

SUPREME COURT OF INDIA

This relates to the proposal for appointment of following 16 Advocates, as Judges of the Allahabad High Court:

1. Shri Vipin Chandra Dixit
2. Shri Ramanand Pandey
3. Shri Shekhar Kumar Yadav
4. Shri Vivek Prasad Mathur
5. Shri Ravi Nath Tilhari
6. Shri Sudeep Kumar
7. Shri Deepak Verma
8. Shri Gautam Chaudhary
9. Shri Sunil Kumar (Mishra)
10. Shri Dinesh Pathak
11. Shri Manish Kumar
12. Shri Vivek Ratan Agrawal
13. Shri Samit Gopal
14. Shri Manish Goyal
15. Shri Alok Kumar Yadav
16. Shri Ashish Pandey

The recommendation made by the Collegium of the Allahabad High Court on 14th February, 2018, for elevation of 33 Advocates, including the above-named Advocates was considered by the Supreme Court Collegium on 25th September, 2018, when it decided to defer consideration of the proposal for elevation of the above-named 16 recommendees.

As Shri Manish Goyal (mentioned at Sl. No. 14 above) vide communication dated 19th November, 2018 (copy placed below), forwarded by the Chief Justice of the Allahabad High Court, has withdrawn his consent for being considered as a Judge of the Allahabad High Court, we need not go into the merit of the proposal for his elevation.

In order to ascertain suitability of the above-named recommendees for elevation to the High Court, we have consulted our colleagues

conversant with the affairs of the Allahabad High Court. Copies of letters of their opinion in this regard are placed below.

The Collegium has duly taken note of the fact that net professional income of some of the recommendees is less than the prescribed minimum income limit of Rs.7 lacs. The Collegium considers it appropriate to relax the income criterion to a reasonable extent in cases where such recommendees belong to categories of SC/ST/OBC or represent Government in their capacity as Standing /Panel Counsel before the Courts.

For purpose of assessing merit and suitability of the above-named recommendees for elevation to the High Court, we have carefully scrutinized the material placed before us, including the observations made by the Department of Justice in the file. Having regard to all relevant factors, the Collegium is of the considered view that S/Shri (1) Vipin Chandra Dixit, (2) Ramanand Pandey (3) Shekhar Kumar Yadav, (4) Ravi Nath Tilhari, (5) Deepak Verma, (6) Gautam Chaudhary, (7) Manish Kumar, (8) Vivek Ratan Agrawal, (9) Samit Gopal, and (10) Alok Kumar Yadav, Advocates (mentioned at Sl. Nos. 1, 2, 3, 5, 7, 8, 11, 12, 13, and 15 above), are suitable for being appointed as Judges of the Allahabad High Court.

As regards Shri Dinesh Pathak (mentioned at Sl. No.10 above), consideration of the proposal for his elevation is deferred for being taken up on receipt of report/comments from the Chief Justice of the Allahabad High Court on certain unconfirmed inputs.

As regards S/Shri (1) Vivek Prasad Mathur, (2) Sudeep Kumar, (3) Sunil Kumar (Mishra), and (4) Ashish Pandey, Advocates (mentioned at Sl. Nos. 4, 6, 9, and 16 above), having regard to all relevant factors and the material placed in the file, the Collegium is of the considered view that the proposal for their elevation deserves to be remitted to the Allahabad High Court. The Collegium resolves to recommend accordingly.

In view of the above, the Collegium resolves to recommend that S/Shri (1) Vipin Chandra Dixit, (2) Ramanand Pandey (3) Shekhar Kumar Yadav, (4) Ravi Nath Tilhari, (5) Deepak Verma, (6) Gautam Chaudhary, (7) Manish Kumar, (8) Vivek Ratan Agrawal, (9) Samit Gopal, and (10) Alok Kumar Yadav, Advocates, be appointed as Judges of the Allahabad High Court. Their *inter se* seniority be fixed as per the existing practice.

(Ranjan Gogoi), C.J.I.

(A.K. Sikri), J.

(S.A. Bobde), J.

February 12, 2019.

