

SUPREME COURT OF INDIA

Re: Filling up vacancies of judges in the Supreme Court.

The Supreme Court of India has a sanctioned strength of thirty-four Judges and is presently functioning with thirty-one Judges. Thus, there are three clear vacancies. That makes it imperative for the Collegium to take steps to fill up the vacancies with a view to augment the working judge-strength to take care of the backlog of cases and the large institution of fresh matters.

The Collegium deliberated on and discussed the names of Chief Justices and senior puisne Judges of the High Courts eligible for appointment to the Supreme Court. Judgments authored by those falling in the zone of consideration for elevation to the Supreme Court were circulated among the members of the Collegium, well in advance, for a meaningful discussion on and assessment of their judicial acumen. The Centre for Research & Planning of the Supreme Court has prepared a compilation of relevant background material to assist the Collegium.

While recommending appointments to the Supreme Court the Collegium has taken into consideration the following aspects:

- a. The seniority of Chief Justices and senior puisne Judges in their respective parent High Courts as well as overall seniority of the High Court Judges;
- b. The merit, performance and integrity of the judges under consideration; and
- c. The need to ensure diversity and inclusion in the Supreme Court by:
 - (i) representation of High Courts which are not represented or are inadequately represented, in the Supreme Court;
 - (ii) appointment of persons from marginalized and backward segments of society;
 - (iii) gender diversity; and
 - (iv) representation of minorities.

After carefully evaluating the merit, integrity and competence of eligible Chief Justices and senior puisne Judges of the High Courts and also accommodating a plurality of considerations, the Collegium finds the following persons to be deserving and suitable in all respects for being appointed as Judges of the Supreme Court of India:

- i. Mr Justice Ujjal Bhuyan,
Chief Justice, High Court for the State of Telangana,
(PHC: Gauhati)
- ii. Mr Justice S Venkatanarayana Bhatti,
Chief Justice, High Court of Kerala,
(PHC: Andhra Pradesh)

The Collegium, therefore, unanimously resolves to recommend that (i) Mr Justice Ujjal Bhuyan, and (ii) Mr. Justice S

Venkatanarayana Bhatti, be appointed as Judges of the Supreme Court of India.

Mr Justice Ujjal Bhuyan was appointed as a judge of the Gauhati High Court on 17 October 2011. He is the senior-most judge of his parent High Court and is presently serving as Chief Justice of the High Court for the State of Telangana since 28 June 2022. Mr Justice Bhuyan has served as a judge of the Gauhati High Court and as Chief Justice of High Court for the State of Telangana. During his long tenure as a judge of the High Court Mr Justice Bhuyan has acquired significant experience in diverse fields of law. He has acquired specialisation and domain knowledge in the law of taxation. He has also served as a judge of the Bombay High Court dealing with a wide spectrum of cases including taxation. His judgments cover wide ranging issues pertaining to law and justice. Mr. Justice Ujjal Bhuyan is a judge with a good reputation for integrity and competence.

Mr Justice S Venkatanarayana Bhatti was appointed as a Judge of the High Court of Andhra Pradesh on 12 April 2013 and is the senior-most in his parent High Court. The High Court of Andhra Pradesh does not have any representation on the Bench of the Supreme Court since August 2022. He was transferred to the High Court of Kerala in March 2019 and is presently serving as Chief Justice there since 01 June 2023. During his long tenure as a judge of the High Court of Andhra High Pradesh and as a Judge and subsequently as Chief Justice of the High Court of Kerala, Mr Justice Bhatti has acquired considerable experience in various branches of law. The judgments authored by him dealing

with issues in various branches of law stand testimony to his legal acumen and competence. Apart from according representation to the State of Andhra Pradesh, the appointment of Mr Justice Bhatti will provide a value addition in terms of his acquired knowledge and experience. He commands a good reputation and possesses integrity and competence.

In view of the foregoing, the Collegium further resolves to recommend that the appointments of the above persons be made in the following order of seniority:

- i. Mr Justice Ujjal Bhuyan, and
- ii. Mr Justice S Venkatanarayana Bhatti.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

(B R Gavai), J

(Surya Kant), J

05 July 2023.