

CHIEF JUSTICE'S COURT

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

COURT NO.1**SUPREME COURT OF INDIA****RECORD OF PROCEEDINGS****I.A. NO. 230675/2025 IN W.P. (C) NO. 1022/1989****ALL INDIA JUDGES ASSOCIATION & ORS****Appellant(s)****VERSUS****UNION OF INDIA & ORS.****Respondent(s)**-----
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10:30 AM2 **CHIEF JUSTICE B.R. GAVAI:** Yes.

3 **SIDDHARTH BHATNAGAR:** My Lord, I have... by way of this IA, flagged an issue which I
4 believe requires Your Lordships' consideration one way or the other. Your Lordships had
5 issued notice on 17th of September. And thereafter, by a detailed order of 7th October, My
6 Lord, this constitution bench has been... My Lord, this 7th October Order, if Your Lordship
7 just has a look at, mentions both sides of the argument, other side's arguments as well as this
8 side, and what I have submitted before Your Lordship for your consideration. Can I just place
9 that for a minute? Just one minute. If Your Lordships has 7th October, para 2. "This court vide
10 order dated 17th September, '25 had considered an application filed by Amicus, who pointed
11 out anomalous situation in most of the States' Judicial Officers recruited as Civil Judges often
12 do not reach the level of Principal District Judge, leave aside reaching the position of a High
13 Court Judge. This has resulted..."

14 **CHIEF JUSTICE B.R. GAVAI:** Yeah, I think all of us have read the order.15 **SIDDHARTH BHATNAGAR:** Your Lordships have read.16 **CHIEF JUSTICE B.R. GAVAI:** Yes.

17 **SIDDHARTH BHATNAGAR:** So now, My Lord, having read that now... so now there's a
18 few interventions have been filed as per the Office Report 8. So four seem to take the view that,
19 what I'm saying, requires consideration and definitely four are opposing it. So my request to
20 Your Lordships is if Your Lordships would have it on some day for hearing.

21 **CHIEF JUSTICE B.R. GAVAI:** Yes, so we'll fix up the date.22 **SIDDHARTH BHATNAGAR:** So, My Lord what...

23 **JAIDEEP GUPTA:** Of course, My Lord, the Amicus has some information on this, but Your
24 Lordships has noted that there is a... different High Courts have different experience.

25 **CHIEF JUSTICE B.R. GAVAI:** Yes.26 **SIDDHARTH BHATNAGAR:** Correct, that's right.

27 **JAIDEEP GUPTA:** Your Lordships are under the [INAUDIBLE] have, My Lord, constituted
28 a committee, a Fact Finding Committee for the purpose of seeing whether this problem is as...

- 1 **CHIEF JUSTICE B.R. GAVAI:** No, all... fortunately, all five of us have experiences of the...
- 2 **JAIDEEP GUPTA:** No, that is true, My Lord. But what is the current state of facts because
3 there is evidence both ways.
- 4 **SIDDHARTH BHATNAGAR:** My Lord, so far as the current...
- 5 **JAIDEEP GUPTA:** So, Your Lordships may consider whether there should be... it should be
6 first referred to a committee, somebody Your Lordships may appoint, My Lord.
- 7 **CHIEF JUSTICE B.R. GAVAI:** No, that data would be available to us, all the High Courts
8 are before us.
- 9 **SIDDHARTH BHATNAGAR:** My Lord, I am going to file. In fact, last time...
- 10 **CHIEF JUSTICE B.R. GAVAI:** All the High Courts are before us, so it's not a very difficult
11 data. So, they have to just give two figures, three figures, the total number of Civil Judges
12 appointed to the High Court. Out of them, how many from the... directly recruited from the
13 Bar and out of them how many promoted.
- 14 **SIDDHARTH BHATNAGAR:** Your Lordships may recall last time, My Lord and Justice
15 Chandran were on the bench. I had handed over a compilation of whatever the High Courts, I
16 said I'll file it with my compilation before arguments so that everyone can have a look at it. No
17 problem.
- 18 **JAIDEEP GUPTA:** All States have not filed an appeal. And we have not yet given the details,
19 you take it, Your Lordships...
- 20 **CHIEF JUSTICE B.R. GAVAI:** You're appearing for Calcutta High Court?
- 21 **JAIDEEP GUPTA:** Yes.
- 22 **JUSTICE VIKRAM NATH:** Calcutta High Court.
- 23 **VIJAY HANSARIA:** I appear for Delhi High Court, My Lord. The position is reversed. Out
24 of 13 Principal District Judges, only two are direct, 11 are promoted. And My Lord, in the High
25 Court, there are 17 Honourable Judges...
- 26 **CHIEF JUSTICE B.R. GAVAI:** So, therefore, if the view, what...

