



Regd.No. 131/Ju/95-96

RAJASTHAN HIGH COURT ADVOCATE'S ASSOCIATION, JODHPUR

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Ref. No. BAJ/2021/ 360

Date: 12.06.2021

To

Hon'ble Mr. Justice N.V. Ramana
The Chief Justice of India
Supreme Court of India
New Delhi.

Your Lordships,

Your lordship must be aware that the President of Supreme Court Bar Association (SCBA) has moved a proposal that the lawyers practicing before the Hon'ble Supreme Court should be appointed as Judges of High Courts. He has also claimed that your Lordship had been pleased to positively consider such request and had written to all the Chief Justices of the High Courts for considering lawyers practicing before the Hon'ble Supreme Court for elevation to the High Court Benches across the Country.

Rajasthan High Court Advocates Association, Jodhpur strongly opposes the proposal so moved by SCBA.

The proposal of Supreme Court Bar Association requires to be admonished as the proposition is based on the perception that



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lawyers practicing before the Hon'ble Supreme Court are "more meritorious" than their colleagues practicing before the Hon'ble High Courts. Such perception of the SCBA is preposterous and humiliating.

The appointment of Judges for the High Courts is exclusively within the domain of respective High Courts of the Country. However, if the statement made in the letter circulated by SCBA is believed; assurance given by your lordship would result into giving instructions to High Courts' collegium to recommend names of a category of Advocates, which would not be in consonance to the spirit of the Constitution of India. Moreover, such interference shall also take away the autonomy of the High Courts' collegiums.

It is needless to say that the talent and competence doesn't come from the place of practice or it cannot be said that lawyers practicing before the Supreme Court are "more meritorious" than the lawyers practicing before High Courts in the country and in the Courts subordinate to the High Court.

The land of Rajasthan might be arid in ecological conditions, but there no drought of talented, competent and



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meritorious lawyers/people here. The Rajasthan High Court has produced numerous jurists, who presided as Chief Justices of various High Courts, Judges of Hon'ble Supreme Court and Judge of the International Court of Justice (ICJ) as well. Two of the shining stars nurtured by the Bar of the Rajasthan High Court are currently serving the people of India as the judge of the Hon'ble Supreme Court.

Thus, the proposal of the Supreme Court Bar Association cannot be and ought not to be acknowledged and accepted. Therefore, we request your Lordship to withdraw such directives, if any, issued to the Chief Justices of the Hon'ble High Courts on the request of Supreme Court Bar Association.

With sincere regards,

Nathu Singh Rathore
President