

SUPREME COURT OF INDIA

The Collegium of the Supreme Court recommended the name of Shri Justice Robin Phukan, Additional Judge, for appointment as permanent Judge of the Gauhati High Court in the following terms:

On 23 March 2023, the Chief Justice of the Gauhati High Court in consultation with his two senior-most colleagues recommended the name of Shri Justice Robin Phukan, Additional Judge, for appointment as a permanent Judge of that High Court. The file was received in the Supreme Court from the Department of Justice on 28 April 2023. The Chief Ministers of the States of Assam, Mizoram, and Arunachal Pradesh and the Governors of the States of Assam, Nagaland, Mizoram, and Arunachal Pradesh have concurred with the recommendation.

We have considered the view of the Judges of the Supreme Court conversant with the affairs of the Gauhati High Court who were consulted, in terms of the Memorandum of Procedure, with a view to ascertain the fitness and suitability of Shri Justice Robin Phukan for being appointed as a permanent Judge.

The Committee constituted in terms of the Resolution dated 26 October 2017 of the Supreme Court Collegium to assess the Judgments of Shri Justice Robin Phukan has stated in its report as follows:

“Having gone through the above-mentioned judgments of the Learned Additional Judge, we are of the considered opinion that each judgment rendered by him is:-

- (i) Well articulated and well structured;
- (ii) Facts have been well-recorded;
- (iii) Issues have been clearly identified and answered with reasoning;
- (iv) Relevant statutory provisions and subordinate legislation has been aptly adverted to;
- (v) Submissions made by counsel from all sides along with case-law relied upon by them has been duly cited and considered;
- (vi) Material and relevant pleadings have been adequately referred to;
- (vii) Principles of appreciation of 'circumstantial evidence' and 'sentencing' have been appropriately followed;
- (viii) There is clarity with precision and lucidity;
- (ix) Art of writing the judgment is good;
- (x) Operative part of the order is clear; and
- (xi) The binding precedents and settled law has been duly followed.”

With a view to assess the merit and suitability of Shri Justice Robin Phukan for his appointment as a permanent Judge, the Collegium has scrutinized and evaluated the material placed on record including the observations made by the Department of Justice in the file as well as the report of the Judgment Evaluation Committee.

Having regard to all the relevant factors, the Collegium is of the considered view that Shri Justice Robin Phukan, Additional Judge, is

suitable for being appointed as a permanent Judge of the Gauhati High Court.

In view of the above, the Collegium resolves to recommend that Shri Justice Robin Phukan, Additional Judge, be appointed as a permanent Judge of the Gauhati High Court against an existing vacancy.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(K M Joseph), J

May 02 2023

