



SUPREME COURT OF INDIA

The Supreme Court Collegium has recommended the names of the following Judicial Officers for appointment as Judges of the High Court of Tripura:

1. Shri Biswajit Palit, and
2. Shri Sabyasachi Datta Purkayastha.

On 01 December 2022, the Acting Chief Justice of the High Court of Tripura in consultation with his two senior-most colleagues recommended the elevation of the above judicial officers as judges of that High Court.

Views of the Chief Minister and the Governor for the State of Tripura on the above recommendation have not been placed in the file. On this aspect, the 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 timeframe (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 fitness and suitability of the above-named judicial officers for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the High Court of Tripura.



For the purpose of assessing the merit and suitability of the above-named candidates for elevation to the High Court, we have scrutinized and evaluated the material placed on record including the observations made by the Department of Justice in the file as well as the complaints, received against one of the candidates.

1. Shri Biswajit Palit

The judicial officer is functioning as Legal Remembrancer and Secretary, Law Department, Govt. of Tripura. Both the consultee-judges have recommended that he is suitable for appointment as a judge of the High Court. The inputs placed by the Government of India on the file do not indicate anything adverse to the reputation or integrity of the officer. The Collegium has also noticed the report of the Judgment Assessment Committee. Bearing in mind the above circumstances, the Collegium is of the considered view that the officer is suitable for appointment as a judge of the High Court.

2. Shri Sabyasachi Datta Purkayastha

The judicial officer is presently functioning as Director of the Tripura Judicial Academy. One of the consultee-judges has expressed the view that the officer may be considered at a later stage, while the other consultee-judge has not offered any view. The Collegium has taken due note of the inputs placed by the Government of India on the file which do not contain any information adverse to the reputation or integrity of the officer. The



Collegium has also taken note of the report of the Judgment Assessment Committee. The Collegium finds the candidate suitable for appointment as a judge of the High Court.

While considering the above proposal, we have also taken note of the fact that the above proposal involves non-recommendation of senior judicial officers. Cogent reasons have been recorded by the Collegium of the High Court for not recommending their names. We are, therefore, in agreement with the Collegium of the High Court for not recommending them.

In view of the above, the Collegium resolves to recommend that S/Shri (i) Biswajit Palit and (ii) Sabyasachi Datta Purkayastha, Judicial Officers, be appointed as judges of the High Court of Tripura. Their *inter se* seniority be fixed as per the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

10 October 2023