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Subject: Moot Court
(B.com LL.B VI Semester)
Unit-II Judicial System in India
Topic: Appointment of Judges
Date: 7/04/2020

Supreme Court

Appointment of Acting Chief Justice(Article 126)

When the office of Chief Justice of India is vacant or when the Chief Justice is, by reason of absence or otherwise, unable to perform the duties of his office, the duties of the office shall be performed by such one of other Judges of the Court as the President may appoint for the purpose.

Appointment of ad hoc Judges (Article 127)

1. If at any time there should not be quorum of the Judges of the Supreme Court available to hold or continue any session of the Court, the Chief Justice of India may, with the previous consent of the President and after consultation with the Chief Justice of the High Court concerned, request in writing the attendance at the sitting of the Court, as ad hoc Judge, for such period as may be necessary, of a Judge of a High Court duly qualified for appointment as a Judge of the Supreme Court to be designated by Chief Justice of India.
2. It shall be the duty of the Judge who has been so designated, in priority to other duties of his office to attend the sittings of the Supreme Court at the time and for the period for which his attendance is required, and while so attending he shall have all the jurisdiction, powers and privileges, and shall discharge the duties, of a Judge of the Supreme Court.

Seat of Supreme Court (Article 130)- The Supreme Court shall sit in Delhi or in such other place or places, as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The State Judiciary

(High Court and Subordinate Courts)

According to Article 214 of the Constitution – There shall be a High Court for each State. Parliament can establish a common High Court for two or more States or for two or more States and a Union territory. Article 231 (1)

Constitution of High Courts

Article 216 of Constitution of India every High Court shall consist of a Chief Justice and such other judges as parliament may from time to time deems it necessary to appoint. The number of judges of a High Court is not fixed in the Constitution.

APPOINTMENT OF JUDGES

Article 217(1) of Constitution provides that every judge of High Court shall be appointed by the President by warrant under his hand and seal after consultation with Chief Justice of India, the Governor of State concerned and in the case of appointment of judge other than the Chief Justice the Chief Justice of the High Court.

THANK YOU