1 **VIJAY HANSARIA:** Yes, My Lord. I've prepared, My Lord... Your Lordships may formulate
2 some questions, no problem.

3 **CHIEF JUSTICE B.R. GAVAI:** That will be due.

4 **JUSTICE SURYA KANT:** That will vary from state to state [UNCLEAR] also.

5 **COUNSEL:** All judges are from, My Lord, Civil Judge. They are no more hired from civil
6 service.

7 **VIJAY HANSARIA:** So Your Lordships may formulate some point which I have suggested
8 subject to Your Lordships' consideration.

9 **CHIEF JUSTICE B.R. GAVAI:** What are the points?

10 **VIJAY HANSARIA:** Kindly give this.

11 **R. BASANT:** Because also data of all the High Courts are not available. We...

12 **JUSTICE SURYA KANT:** Wherever the recruitment has taken place annually, in terms of
13 the timeline laid down by this court, only there the direct recruits have got lot of advantage.

14 **JUSTICE VIKRAM NATH:** Yes. Exactly, that is right. Lot of advantage, yes. But the
15 sanction has not taken place yet.

16 **JUSTICE SURYA KANT:** Sanction doesn't take place for a couple of years. Obviously, only
17 the [UNCLEAR].

18 **JAIDEEP GUPTA:** Normally, My Lords, *Malik Mazhar* matter, Your Lordships have been
19 supervising that, monitoring it also. So therefore, My Lord, by and large, it has been complied
20 to, *Malik Mazhar*.

21 **SIDDHARTH BHATNAGAR:** Just take a copy if you can.

22 ^10:48:05^

23 **COUNSEL:** No, no, who says it has been complied to? It has not been complied in my
24 statement.

25 **JAIDEEP GUPTA:** By and large, it has.

- 1 **COUNSEL:** I don't know. There's nothing, no record to indicate that.
- 2 **JAIDEEP GUPTA:** No, no, these are...
- 3 **R. BASANT:** My Lord, can I make a submission? Just one submission, My Lord. Yeah, Your
4 Lordships...
- 5 **CHIEF JUSTICE B.R. GAVAI:** One minute. Let... let the Amicus...
- 6 **R. BASANT:** We may have to consider whether...
- 7 **GOPAL SANKARANARAYANAN:** Permission for the Amicus.
- 8 **R. BASANT:** No, no.
- 9 **CHIEF JUSTICE B.R. GAVAI:** You want the Amicus or what do you want to...?
- 10 **R. BASANT:** I thought before we start, I thought, I'll make one submission in all humility...
- 11 **CHIEF JUSTICE B.R. GAVAI:** We are not standing today.
- 12 **R. BASANT:** No, not argument, My Lord. My point is, will a five-judge bench be sufficient is
13 a question that I want to humbly bring to Your Lordships' notice. Two Constitution Benches
14 have taken the clear view when an integrated cadre is constituted by two sources, thereafter,
15 discrimination is impermissible. Two Constitution Benches have taken that view. And
16 therefore, Your Lordships may have to consider whether we can... the five-judge bench at the
17 end of the exercise we should not be stuck with that, My Lord. And I thought, it's my duty to
18 point out before Your Lordships, please consider whether
- 19 **^10:53:05^**
- 20 we can do that at the end of it after taking a lot of time, this should not trouble Your Lordship.
21 I'll cite those two decisions. Your Lordships may kindly see them. "Their authority was a
22 proposition that when two streams make a common integrated, their birthmark loses."
23 Thereafter, there's no birthmark. You cannot thereafter make any reservation. That would be
24 offending Article 14. And therefore, that question, if Your Lordships want to alter that, maybe
25 Your Lordships may consider. I am just pointing out, My Lord. Your Lordships because at the
26 end of the day, I don't want the whole exercise to be a wasteful exercise.

