

## News

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**The Supreme Court's review petition contests the ruling on the three-year judicial service practice regulation.**



*In order to prevent the unfair exclusion of recent graduates who prepared under the prior eligibility requirements, the plea asks the Court to solely apply the three-year practice rule starting in 2027.*

The Supreme Court has received a review petition challenging its recent ruling that requires three years of legal practice in order to be eligible for the recruitment of Civil Judges (Junior Division) [**All India Judges Association and ors v. Union of India**].

Advocate Chandra Sen Yadav filed the plea, claiming that the condition's installation violates fundamental rights guaranteed by Articles 14 and 16.

In order to prevent the unfair exclusion of recent graduates (2023–2025) who prepared under

the prior qualifying requirements, Yadav has urged the Court to solely apply the necessary three-year practice rule starting in 2027.

*"Immediate enforcement causes retrospective hardship, violating principles of fairness, legitimate expectation, and equal opportunity under Article 14 of Indian Constitution,"* the complaint alleges.

In its May 20 ruling, the Chief Justice of India (CJI) **BR Gavai Bench**, along with Justices **AG Masih and K Vinod Chandran**, ordered state governments and High Courts to change the service rules "so that candidates who want to sit for the Civil Judge (Junior Division) examination must have practiced for at least three years to be eligible for the said examination."

The Court did, however, additionally order that the minimum years of practice requirement would not apply in situations where the High Court had already started the hiring procedure for the position of Civil Judge (Junior Division) before the judgment date.

The ruling has drawn criticism, with some contending that it would compel female applicants to postpone or give up their aspirations to become judges.

According to the review appeal, candidates from economically disadvantaged groups and socially disadvantaged communities—specifically, Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC)—are disproportionately affected by the need of a minimum of three years of legal practice.

Additionally, it claims that no thorough data was presented to the Court to demonstrate that candidates without three years of bar experience or recent law graduates are performing poorly in judge positions.

"The absence of any objective assessment and reliance instead on broad, opinion-based statements renders the decision vulnerable to review," it says.

The directive to change service regulations consistently across all states and High Courts is also said to be an infringement on the authority of public service commissions and state legislatures.

Through attorney Kunal Yadav, the plea has been submitted.