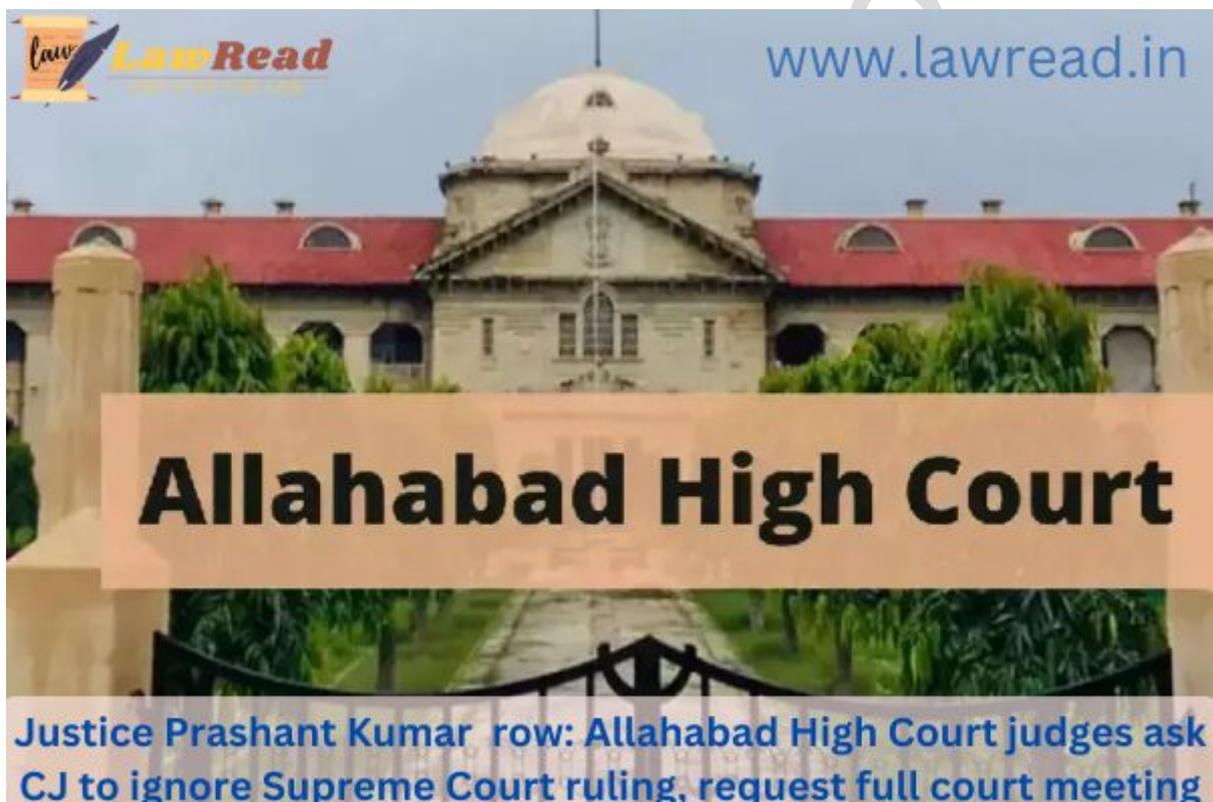


News

Justice Prashant Kumar row: Allahabad High Court judges ask CJ to ignore Supreme Court ruling, request full court meeting



According to official sources, Justice Arindam Sinha today submitted a letter to the Chief Justice, expressing shock and anguish over the top court ruling. 12 additional judges have signed the letter.

Supreme Court and Justice Prashant Kumar

At least 13 judges of the Allahabad High Court have written to the Chief Justice Arun Bhansali seeking holding a Full Court meeting over Supreme Court's recent order against Justice Prashant Kumar.

In a harsh instruction given on August 4, the Bench of Justice JB Pardiwala and Justice R Mahadevan advised the High Court Chief Justice to strip Justice Kumar of criminal roster till

his retirement and have him sit in a Division Bench with a seasoned senior judge of the High Court.

The instruction and severe remarks against Justice Kumar were delivered for his ruling that criminal prosecution could be utilized as an alternative option to collect money in civil disputes.

According to official sources, Justice Arindam Sinha today submitted a letter to the Chief Justice, expressing shock and anguish over the top court ruling.

"Subject order dated 4th August, 2025 was made without direction for issuance of notice and contains scathing findings against the learned Judge," Justice Sinha stated in the letter.

The judge advised that the Full Court resolve that the High Court will not comply with the order to remove Justice Kumar from criminal roster as the top court does not have administrative superintendence over High Courts. He has also urged the Full Court should express its anguish in "respect of the tone and tenor of said order".

According to media reports, judges of the Supreme Court too have taken exception to the instruction issued by the Bench led by Justice Pardiwala.

Interestingly, the Supreme Court has re-listed the matter involving Justice Prashant Kumar for a hearing on Friday.

R. Mahadevan and Justice J.B. Pardiwala

The Bench had made scathing remarks concerning the High Court judge's knowledge of criminal law.

"We are shocked by the findings recorded in paragraph 12 of the impugned order. The judge has gone to the level of noting that ordering the complaint to pursue civil remedy would be quite unreasonable as civil procedures take a long time, and hence the complainant may be permitted to commence criminal proceedings for recovery," it had noted.

The Court had made the ruling on a plea appealing the High Court's order dismissing an application filed by one M/S Shikhar Chemicals (petitioner) seeking to quash criminal proceedings arising out of a business transaction.

The respondent in the case had supplied thread worth ₹52,34,385 to the petitioner-firm, of which ₹47,75,000 was reportedly paid. A complaint was filed before the court claiming that the outstanding sum remained unpaid.

The petitioner requested the High Court to annul the proceedings, arguing that the issue was simply civil in character and had been wrongly given a criminal hue. However, the High Court dismissed the plea.

In his ruling dated May 5, Justice Kumar remarked that compelling the complainant to undertake a civil suit would be “very unreasonable” as such suits take years to resolve and, consequently, criminal prosecution was appropriate.

On August 4, the Supreme Court criticized this argument as unsustainable. The order passed by the High Court was accordingly thrown aside, and the subject was remitted for fresh review by a different judge.

Pertinently, on August 4, the High Court also ordered a temporary adjustment to the roster as per which Justice Kumar is now sitting with Justice MC Tripathi on August 7 and 8 to hear land acquisition, development authorities writs and environment petitions.

Justice Dinesh Pathak is currently hearing the criminal issues formerly assigned to Justice Kumar.