1 **SIDDHARTH BHATNAGAR:** I'm aware of those judgments, and I'll be citing them first
2 when we start the matter because I don't think they cover the point at all. In fact, they are open
3 to interpretation. I know that *Roshan Lal* and My Lord, *Triloki Nath* are the two
4 judgments.

5 **JUSTICE VIKRAM NATH:** Correct. They are the two judgements?

6 **GOPAL SANKARANARAYANAN:** Yes, My Lord.

7 **R. BASANT:** Correct, My Lords.

8 **SIDDHARTH BHATNAGAR:** I'm already aware of that, so I'll be dealing with that. But
9 Your Lordships will hear it holistically with everything else, that's what my submission is.

10 **R. BASANT:** All that I wanted to submit was, My Lord...

11 **DINESH DWIVEDI:** Exceptions can be taken, where you can deviate without breaching
12 Article 14. These judgements are not there as a Constitutional dictum where they will apply
13 invariably in every case.

14 **SIDDHARTH BHATNAGAR:** That's right, so that's my submission I'll be making.

15 **R. BASANT:** I think they are. That's a point to be... at the end of the day, My Lord, at the end
16 of the day, let it not be... let it not be seen that will it be better to have... you are expending,
17 investing judicial time in it. So, let's be sure that we can do that. That's all I say, Sir.

18 **CHIEF JUSTICE B.R. GAVAI:** I... 27, we will consider this issue also whether it requires...
19 we refer to a larger bench or not.

20 **JUSTICE SURYA KANT:** What are the questions according to you are arising, you just
21 formulate your respective question.

22 **R. BASANT:** Very well.

23 **JUSTICE VIKRAM NATH:** In your written submission, on the top you frame your question
24 and then give your submission.

25 **R. BASANT:** We'll do that. We'll do that.

26 ^10:58:05^

- 1 **COUNSEL:** All of us may... all of us can.
- 2 **VIJAY HANSARIA:** I think, My Lord, rather than formulate the questions, it's easier for us
3 to address Your Lordships.
- 4 **CHIEF JUSTICE B.R. GAVAI:** Do you know what is the issue?
- 5 **COUNSEL:** I appear for the High Court.
- 6 **CHIEF JUSTICE B.R. GAVAI:** We're identifying the issue in the order.
- 7 **SIDDHARTH BHATNAGAR:** The orders... the issue is identified. The prayers are...
8 actually the prayers in the IA is the issue.
- 9 **CHIEF JUSTICE B.R. GAVAI:** The prayer in the IA is identifiable. It's not something
10 vague.
- 11 **COUNSEL:** My Lords, there are some more intervention applications.
- 12 **VIJAY HANSARIA:** My Lords, I appear.
- 13 **COUNSEL:** My Lords, there are some more...
- 14 **VIJAY HANSARIA:** Your Lordships may allow the interventions.
- 15 **JUSTICE VIKRAM NATH:** We can't hear all of you. How to...
- 16 **VIJAY HANSARIA:** Your Lordships would normally allow...
- 17 **CHIEF JUSTICE B.R. GAVAI:** Not necessary to allow and...
- 18 **VIJAY HANSARIA:** It's easier for us to file petitions.
- 19 **R. BASANT:** Last time My Lords had said all interventions are allowed. Last time, that is
20 said.
- 21 **DINESH DWIVEDI:** There are a few more, My Lord.
- 22 **COUNSEL:** Therefore four, five applications are filed.
- 23 **CHIEF JUSTICE B.R. GAVAI:** All interventions which are filed till today are allowed.

