

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO.1249 OF 2026

IN

REVIEW PETITION (CIVIL) NO. 621 OF 2021

IN

CIVIL APPEAL NO. 1698 OF 2020

DHEERAJ MOR

PETITIONER(S) /
APPLICANT(S)

VERSUS

HON'BLE HIGH COURT OF DELHI &
ORS.

RESPONDENT(S)

O R D E R

1. We have heard Mr. V. Giri, learned senior counsel for the applicant-petitioner. We have also considered the claim of the other similarly placed persons.

2. The five-Judge Constitution Bench in *Rejanish K.V. v. K. Deepa & Ors.*, 2025 SCC OnLine SC 2196, has categorically held as follows:

"170. In any case, we clarify that what we have held in this judgment will be applicable only from the date of this judgment and in no case, any selection process completed, or any appointment made prior to this judgment would be affected, except in cases wherein any interim order(s) were passed by the High Courts or this Court. In such cases, the issue would now be governed by the orders to be passed by the Bench hearing the matters.

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172. In the result, we answer the questions as under:

(i) Judicial Officers who have already completed seven years in Bar before they were recruited in the subordinate judicial service would be entitled for being appointed as a District Judge/Additional District Judge

in the selection process for the post of District Judges in the direct recruitment process;

(ii) The eligibility for appointment as a District Judge/Additional District Judge is to be seen at the time of application;

(iii) Though there is no eligibility prescribed under Article 233(2) for a person already in judicial service of the Union or of the State for being appointed as District Judge, in order to provide a level playing field, we direct that a candidate applying as an in-service candidate should have seven years' combined experience as a Judicial Officer and an advocate;

(iv) A person who has been or who is in judicial service and has a combined experience of seven years or more as an advocate or a Judicial Officer would be eligible for being considered and appointed as a District Judge/Additional District Judge under Article 233 of the Constitution;

(v) In order to ensure level playing field, we further direct that the minimum age for being considered and appointed as a District Judge/Additional District Judge for both advocates and Judicial Officers would be 35 years of age as on the date of application.

(vi) It is held that the view taken in the judgments of this Court right from Satya Narain Singh (supra) till Dheeraj Mor (supra), which take a view contrary to what has been held hereinabove do not lay down the correct proposition of law.

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174. Consequently, all such rules framed by the State Governments in consultation with the High Courts which are not in accordance with the aforesaid answers shall stand quashed and set aside. It is directed that all the State Governments in consultation with the High Courts shall frame/amend the rules in accordance with what has been held by us hereinabove, within a period of three months from today."

3. On a bare reading of paragraph 170, there is no doubt that the judgment has to be effected prospectively, w.e.f. 09.10.2025. The Bench, however, carved out an exception in favour of those where "any selection process [was] completed, or any appointment [was] made prior to this judgment...". In other words, if a direct recruit or even a serving judicial officer, who had been permitted to participate in the selection process, and had been selected or appointed, all such selections and appointments have been protected. Such selected officers are entitled to appointment and if such appointed officers were relieved on the ground of eligibility, they are also entitled to seek reinstatement. However, in terms of paragraph 170, reproduced above, it is clear that on the basis of selection which would be contingent on the outcome of an incomplete selection process and a anticipated consequential appointment, no relief of deemed seniority can be granted. This principle has also been given shape to in our order dated 11.03.2026.

4. All the High Courts are, accordingly, directed to review the individual cases of the judicial officers and take an appropriate decision in terms of the law laid down by the Constitution Bench.

5. IA No. 93245/2026 and the miscellaneous application, thus, stand disposed of.

6. Pending application(s), if any, shall also stand disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
MAY 22, 2026.

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

Miscellaneous Application No. 1249/2026 in R.P.(C) No. 621/2021 in C.A. No. 1698/2020

[Arising out of impugned judgment and order dated 11-03-2026 in R.P.(C) No. 621/2021 passed by the Supreme Court of India]

DHEERAJ MOR

Petitioner(s)

VERSUS

HON'BLE HIGH COURT OF DELHI & ORS.

Respondent(s)

(IA No. 93245/2026 - MODIFICATION)

Date : 22-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : Mr. V. Giri, Sr. Adv.
Mr. D. K. Devesh, AOR
Ms. Barnali Basak, Adv.
Mr. Abhishek Mishra, Adv.
Mrs. Shashi Sharma, Adv.
Mr. Rahul Narang, Adv.
Ms. Shalini Halder, Adv.
Mr. Mehul M. Gupta, Adv.
Mr. Mayank Gautam, Adv.
Mr. Rajat Rana, Adv.
Mr. Sanyam Maan, Adv.
Mr. Suprabh Kumar Roshan, Adv.
Mr. Shashank Kumar Saurav, Adv.
Mr. Jitesh Saluja, Adv.

For Respondent(s): Mr. Amit Gupta, AOR
Mr. Kshitij Vaibhav, Adv.
Ms. Muskan Nagpal, Adv.
Ms. Saumya Mani Tripathi, Adv.

UPON hearing the counsel the Court made the following

O R D E R

IA No. 93245/2026 and the miscellaneous application stand disposed of in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)