

1st November, 2018

To

Hon'ble Chief Justice Shri Ranjan Gogoi
Hon'ble Justice Shri Madan Lokur
Hon'ble Justice Shri Kurian Joseph
Hon'ble Justice Dr. A.K.Sikri
Hon'ble Justice Shri S.A.Bobde

Respected Judges of the Collegium,

It is with a feeling of deep anguish and dismay that all of us are addressing this letter to you against the sudden transfer of Justice Akil Kureshi as puisne Judge of the High Court of Judicature at Bombay as per Resolution of the Collegium dated 29th October, 2018, uploaded yesterday.

Justice Kureshi is currently the senior most Judge of the Gujarat High Court after Hon'ble Justice M.R.Shah who has been recommended for elevation to the Supreme Court and Justice K.S.Jhaveri, the current Chief Justice of the Orissa High Court.

Justice Kureshi is one of the finest Judges of our Court and is respected by all for his intellect as well as for his dignified conduct both on and off the Bench. Justice Kureshi is a strong votary of the independence of the judiciary and even a brief look at his judgments would make it apparent that he decides without fear or favour, as indeed every Judge must.

It is no secret that therefore many of his judgments have not found favour with the present dispensation and talks had started doing the rounds since quite some time that he would be side-lined for this.

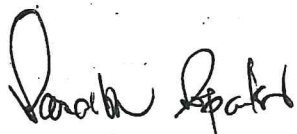
The sudden transfer of such a senior Judge, otherwise in line for being considered for appointment as Acting Chief Justice of our Court or the Chief Justice of


another Court, as a puisne Judge at No. 5 in seniority to another Court sends an absolutely wrong signal, affects the morale of independent Judges and does great disservice to the Institution.


As the events of the past year have revealed, these are testing times for the Judiciary. It is not for the first time that our Country has witnessed an assertive Executive attempting to subvert and overwhelm the Judiciary, since it is the only Institution which can reign in misuse of power by it. An individual Judge wages a lonely battle at great personal sacrifice and risk. If at times like these, the Institution does not stand behind a Judge as his or her pillar of strength, and lend support, it would be failing in its constitutional duty at a crucial moment in our Country's history.


We urge you to reconsider your decision.


Yours sincerely


SRINIVAS SOPARKAR
Sr Advocate



CDhan J. Dave
Sr Advocate



MIHIR J. THAKORE
Senior Advocate

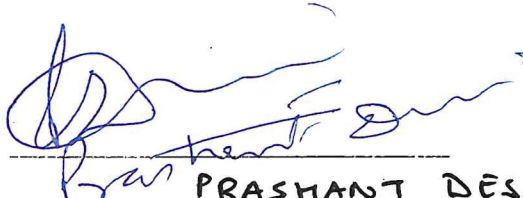

PERCY KAVINA



Navin Pahwa
Sr Advocate



Jatin R. Jha
SR. ADVOCATE



(Poolesh Saograwala)
Sr. Adv

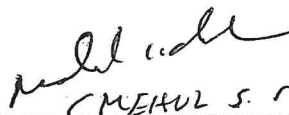

SHIRISH SANJANWALLA
SR. ADVOCATE



PRASHANT DESAI
SR. ADVOCATE


(MIHIR) JOSHI
SENIOR ADVOCATE

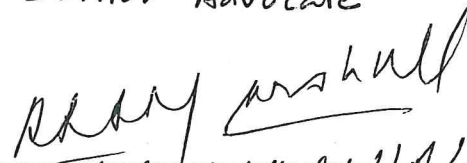

Manish Bhatt
SR. ADVOCATE

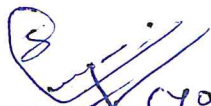

Devan Parikh
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