- 1 **R. BASANT:** Yes, Your Lordships.
- 2 **VIJAY HANSARIA:** Obligated, My Lords.
- 3 **COUNSEL:** May I request, My Lords, there's one...
- 4 **CHIEF JUSTICE B.R. GAVAI:** Otherwise there'll be floodgates open.
- 5 **COUNSEL:** My Lords, there is one IA, My Lords, I have filed.
- 6 **DINESH DWIVEDI:** My Lords, interventions and agreement.
- 7 **CHIEF JUSTICE B.R. GAVAI:** That is what we have said, the other way of saying it.
- 8 **SIDDHARTH BHATNAGAR:** I got one at 11:00 p.m. last night.
- 9 **COUNSEL:** My Lords, one case. We had filed one intervention application on behalf of this
10 income...
- 11 **CHIEF JUSTICE B.R. GAVAI:** Whatever are filed till today will be allowed.
- 12 **COUNSEL:** My Lordships pleases.
- 13 **COUNSEL:** My Lords, my intervention was filed.
- 14 **GOPAL SANKARANARAYANAN:** My Lords, from our side, Manu Krishnan can be the
15 Nodal Counsel.
- 16 **CHIEF JUSTICE B.R. GAVAI:** Yes, Mr. Manu Krishnan.
- 17 **GOPAL SANKARANARAYANAN:** Yes, from our side. He's... Mr. Basant is also going to
18 assist. Manu Krishnan and Mr. Bhatt.
- 19 **CHIEF JUSTICE B.R. GAVAI:** And from your side?
- 20 **SIDDHARTH BHATNAGAR:** My Lord, I was thinking I'll give my submissions along
21 with...
- 22 **CHIEF JUSTICE B.R. GAVAI:** No, no. There should be a Nodal Counsel who supports
23 your...

1 **SIDDHARTH BHATNAGAR:** That's what I'm... No, no. All I'm saying is, so, the Amicus
2 will give it, I will give it. And then one of the other perhaps, Ms. Mayuri will give it.

3 **CHIEF JUSTICE B.R. GAVAI:** Ms. Mayuri will give.

4 **SIDDHARTH BHATNAGAR:** Yes, she can do that.

5 **DINESH DWIVEDI:** There was one factor which I wish to point out, subject to, it may have
6 been disposed to Your Lordships already, because in our case, [UNCLEAR] the judgment, My
7 Lord, Justice Chandran perhaps has it reviewed. My Lord, Justice Chandran's judgement...

8 **JUSTICE VIKRAM NATH:** Vinod Chandran.

9 **CHIEF JUSTICE B.R. GAVAI:** Which judgment.

10 **R. BASANT:** From the Bihar High Court, My Lord, it has come. And it's an appeal before
11 Justice Surya Kant.

12 **CHIEF JUSTICE B.R. GAVAI:** No, that's not... I don't think that's an issue in that.

13 **JUSTICE K. VINOD CHANDRAN:** That was only with respect to who gets seniority,
14 correct? Who gets it if there is directly recruit, the Bihar rules provided that the direct recruits
15 will get seniority. That's about 94 people. 94 people at one go, 2011 to '18, there were no...

16 **JUSTICE VIKRAM NATH:** No selection.

17 **JUSTICE K. VINOD CHANDRAN:** So, that is a peculiar situation though, that I said that...

18 **DINESH DWIVEDI:** That itself would be subject matter of debate before Your Lordships.
19 We intend to raise it because rule says, My Lord, the direct recruits are going to get their
20 seniority from the date prior anterior to their appointment.

21 **JUSTICE SURYA KANT:** Mr. Dwivedi, we will not be able to determine the interest in
22 seniority of different States.

23 **DINESH DWIVEDI:** My Lords, I'm sorry. I don't wish to do anything else except to point
24 out that...

25 **JUSTICE SURYA KANT:** That is an unending process. We can only lay down the general
26 principle that will have to be followed.

1 **SIDDHARTH BHATNAGAR:** I don't think Your Lordships will go into individual High
2 Court rules. Otherwise, then Your Lordships will never... individual High Court rules, I don't
3 think Your Lordships will be going into this matter at least.

