

News

The chief justice of the P&H High Court assigns the case to himself after withdrawing it from the judge who heard it and reserved a verdict.

Lawread

On Friday, Chief Justice Nagu stated that the Chief Justice is not expressly or implicitly prohibited from withdrawing any case that has been heard and reserved by a certain bench.

After receiving a complaint, the Punjab and Haryana High Court dismissed an appeal against the Chief Justice's order to remove a case from a High Court judge on Friday.

M3M Group Director Roop Bansal filed a petition to have the First Information Report (FIR) against him, judicial officer Sudhir Parmar (Special Judge CBI), M3M Group Deputy Manager (Legal) Ajay Parmar, and other individuals quashed.

In a money laundering lawsuit filed in 2023, the trial judge was accused of giving the proprietors of M3M and IREO Group excessive favors.

Following the case's registration, Parmar was suspended. The owners/promoters of the IREO Group and M3M Group allegedly gave him illicit gratification of ₹5–7 crores, according to the Enforcement Directorate (ED).

After receiving a written and verbal complaint, Chief Justice Sheel Nagu listed Bansal's quashing petition before himself on May 10 and removed it from **Justice Mahabir Singh Sindhu's** roster. Crucially, Justice Sindhu had postponed making a verdict on the case.

The accused's attorneys, **Senior Counsel Mukul Rohatgi, Puneet Bali, and Rakesh Nehra**, argued before Justice Nagu's bench on May 12 that he was unable to hear the case because Justice Sindhu had heard it, reserved it, and scheduled it for a decision.

In a judicial order issued on Friday, Chief Justice Nagu rejected the complaint, stating that the Chief Justice is not expressly or implicitly prohibited from withdrawing any case that has been heard and reserved by a specific bench.

Justice Nagu went on to say that the decision to remove the case from Justice Sindhu was made in order to protect the institution's honor and dignity as well as the public's confidence.

"The Chief Justice received some complaints, which compelled him to take action in the institution's best interests as well as to uphold the honor and character of Justice Mahabir Singh Sindhu. There wasn't much time for a response because Justice Mahabir Singh Sindhu had heard and reserved the case on May 02, 2025, and the Chief Justice didn't learn of the allegations until May 8 or May 9, 2025. According to the Court, the Chief Justice took a drastic measure on May 10, 2025, when he issued an administrative order withdrawing the case from Justice Mahabir Singh Sindhu's Single Bench and placing it before a single bench made up of the Chief Justice alone. The hearing was scheduled for March 12, 2025, at 3.30 PM.

The Court further stated that the Chief Justice's authority as the master of the roster is extensive, all-encompassing, and comprehensive.

"These powers are limited by just one factor, which is to preserve the institution's interests and the public confidence that litigants have placed in the judiciary. The Chief Justice's authority to assign a matter to a certain bench or to withdraw a case from a specific bench and assign it to another judge is unrestricted and impervious to judicial review if these factors are taken into account, the statement

continued.

In addition, Justice Nagu stated that he would have failed in his duty as Chief Justice and betrayed his oath if he had not taken preemptive emergency action.

He emphasized that the Chief Justice's only option given the short reaction time was to remove the heard and reserved case from Justice Mahabir Singh Sindhu's single-bench and list it before another single-bench.

"The object sought to be achieved was to prevent possible damage to the reputation of the institution," the decree stated.

The Court added that the Chief Justice's administrative authority to create or modify the roster encompasses the authority to assign and remove matters from any Bench.

It further said that the purpose of this ability will be destroyed if an exception is granted by omitting the cases that are heard and reserved.

The Court went on to say that the Chief Justice occasionally has to make a decision on a complaint that is received at the last minute within a set amount of time.

As a result, the Court rejected the objection and scheduled a merits hearing for May 26.

The petitioner, Roop Bansal, was represented by **senior advocates Puneet Bali, Rakesh Nehra, and Mukul Rohtagi**, along with advocates Gagandeep Singh, Harsh Sharma, Sauhard Singh, Rupender Singh, Ankit Yadav, Ashim Singla, Aakash Sharma, Baljeet Beniwal, and Bindu.

The Enforcement Directorate, the case's intervenor, was represented by Special Counsel Zoheb Hossain and Senior Panel Counsel Lokesh Narang.