

SUPREME COURT OF INDIA

The Collegium of the Supreme Court has recommended the names of three Judicial Officers of the Delhi Higher Judiciary, viz. S/Shri (i) Girish Kathpalia, (ii) Dharmesh Sharma, and (iii) Manoj Jain, as Judges of the High Court of Delhi in the following terms:

On 22 December 2022, the Chief Justice of the High Court of Delhi in consultation with his two senior-most colleagues recommended the elevation of Judicial Officers as Judges of the High Court of Delhi. The file was received in the Supreme Court from the Department of Justice on 07 April 2023.

In order to ascertain the fitness and suitability of the above-named persons for elevation to the High Court, in terms of the Memorandum of Procedure, Judges of the Supreme Court conversant with the affairs of the High Court of Delhi were consulted.

For the purpose of assessing the merit and suitability of the above-named Judicial Officers for elevation to the High Court of Delhi, we have scrutinized and evaluated the material placed on record including the observations made by the Department of Justice and certain complaints / representations placed before us.

(i). Shri Girish Kathpalia

The Judgment Evaluation Committee has graded judgments authored by him as 'outstanding'. He is the senior-most member of the Delhi Higher Judicial Service. The Intelligence Bureau has reported that he has a good personal and professional image and that nothing adverse has come to notice against his integrity. We have considered the opinion of consultee-Judges with regard to his suitability for elevation. In view of the above, the Collegium is of the considered

opinion that Shri Girish Kathpalia is fit and suitable for appointment as a Judge of the High Court of Delhi.

(ii). Shri Dharmesh Sharma

We have considered the inputs provided by the Intelligence Bureau. The inputs of the Intelligence Bureau are evaluated in conjunction with the opinion of consultee judges who have with their long years of experience in the High Court of Delhi observed the conduct and work performance of the officer.

The Judgment Evaluation Committee has graded judgments authored by him as 'Outstanding'.

In view of the above and on an overall consideration of the proposal for his elevation, the Collegium is of the considered opinion that Shri Dharmesh Sharma is suitable for appointment as a Judge of the High Court of Delhi.

(iii). Shri Manoj Jain

The Judgment Evaluation Committee has graded judgments authored by him as 'outstanding'. We have considered the opinion of consultee-Judges with regard to his suitability for elevation. The Intelligence Bureau has reported that he has a good personal and professional image and that nothing adverse has come to notice against his integrity. In view of the above, the Collegium is of the considered opinion that Shri Manoj Jain is suitable for appointment as a Judge of the High Court of Delhi.

While considering the above proposal, the Collegium has also taken note of the fact that the above proposal involves non-recommendation of a senior Judicial Officer. In this regard, we have gone through Minutes of the High Court Collegium, which has duly recorded reasons for not recommending the name of

the Judicial Officer. We are in agreement with the justification given by the High Court Collegium in its Minutes for not recommending the senior Judicial Officer.

In view of the above, the Collegium resolves to recommend that S/Shri (1) Girish Kathpalia, (2) Dharmesh Sharma, and (3) Manoj Jain, Judicial Officers, be appointed as Judges of the High Court of Delhi. Their *inter se* seniority be fixed as per the existing practice.

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

(Sanjay Kishan Kaul), J.

(K.M. Joseph), J.

April 12, 2023