



सत्यमेव जयते

BAR COUNCIL OF WEST BENGAL

(A body constituted under the Advocates Act, 1961)

2 & 3, KIRAN SANKAR ROY ROAD, CITY CIVIL COURT BUILDING, 7TH FLOOR, KOLKATA - 700001

PHONE : 2248 8956, 2248 7233, 2230 5771 ; FAX : 2248 7233

Email - westbengalbarcouncil@gmail.com , website : www.wbbarcouncil.org

Mr. Ashok Kumar Deb, Advocate
CHAIRMAN

Resi. : 44/3, Mahatma Gandhi Road,
Kolkata - 700 009
Phone : 033 2352 7584
Mobile : 9831671705

CONFIDENTIAL

Date : 25.06.2021

To,
The Hon'ble Chief Justice of India
The Supreme Court of India

Sub: Removal of Hon'ble Justice Rajesh Bindal, The Acting Chief Justice of the Hon'ble High Court at Calcutta with immediate effect.

Dear Sir,

We, the members of the West Bengal Bar Association, are compelled to write this instant letter under urgent and dire circumstances.

The Calcutta High Court being the oldest chartered court in the country has a rich cultural and historical past. Being associated with such an esteemed institution, it pains us greatly to write this letter. Our Hon'ble High Court has been shaped up through the impeccable commitment and devotion of the officers of this court, including but not limited to the Hon'ble Judges, Advocates, administrative officers as well as other staff members towards maintenance of the highest standards of ethics and morality. Any endeavour that may seek to endanger the sanctity of this Hon'ble Court will destroy the sacred fabric of this institution.



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The Hon'ble Justice Rajesh Bindal was transferred to Calcutta High Court vide Notification No.K13015/06/2020-US.1 dated 31.12.2020 from the common High Court for the Union Territory of Jammu & Kashmir and Union Territory of Ladakh ("Jammu & Kashmir High Court") and was sworn as a Judge at the Calcutta High Court on January 5, 2021. Thereafter he was appointed as the Acting Chief Justice of the Calcutta High Court on and from 29.04.2021.

Hon'ble Justice Bindal has had a chequered past while he was appointed as the Acting Chief Justice of the Jammu & Kashmir High Court. Disgruntled by Hon'ble Justice Bindal's attitude/behavior, the Jammu & Kashmir High Court Bar Association had resolved to boycott the court of Hon'ble Justice Bindal on or around 16.09.2019. It is not surprising that Hon'ble Justice Bindal was appointed as a Judge of the High Court of Jammu & Kashmir only on 19.11.2018 and within a year lawyers at Jammu & Kashmir were fed up of his Lordship's antics. A copy of the said resolution dated 16.09.2019 passed by the Jammu & Kashmir High Court Bar Association is annexed hereto and marked with a letter "A".

Soon after being transferred to the Calcutta High Court, Hon'ble Justice Bindal was appointed as the Acting Chief Justice. On and from his date of appointment as the Acting Chief Justice of the Calcutta High Court, there have been numerous instances which have forced us to issue the instant letter praying for removal of his Lordship as a Judge from the Calcutta High Court. We would like to set out some of the instances which has given rise to a perception that Hon'ble Justice Bindal is an unfair, partial and biased judge and whose continuance at the Hon'ble High Court interferes with the fair and impartial dispensation of justice.

1. The way Hon'ble Justice Bindal has dealt with W.P.A. 10504 of 2021 (CBI, ACB, Kolkata – Versus – Sri Firhad Hakim @ Bobby Hakim & Ors. also known as the "Narada Bail Matter") sets serious doubts over the conduct and character of Hon'ble Justice Bindal. Hon'ble Justice Bindal by an order dated 17.05.2021 had stayed an interim order of bail passed by the Special CBI Court in favour of members of a certain political dispensation without giving the aggrieved parties an opportunity of being heard. If that was not all, the manner in which the Central Bureau of