



SUPREME COURT OF INDIA

Re: Filling up vacancies of judges in the Supreme Court.

The Supreme Court of India has a sanctioned strength of thirty four Judges and is presently functioning with thirty-one Judges. The Supreme Court has a huge backlog of cases. In view of the ever mounting pendency of cases, the workload of judges has increased considerably. Bearing in mind the above, it has become necessary to ensure that the Court has full working judge-strength leaving no vacancy at any point of time. Bearing in mind the above, the Collegium has decided to fill up all the three existing vacancies by recommending names.

The Collegium deliberated on and discussed the names of Chief Justices and senior puisne Judges of the High Courts eligible for appointment to the Supreme Court. Judgments authored by those falling in the zone of consideration for elevation to the Supreme Court were circulated among the members of the Collegium, well in advance, for a meaningful discussion on and assessment of their judicial acumen. The Centre for Research & Planning of the Supreme Court has prepared a compilation of relevant background material to assist the Collegium.



While recommending appointments to the Supreme Court the Collegium has taken into consideration the following aspects:

- a. The seniority of Chief Justices and senior puisne Judges in their respective parent High Courts as well as overall seniority of the High Court Judges;
- b. The merit, performance and integrity of the judges under consideration; and
- c. The need to ensure diversity and inclusion in the Supreme Court by:
 - (i) representation of High Courts which are not represented or are inadequately represented, in the Supreme Court;
 - (ii) appointment of persons from marginalized and backward segments of society;
 - (iii) gender diversity; and
 - (iv) representation of minorities.

After carefully evaluating the merit, integrity and competence of eligible Chief Justices and senior puisne Judges of the High Courts and also accommodating a plurality of considerations, the Collegium



finds the following persons to be deserving and suitable in all respects for being appointed as Judges of the Supreme Court of India:

- i. Mr Justice Satish Chandra Sharma,
Chief Justice, High Court of Delhi,
(PHC: Madhya Pradesh)
- ii. Mr Justice Augustine George Masih,
Chief Justice, High Court of Rajasthan,
(PHC: Punjab & Haryana)
- iii. Mr Justice Sandeep Mehta,
Chief Justice, Gauhati High Court,
(PHC: Rajasthan)

The Collegium, therefore, unanimously resolves to recommend that (i) Mr Justice Satish Chandra Sharma, (ii) Mr Justice Augustine George Masih, and (iii) Mr Justice Sandeep Mehta, be appointed as Judges of the Supreme Court of India.

Mr. Justice Satish Chandra Sharma was appointed as a Judge of the Madhya Pradesh High Court on 18 January 2008. He was elevated as Chief Justice of the High Court for the State of Telangana on 11 October 2021 and thereafter transferred to High Court of Delhi on 28



June 2022. Mr Justice Satish Chandra Sharma has served as a judge of the High Court for more than 15 years and as Chief Justice of High Court for more than 2 years. The judgments authored by him dealing with issues in various branches of law stand testimony to his legal acumen and competence. Before his elevation as a Judge of the High Court of Madhya Pradesh, he practised in constitutional, service, civil and criminal matters. Mr. Justice Sharma stands at Sl. No. 2 in the combined all India seniority of High Court Judges. In the seniority of Judges hailing from Madhya Pradesh High Court, Mr. Justice Sharma stands at Sl. No. 1. While recommending his name, the Collegium is aware of the fact that at present, the Bench of the Supreme Court is represented by 1 Judge from the Madhya Pradesh High Court.

Mr. Justice A G Masih was appointed as a Judge of the Punjab and Haryana High Court on 10 July 2008. He was elevated as Chief Justice of the Rajasthan High Court on 30 May 2023. During his long tenure as a judge of the High Court Mr Justice Masih has acquired significant experience in diverse fields of law. Before his elevation, he practised in Constitutional, service, labour, and civil matters. Mr. Justice Masih stands at Sl. No. 7 in the combined all India seniority of High Court Judges. In the seniority of Judges hailing from the High Court of Punjab & Haryana, he stands at Sl. No.1. He belongs to a minority community. While recommending his name, the Collegium



is aware of the fact that at present, the Bench of the Supreme Court is represented by 2 Judges from the Punjab & Haryana High Court.

Mr Justice Sandeep Mehta was appointed as a judge of the Rajasthan High Court on 30 May 2011. Having attained seniority in his parent High Court he was elevated as Chief Justice of the Gauhati High Court and is serving there since 15 February 2023. The Rajasthan High Court which is his parent High Court is a large High Court which does not have representation on the Bench of the Supreme Court. Mr Justice Mehta has served as a judge of the High Court for more than 12 years. During his long tenure as a judge of the Rajasthan High Court and as Chief Justice of the Gauhati High Court, Mr Justice Mehta has acquired significant adjudicatory experience. Before his elevation, he practised before trial courts, High Court and the Supreme Court, mainly in constitutional and criminal laws. The judgments authored by him dealing with issues in various branches of law stand testimony to his legal acumen and competence. Mr. Justice Mehta stands at Sl. No. 23 in the combined all India seniority of High Court Judges. In the seniority of Judges hailing from the High Court of Rajasthan, he stands at Sl. No.1. Apart from according representation to the State of Rajasthan, the appointment of Mr Justice Mehta will provide a value addition in terms of his acquired knowledge and experience.



In view of the foregoing, the Collegium further resolves to recommend that the appointments of the above persons be made in the following order of seniority:

- i. Mr Justice Satish Chandra Sharma,
- ii. Mr Justice Augustine George Masih, and
- iii. Mr Justice Sandeep Mehta.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

(B R Gavai), J

(Surya Kant), J

06 November 2023