

APPOINTMENT OF CHIEF JUSTICE AND JUDGES OF THE SUPREME COURT



APPOINTMENT OF CHIEF JUSTICE OF INDIA

- Union Law Minister, at the appropriate time (i.e. at least one month prior to the retirement of the incumbent Chief Justice of India), seeks recommendation of the outgoing Chief Justice of India for the appointment of the next Chief Justice of India.
- Appointment should be of the senior-most Judge of the Supreme Court considered fit to hold the office.
- However, in case there is any issue about the fitness of the senior-most Judge of the Supreme Court to hold the office of the Chief Justice of India, Chief Justice of India should consult other Judges of the Supreme Court, as envisaged in Article 124(2) of the Constitution, for appointment of the next Chief Justice of India.
- After receipt of the recommendation of the Chief Justice of India, the Union Minister of Law and Justice shall submit the recommendation to the Prime Minister, who then advises the President in the matter of appointment of the Chief Justice of India.

APPOINTMENT OF JUDGES OF THE SUPREME COURT

Supreme Court Collegium
(CJI + four senior-most Judges*)



Consultation with the senior-most Judge in Supreme Court who hails from the High Court from where the person recommended comes, but if he does not have any knowledge of his merits and demerits, the next senior-most Judge in Supreme Court from that High Court is consulted. If no such Judge is available, the consultation with Judges of Supreme Court, who have worked in the High Court in which the person being considered for elevation has worked.

Factors to be taken into consideration:

- Appointment by elevation of a Chief Justice or a Judge of the High Court or an eminent member of the Bar or a distinguished jurist.
- In case of elevation of a Chief Justice or a Judge of the High Court, a fair representation to be given to all the High Courts.
- Inter se seniority among the High Court Judges.
- Merit and integrity.
- The disposition rate of the Judge under consideration, while in the High Court.
- Disposition Rate should be considered in conjunction with other factors, such as the quality of judgments, complexity of cases, and court workload.

* If the successor Chief Justice of India is not one of the four senior-most puisne Judges, he would be made part of the Collegium as he should have a hand in selection of Judges who will function during his term as Chief Justice of India.

PERFORMANCE APPRAISAL TEMPLATE

JUSTICE _____

-JUDGE, HIGH COURT OF _____

1. Date of initial appointment as a HC judge: _____.06.20 ____
2. Date of Retirement: _____.06.20 ____
3. Parent High Court: _____ High Court
4. Present Appointment: Judge, _____ High Court
5. Past Appointments:
 - a. _____ High Court: _____.00.20 ____ - _____.00.20 ____
 - b. _____ High Court: _____.00.20 ____ - _____.00.20 ____
 - c. _____ High Court : _____.00.20 ____ till date
6. All India Seniority: _____
7. Source: Bar
8. Judgments/Orders: 1038¹. And 71 Judgments as Judge, _____ High Court .
9. NOTES:

a. He was born on _____. Did his schooling from _____ School. Passed LLB from _____ University in _____. Enrolled as an Advocate on _____. Commenced his practice in the High Court of _____ from _____. Appeared in a number of important cases relating to Criminal and Constitutional Law including death sentence and clemency cases before the High Court of _____, other High Courts and the Supreme Court of India. Argued successfully before a Special Bench of _____ High Court against the ban imposed by State of _____ on the _____. Appeared in various Public Interest Litigations on behalf of Human Rights Organizations and actively espoused their cause for civil liberty and environmental protection. Was empanelled Advocate for Union of India, State of _____ and other Corporations, including _____ Municipal Corporation, _____ Port Trust and _____ Electric Supply Corporation. Has written various articles on legal topics which were published in reputed journals².

10. Data: SUBJECT-WISE JUDGMENTS³

Subject	No. of times
Criminal	
Civil	
Narcotics	
Service	
Banking	
Commercial	
Constitution	
Family	
Property	
Arbitration	
Motor Vehicles	
Direct Taxation	
Electricity	
Contempt of Court	
Labour and Industrial	
Contract	
Land Acquisition	

¹ As per Manupatra 'Judge Analytics' accessed on 04.03.2025

² https://aphc.gov.in/former_judges.html

³ All data qua subject-wise judgments, disposition wise judgments and and year wise pronouncements taken from Judge/Advanced Judge Analytics -Manupatra Website