4 **CHIEF JUSTICE B.R. GAVAI:** Like what we have done in *Dheeraj Mor*, we'll be laying
5 down the principles which will be followed by all the High Courts and the State Governments.

6 **SIDDHARTH BHATNAGAR:** Right.

7 **GOPAL SANKARANAYARANAN:** Just one piece of clarity after going through both
8 orders, there seems to be one aspect which is of the Principal District Judges and the
9 recruitment to that. The other is with reference to High Court Judges and where they come in.
10 Would the questions be framed on both or is it with reference to... the cadre of principle is to...

11 **CHIEF JUSTICE B.R. GAVAI:** As my Learned Brother has pointed out, as far as the High
12 Court is concerned, it's not a promotion.

13 **SIDDHARTH BHATNAGAR:** Yes, it's not a promotion.

14 **JAIDEEP GUPTA:** The High Court Judges, there cannot be promotion.

15 **V. GIRI:** So Your Lordships are only referring to...?

16 **GOPAL SANKARNAYARANAN:** The problem is in Kerala, for example, they don't have a
17 cadre of Principal District Judges. There's no cadre. It's not in the rules. What they do... yes.

18 **JUSTICE SURYA KANT:** Mr. Gopal, in respective states, there is no designation
19 nomenclature of Principal District Judges. There is only a District Judge, right. So, wherever
20 in the state there is a Principal District Judge or in other State is a District Judge, I think that's
21 one and the same thing. It's the only question of Head of the District Judiciary.

22 **GOPAL SANKARNAYARANAN:** Yes, exactly.

23 **JUSTICE SURYA KANT:** Let us take in general parlance as Head of the District Judiciary.
24 So what should be the mode of say, procedure of determination of seniority in that cadre. That
25 can probably, as Honourable CJI has pointed out, we can lay down the general guidelines and
26 principles, which can then could be followed by States, respective States and the... in
27 consultation with the...

28 **GOPAL SANKARNAYARANAN:** If the Amicus could frame those questions.

1 **CHIEF JUSTICE B.R. GAVAI:** If it is a question of nomenclature, wherever there is a
2 Principal District Judge, the Head of the District is called Principal District Judge. All others
3 are called as District Judges. Wherever the District Judge heads the District Judiciary others
4 are called as Additional District Judges.

5 **JUSTICE SURYA KANT:** Actually, the better expression that all of you can use is the *inter*
6 *se* seniority in the superior judicial service. Basically because it's a question of determination
7 on the entry point

8 ^11:03:05^

9 and the entry point is in superior judicial service.

10 **V. GIRI:** That's right. My Lords, superior/higher judicial service.

11 **JUSTICE SURYA KANT:** But what about higher judicial service in the [UNCLEAR].

12 **VIJAY HANSARIA:** But within the high judicial service one is...

13 **JUSTICE SURYA KANT:** How can you say that? Mr. Hansaria, that probably you are...

14 **VIJAY HANSARIA:** It's a posting, My Lord.

15 **CHIEF JUSTICE B.R. GAVAI:** It's not a posting.

16 **COUNSEL:** It's a posting, My Lord.

17 **COUNSEL:** It's only a posting.

18 **COUNSEL:** It's an administrative side of the High Court. It's an administrative side of the
19 High Court. My Lord, they decide [UNCLEAR] junior.

20 **GOPAL SANKARANARAYANAN:** And they look at suitability, so they're not looking at
21 the...

22 **JUSTICE JOYMALYA BAGCHI:** Some post... Mr. Hansaria, you are right. It is a complete
23 cadre of District Judges, but some posts in that cadre are fixed for District Judges selection
24 grade. So there are stratification in the cadre of District Judge itself. There is the first District
25 Judge entry level. Then you have the District Judge selection grade, and then you have the
26 super time scale. So what happens is, for the post of Principal District Judge, a District Judge
27 entry level is never considered. You must be upgraded to a District Judge selection grade. Then

1 only you come in the zone of consideration. So, what we propose to consider is that the zone
2 of consideration of movement, again, is not on seniority *per se*. It is merit cum seniority. So,
3 let us say selection grade comes into five posts. We have to have a zone of selection of 15. Would
4 we put in a preferential quota for the promotees from the base level that is the Civil Judge
5 junior division level for consideration and the zone. This is an issue which we would like to
6 discuss.

