

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: 12/10/2006 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. Francis Julian,Adv.

Mr. Sumit Kumar,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. S.S. Shinde,Adv.

Ms. Mukti Chowdhary,Adv.

Mr. Ravindra K. Adsure,Adv.

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Dr. A.F. Julian,Adv.

Mr. Sumit Kumar,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. J. Sriram,Adv.

Mr. Sriram J. Thalpathy,Adv.

Mr. Jitendra Mohan Sharma,Adv.

Mr. Sandeep Singh,Adv.

Mr. V.G. Pragasam,Adv.

UPON hearing counsel the Court made the following

O R D E R

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

Mr. U.U. Lalit, learned senior counsel appearing for the Bombay High Court, has brought to our notice the factum of the Maharashtra Judicial Service Rules, 2006, having been approved and framed by the Bombay High Court and sent to the State Government on 9th October, 2006. We, however, find in Rule (5) of Chapter III that method of recruitment of District Judges is not in consonance with Paragraph (28) of All India Judges' Association & Ors. vs. Union of India & Ors. (2002 (4) S.C.C. 247).

On request of the learned counsel, we adjourn the writ petition so that appropriate instructions may be obtained from the High Court.

List the writ petition after four weeks.

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

The Rules were sent by the High Court to the State Government on 23rd August, 2006. Learned counsel for the State Government prays for further time submitting that the Rules were under consideration of the State Government. The State Government should

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appreciate that there are large number of vacancies in judicial service which, in turn, results in delay in dispensation of justice. It is stated that the State Government will be able to finalise the matter within four weeks. No further time will be granted.

List the writ petitions after four weeks.

[T.I. Rajput]

[V.P. Tyagi]

A.R.-cum-P.S.

Assistant Registrar