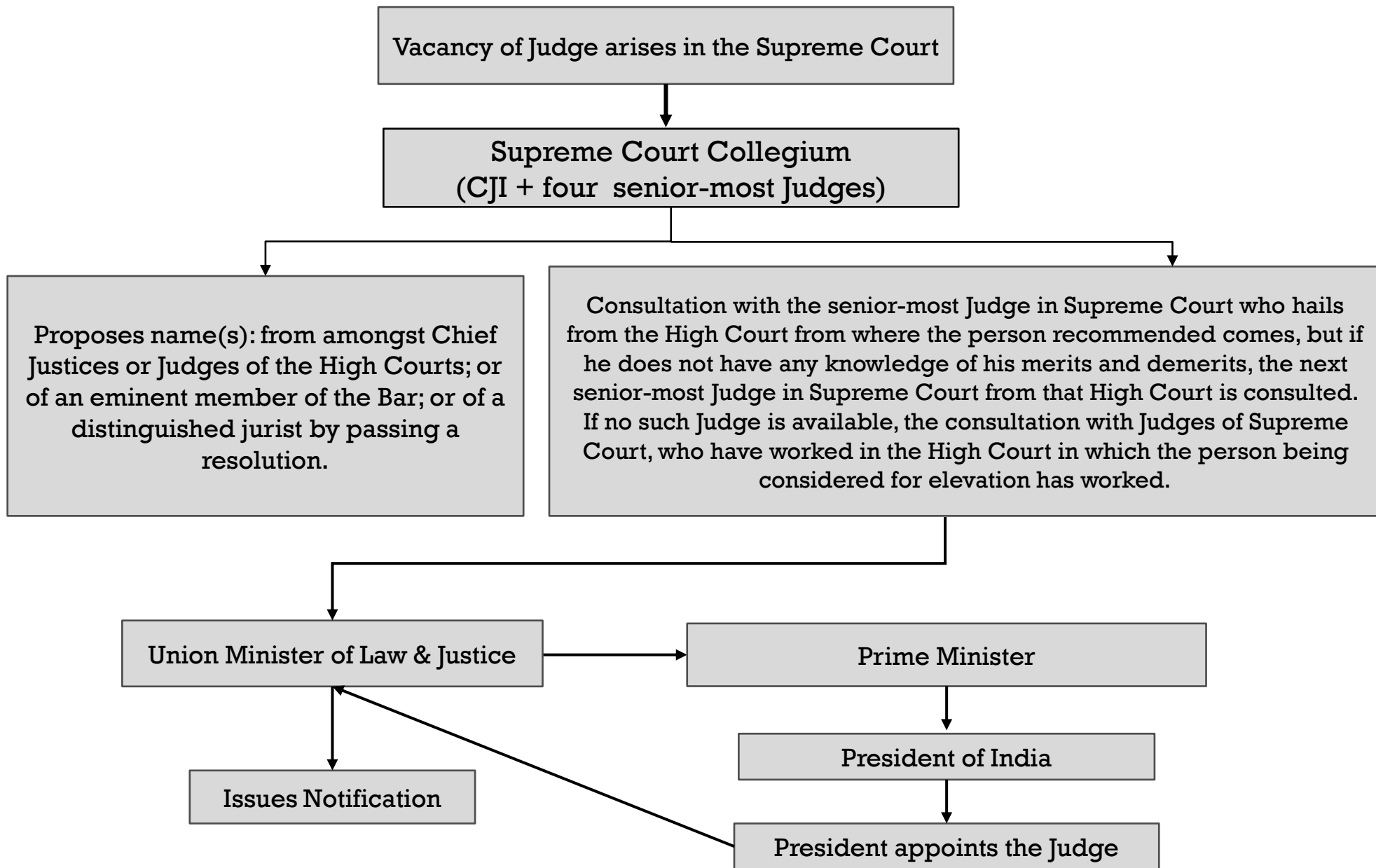
Tenancy	
Election	
Sales Tax/VAT	
Law of Evidence	
Limitation	
Miscellaneous	
Consumer	
Company	
Environment	
Defence	
Customs	
Excise	
Education	
Capital Market	
Municipal Tax	
Intellectual Property Rights	
Right to Information	
Trusts and Societies	
Service Tax	

11. Data-YEAR-WISE PRONOUNCEMENTS:

Year	Judgement Authored	Part of Bench
2025		
2024		
2023		
2022		
2021		
2020		
2019		
2018		
2017		
2016		
2015		
2014		
2013		
2012		
2011		

12. Data: DISPOSITION WISE JUDGMENTS

Disposition	No of times
Disposed of	
In Favour of State	
Appeal/Petition/Application Dismissed	
In Favour of Accused	
Appeal/Petition/Application Partly Allowed	
Appeal/Petition/Application Allowed	
Appeal/Petition Partly Allowed	
In Favour of Department	
In Favour of Assessee	
In Favour of Assessee/Department	
Appeal/Petition Partly Dismissed	
Case Remanded/Remitted	



SPECIMEN OF RESOLUTION OF SUPREME COURT COLLEGIUM

SUPREME COURT OF INDIA

Re: Filling up a vacancy of Judge in the Supreme Court.