7 **VIJAY HANSARIA:** Yes, My Lord, what I was submitting is, My Lord, that is within the
8 rules of this issue. So far Delhi is considered is an administrative order. So would Your
9 Lordships ask all the High Courts and Amicus to see, My Lord, what are the provisions in all
10 the High Court because different High Courts have different provisions. There are no rules,
11 My Lord. For example, there are no rules. There's a full court decision.

12 **JUSTICE SURYA KANT:** Mr. Hansaria, it's only because of lack of uniformity in the rules
13 that this problem we are facing.

14 **VIJAY HANSARIA:** Yes, My Lord.

15 **JUSTICE SURYA KANT:** The very fact that all of you are and all of us are assembled here
16 is only because of this reason.

17 **VIJAY HANSARIA:** So, this will require collating all the information from all the High
18 Courts regarding the present stand and the provision regarding the rules.

19 **CHIEF JUSTICE B.R. GAVAI:** The Amicus is already having the...

20 **VIJAY HANSARIA:** My Lord, what has been given to us, it does not have. All the High
21 Courts, it has only...

22 **GOPAL SANKARANARAYANAN:** No, no. To be fair, I think that the learned Amicus is
23 trying his best based on the given...

24 **VIJAY HANSARIA:** It is not available.

25 **JUSTICE SURYA KANT:** That compilation of all the rules in the High Court, it's not
26 handed.

27 **SIDDHARTH BHATNAGAR:** Right. No, no, we will file. I'll file it with my submission.

1 **JUSTICE SURYA KANT:** The compilation of those rules, collation, and a comparative table
2 that in the case of seniority, how they deal with. And then you can just prepare a small note of
3 highlighting...

4 **SIDDHARTH BHATNAGAR:** A summary of that.

5 **JUSTICE SURYA KANT:** ...the significant differentiation between that criteria.

6 **SIDDHARTH BHATNAGAR:** Absolutely.

7 **JUSTICE SURYA KANT:** Sometimes, they follow continuous length. The others follow the
8 date of entry, the third follow roster points. Sometimes, there is a mix of rota and quota. So,
9 these all are...

10 **SIDDHARTH BHATNAGAR:** Different, My Lord. I'll make sure it's there. I'll file it.

11 **GOPAL SANKARANARAYANAN:** Some of the High Courts have placed the statistics with
12 reference to the... over the last five years, from which sources they have come etc. Some of
13 them have not. Now I am with Mr. Bhatnagar on this. He needs as much assistance as he
14 requires to come up with this. In his own note, there are many States where the response hasn't
15 come. So, one suggestion that I have, is if the registry of this court can reach out, then
16 immediately it will come. It will be uploaded and we will have the advantage of that.

17 **VIJAY HANSARIA:** Because only three states have been given, My Lord, perhaps in the note
18 by the Amicus. Three or four states because rest are not available. So Your Lordship may kindly
19 require... My Lord, consider issuing directions to the High Court. They must give data for last
20 five years to the posting of Principal District Judges and also the relevant rules or the
21 administrative guidelines for selection or posting as a Principal District Judge because in
22 Delhi, there is only a full court rule.

23 **JUSTICE SURYA KANT:** Let's not interfere too much. That's the domain of the High Court
24 that what should be criteria of posting?

25 **VIJAY HANSARIA:** No, My Lord, Your Lordship have it. No, I am only saying Lordship may
26 have that material.

27 **JUSTICE SURYA KANT:** Let's not unnecessarily expand the scope of this issue. That's
28 absolute prerogative of the High Courts. We must respect that. Now what is the criteria of
29 posting of the District Judge, that has to be resolved by them.

