

'CJI VIOLATED PROCEDURE BY HEARING OWN CASE'

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

A storm of public opinion is gathering against the manner in which a Bench led by Chief Justice of India Ranjan Gogoi convened on April 20 and *suo motu* heard a case involving sexual harassment allegations levelled against him by a former Supreme Court employee.

The Bench was convened at short notice after online news portals published allegations levelled by a woman against the CJI.

The hearing sparked a public debate on whether the CJI was sitting as a “judge in his own cause” and whether the Bench should have followed the principles of natural justice by giving her a fair chance to be heard in the first place before passing remarks about her.

On Monday, the first working day after a tumultuous weekend, the Supreme Court Bar Association (SCBA), a body of over 6,000 lawyers practising in the Supreme Court, resolved that Saturday’s hearing was “in violation of the procedure established by as well as the principles of natural justice”. In an urgent meeting, the executive committee of the SCBA resolved that it was necessary that a Full Court of the Supreme Court should take “all the necessary steps” under the law in this issue.

The Supreme Court Advocates on Record Association also expressed reservations against the “procedural impropriety.”

“The allegations of the ex-employee have to be dealt with as per the procedure established by law. The law must be applied in each and every case uniformly,” SCAORA resolved.

The association said it “strongly disapproves the manner in which the complaint was dealt with.” It urged for an inquiry and action into the woman’s complaint.

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