will give such view-point the consideration it deserves.

List the petition in the month of January, 2007.

In Writ Petition (C) Nos.85/2006, 279/2004 and 401/2004:

It is submitted that the High Court has been requested to consider suggestions and modifications and reply is awaited. Learned counsel prays for four weeks' time to finally take necessary action in respect of Rules, as noticed in the order dated 12th October, 2006. We hope that the Rules will be finalised positively on or before 31st December, 2006. The petitioner-Association is permitted to place its view-point by sending a communication to the Registrar General of the High Court. We have no manner of doubt that the High Court would

give it the consideration it deserves.

List the writ petitions in the month of January, 2007.

[T.I. Rajput]

[V.P. Tyagi]

A.R.-cum-P.S.

Assistant Registrar