



SUPREME COURT OF INDIA

The Supreme Court Collegium has recommended the name of Shri Vimal Kanaiyalal Vyas, Judicial Officer, for appointment as a Judge of the High Court of Gujarat.

On 7 February 2023, the Chief Justice of the High Court of Gujarat in consultation with his two senior-most colleagues made the above recommendation.

Views of the Chief Minister and the Governor for the State of Gujarat on the above recommendation have not been placed in the file. On this aspect, Department of Justice has forwarded the above recommendation by invoking para 14 of the Memorandum of Procedure which provides that if the comments of the State constitutional authorities are not received within the said time frame (six weeks from the date of receipt of the proposal from the Chief Justice of the High Court), it should be presumed by the Minister of Law and Justice that the Governor and Chief Minister have nothing to add to the proposal and proceed accordingly.

In order to ascertain the suitability of Shri Vimal Kanaiyalal Vyas for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the High Court of Gujarat.



For the purpose of assessing the merit and suitability of Shri Vimal Kanaiyalal Vyas for elevation to the High Court, we have scrutinized and evaluated the material placed on record.

All the consultee-judges have found the officer to be suitable for appointment as a judge of the High Court. The Collegium has also taken note of the report of the Judgment Assessment Committee. The Collegium has also duly noted certain adverse observations made in a report placed in the file.

Bearing in mind the views of the consultee-judges on the suitability of the candidate, the report of the Judgment Assessment Committee and the assessment made by the Government of India in the file, the Collegium is of the considered view that the officer is suitable for appointment as a judge of the High Court of Gujarat.

While considering the above proposal, we have also taken note of the fact that the above proposal involves non-recommendation of a senior judicial officer. Cogent reasons have been recorded by the Collegium of the High Court for not recommending his name. We are, therefore, in agreement with the High Court Collegium for overlooking him.



In view of the above, the Collegium resolves to recommend that Shri Vimal Kanaiyalal Vyas, Judicial Officer, be appointed as a judge of the High Court of Gujarat.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

10 October 2023