- 1 **VIJAY HANSARIA:** That is what Your Lordships are considering. What Your Lordships are
2 considering is...
- 3 **JUSTICE SURYA KANT:** Let's not go left and right, straight to the issue.
- 4 **VIJAY HANSARIA:** The rules must be available to the court, My Lord. That's all I'm saying.
- 5 **CHIEF JUSTICE B.R. GAVAI:** My learned brother has already informed this. You didn't
6 listen to what His Lordship was telling the Amicus. He has already told him that you file a
7 compilation of the rules.
- 8 **VIJAY HANSARIA:** That's all, My Lord.
- 9 **JUSTICE SURYA KANT:** Of all the rules.
- 10 **CHIEF JUSTICE B.R. GAVAI:** Be attentive also, be attentive to what falls from the court.
- 11 **VIJAY HANSARIA:** Yes, I've seen that.
- 12 **COUNSEL:** Yes, they have already filed their rules, My Lord.
- 13 **JAIDEEP GUPTA:** Usually, this process is not governed by rules.
- 14 **CHIEF JUSTICE B.R. GAVAI:** That's what, we can't share you publicly. You know.
- 15 **JAIDEEP GUPTA:** As far as this goes....
- 16 **COUNSEL:** Guidelines are there, My Lord.
- 17 **R. BASANT:** Guidelines are there, My Lord.
- 18 **VIJAY HANSARIA:** There are no statutory rules. They have guidelines or...
- 19 **COUNSEL:** Guidelines by the full court.
- 20 **VIJAY HANSARIA:** Guidelines by the full court.
- 21 **DINESH DWIVEDI:** The width of the issues involved with this matter is quite wide scale. If
22 the Amicus would perhaps pinpoint the issue, then we can proceed.
- 23 **VIJAY HANSARIA:** Yes, Your Lordship may fix once again once the Amicus picks up the...

1 **DINESH DWIVEDI:** [UNCLEAR] problem. If the Amicus fixes the issue, then we'll follow
2 that.

3 **CHIEF JUSTICE B.R. GAVAI:** We frame the following questions for consideration by the
4 Constitution Bench.

5 What should be the criteria for determining seniority in the cadre of higher judicial services
6 on the... let's state that, while considering the aforesaid issue situation would also consider the
7 other ancillary or related issue are if the Parties or the Counsel who are supporting the prayer,
8 wherein IA would be heard on 28th of October, and the Parties who are opposing the prayer
9 would be heard on 29th of October.

10 The Counsels will file their submissions on or prior to 27th of October, 2025. The Nodal
11 Counsel for the Parties supporting the prayer in the IA would be Ms. Mayuri Raghuvanshi,
12 and the Nodal Counsel for those opposing the prayer in the IA would be Manu Krishnan. File
13 it by 27th.

14 **VIJAY HANSARIA:** 27th, reopening day. 28th, My Lord. 27th would be reopening, My Lord.

15 **CHIEF JUSTICE B.R. GAVAI:** So, 28th, 29th you are saying?

16 **VIJAY HANSARIA:** Yes, My Lord.

17 **CHIEF JUSTICE B.R. GAVAI:** All right. On re-opening day, we don't want to do...

18 **VIJAY HANSARIA:** I thought Your Lordships are saying 27th.

19 **R. BASANT:** No, no, 27th... filing the statement, 27th, Your Lordship is saying?

20 **CHIEF JUSTICE B.R. GAVAI:** Yes.

21 **R. BASANT:** That's the reopening day. That's the reopening day. Can it be little later?

22 **CHIEF JUSTICE B.R. GAVAI:** Yes, you can file it on the reopening day.

23 **COUNSEL:** My Lords have allowed the IAs.

24 ^11:11:31^

25 **CHIEF JUSTICE B.R. GAVAI:** We've allowed the IAs filed till today.

1 **COUNSEL:** Till today, My Lord, for [UNCLEAR].

2 **VIJAY HANSARIA:** Yes, My Lords.

3 **CHIEF JUSTICE B.R. GAVAI:** So, you distribute the time.

4 **SIDDHARTH BHATNAGAR:** Yes, so we'll make sure that our side is this thing... Mayuri
5 can...

6

7

8 <<<<END OF DAY'S PROCEEDINGS>>>

9