

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
RAJYA SABHA
QUESTION NO 21.12.2009
ANSWERED ON

ELEVATION OF HIGH COURT JUDGE TO SUPREME COURT .

3476

Shri Praveen Rashtupal

Will the Minister of COALCOALLAW & JUSTICE be pleased to state :-

(a) the details regarding case of Karnataka High Court Chief Justice being referred to the Central Government;

(b) whether there were similar references in the past ten years from the Supreme Court to Government; and

(c) what is the difference between the status of Chief Justice of High Court and a Justice of Supreme Court?

ANSWER

MINISTER OF LAW AND JUSTICE

(Dr. M. VEERAPPA MOILY)

(a): The Chief Justice of India had recommended, inter alia, the name of the Chief Justice of Karnataka High Court for appointment as a Judge of the Supreme Court. When complaints against him were received by the Chief Justice of India and the Government, the Chief Justice of India and his Collegium have deferred that recommendation.

(b): Yes, Sir. In the past ten years i.e. from December, 1999 to December 2009, there was one such case.

(c): A Judge of the Supreme Court as well as a Chief Justice of a High Court are appointed as per the provisions of the Constitution of India and discharge their duties and responsibilities as assigned by the Constitution in their respective courts.