

## **SUPREME COURT OF INDIA**

This file relates to reconsideration of the proposal for elevation of following two Advocates, as Judges of the Calcutta High Court:

1. Shri Amitesh Banerjee, and
2. Shri Sakya Sen.

The names of Shri Amitesh Banerjee and Shri Sakya Sen were recommended by the Collegium of the Calcutta High Court on 17 December 2018. The Supreme Court Collegium approved the proposal on 24 July 2019. After the Department of Justice referred back their names on 23 July 2021, the Supreme Court Collegium reiterated its earlier recommendation in respect of Shri Amitesh Banerjee on 01 September 2021. On 27 September 2021, the Department of Justice forwarded additional inputs of the IB dated 24 September 2021 in respect of Shri Sakya Sen. The Supreme Court Collegium reiterated its earlier recommendation on 08 October 2021 for the elevation of Shri Sakya Sen. The Department of Justice has referred back the file on 25 November 2022.

The inputs which have been furnished by the Department of Justice in the file on 25 November 2022 do not contain any fresh material or ground. Moreover, after the Supreme Court Collegium reiterated the proposal on 01 September 2021, it was not open to the Department to repeatedly send back the same proposal which has been reiterated by the Supreme Court Collegium after duly considering the objections of the Government.

In view of the above, the Collegium resolves to return the file for processing the recommendations for appointment of S/Shri Amitesh Banerjee and Sakya Sen as Judges of the Calcutta High Court expeditiously.

( Dhananjaya Y Chandrachud ), C.J.I.

( Sanjay Kishan Kaul ), J.

( K.M. Joseph ), J.

January 18, 2023

