

News

The center would disregard Justice BV Nagarathna's objection to Justice Vipul Pancholi's promotion.



Despite Justice Nagarathna's objection, the Center would move on with the appointment of Justice Pancholi, according to government sources.

Notwithstanding a Collegium member's protests against the latter's elevation to the Supreme Court, the Central government is acting quickly to process the appointment warrants of Justices **Alok Aradhe** and Vipul Pancholi.

The nomination of Justice Pancholi, according to Collegium member Justice BV **Nagarathna**, would be "counter-productive" to the administration of justice and jeopardize the legitimacy of the Collegium system.

According to reports, future Chief Justice **Nagarathna** noted in her strongly worded dissent note that Justice Pancholi is ranked 57th among High Court justices and that more senior judges from other High Courts might be given preference over him.

Read more about the cloud surrounding Justice Vipul Pancholi's elevation to the Supreme Court following the dissent of Justice BV **Nagarathna**.

The dissent, however, was moot because the four other members of the Collegium—Chairman Justice of India BR Gavai and Justices Surya Kant, Vikram Nath, and JK Maheshwari—all agreed with Justice Pancholi's elevation.

Despite Justice **Nagarathna's** objection, the Center would move on with the appointment of Justice Pancholi, according to government sources.

"Once the Prime Minister's Office has reviewed the dossier containing the Supreme Court Collegium's recommendation, it will be forwarded to **Rashtrapati Bhawan** for the President's approval. The warrants should be issued before the end of this week, according to a source.

If the Central government approves his appointment, Justice Pancholi will become India's 60th Chief Justice in 2031. He will also be the third sitting Supreme Court justice whose parent High Court is the Gujarat High Court. Justice Pancholi will serve on the Supreme Court for over eight years.

Justice **Nagarathna's** dissent letter was not included in the resolution that was posted to the Supreme Court website.

The August 25 Collegium resolution that suggested Justices Pancholi and Alok Aradhe be promoted to the Supreme Court has drawn criticism for its lack of transparency.

In a news release, the Campaign for Judicial Accountability and Reforms (CJAR) identified three aspects that were absent from the resolution passed on August 25:

- 1. As was previously the case, the names of appointees are listed without providing any information about the candidates' backgrounds.**
- 2. The recommendations are not made by the collegium coram.**

3. There is no indication of the criteria for favoring a particular applicant despite their lesser seniority.

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