There is a vacancy in the Supreme Court occasioned by the retirement of Mr. Justice xxxxxxxx on DD/MM/YYYY.

The Collegium deliberated on and discussed the names of Chief Justices and senior puisne Judges of the High Courts eligible for appointment to the Supreme Court. The Secretariat has prepared a compilation of relevant background material to assist the Collegium.

After carefully evaluating merit, integrity and competence and also accommodating a plurality of considerations, the Collegium finds Mr. Justice xxxxxxxx, among the Chief Justices and senior puisne Judges of the High Courts, more deserving and suitable in all respects for being appointed as a Judge of the Supreme Court of India.

Mr. Justice xxxxxxxx was appointed as a Judge of the High Court of xxxxxxxx on DD/MM/YYYY and was appointed as Chief Justice of the High Court of xxxxxxxx on DD/MM/YYYY. He has served as a Chief Justice and a Judge of the High Court for more than xxxxxx years. During his long tenure as a Chief Justice and a Judge of the High Court, Mr. Justice xxxxxxxx has acquired significant experience in diverse fields of law.

Mr. Justice xxxxxxxx stands at Sl. No. xxxxxxx in the combined all-India seniority of High Court Judges, including Chief Justices. In the seniority of Judges hailing from the High Court of xxxxxxxx, Mr. Justice xxxxxxxx stands at Sl. No. xxxxx. The Collegium has also taken into consideration the fact that, at present, the Bench of the Supreme Court is not represented by any Judge from the High Court of xxxxxxxx.

The Collegium, therefore, unanimously resolves to recommend that Mr. Justice xxxxxxxx be appointed as a Judge of the Supreme Court of India.

(xxxxxxx), C.J.I.

(xxxxxxx), J.

(xxxxxxx), J.

(xxxxxxx), J.

(xxxxxxx), J.

DD/MM/YYYY

SPECIMEN LETTER OF OPINION FROM CONSULTEE-JUDGE OF SUPREME COURT

Judge
Supreme Court of India

New Delhi-110 011
Tel. : [REDACTED]

Confidential

Respected Chief,

With reference to your letter No. [REDACTED]
dated [REDACTED] regarding suitability of Mr. Justice
[REDACTED], Chief Justice of [REDACTED] High Court for
appointment as a Judge of the Supreme Court, I am of the
view that Mr. Justice [REDACTED] is suitable for being
appointed as Judge of the Supreme Court.

With respectful regards,

Yours sincerely,

Hon'ble [REDACTED]
Chief Justice of India
[REDACTED]
New Delhi

SPECIMEN OF LETTER OF CHIEF JUSTICE OF INDIA TO LAW MINISTER

xxxxxxxxxx

Chief Justice of India

CONFIDENTIAL

DD/MM/YYYY

Shri xxxxxxxxxx,

This pertains to the appointment of a Judge in the Supreme Court of India.

There is a vacancy in the Supreme Court occasioned by the retirement of Mr. Justice xxxxxxxxxx on DD/MM/YYYY.

The Collegium deliberated on and discussed the names of Chief Justices and senior puisne Judges of the High Courts eligible for appointment to the Supreme Court.

After carefully evaluating merit, integrity and competence and also accommodating a plurality of considerations, the Collegium found Mr. Justice xxxxxxxxxx, among the Chief Justices and senior puisne Judges of the High Courts, more deserving and suitable in all respects for being appointed as a Judge of the Supreme Court of India. The Collegium has, therefore, recommended that Mr. Justice xxxxxxxxxx be appointed as Judge of the Supreme Court of India. A copy of the minutes dated DD/MM/YYYY of the Collegium is enclosed herewith.

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In terms of the Memorandum of Procedure, with a view to ascertain the suitability of Mr. Justice xxxxxxxxxx for elevation to the Supreme Court, I have consulted my colleague outside the Collegium, namely, Mr. Justice xxxxxxxxxx. A copy of his letter of opinion is enclosed herewith.

In view of the above, I request you to have the recommendation for the appointment of Mr. Justice xxxxxxxxxx, processed most expeditiously.

With warm regards,

Yours sincerely,

(xxxxxxxxxx)

Encls.: As above

Shri xxxxxxxxxx
Hon'ble Union Minister for Law & Justice,
Government of India,
New Delhi- 110 001.

Disclaimer: Specimens are only indicative/illustrative and the contents may vary according to the facts and circumstances of individual recommendation.