

Allahabad HC judge to be impeached

If the findings of guilt are confirmed, the impeachment motion would be put to vote for the removal of the judge by a majority.

The move for a possible impeachment of Justice Shukla began with Allahabad High Chief Justice D.B. Bhosale withdrawing judicial duties from him from January 23, 2018.

The trigger is a scathing report by the committee led by Madras High Court Chief Justice Indira Banerjee.

In the past, impeachment motions against Justice Soumitra Sen of Calcutta High Court and Chief Justice of Sikkim High Court P.D. Dinakaran could not proceed as they resigned before the process was completed.

Justice Shukla joined the Allahabad High Court in 2005 and was set to retire on July 17, 2020.

His orders in cases of blacklisted private medical colleges in Lucknow had come under the CJI Bench's scanner last year.

CJI Dipak Misra had expressed "shock" at an order passed by a Division Bench led by Justice Shukla on September 1, 2017 allowing G.C.R.G. Memorial Trust, based in Lucknow, in defiance of a "graphically clear" restraining direction from the apex court on August 28 to stop admissions for the academic session 2017-18. The Supreme Court noted how Justice Shukla, on September 4, even made some corrections to the September 1 order.

On November 23, Chief Justice Misra, in a 14-page judgment, held that the Division Bench of the High Court led by Justice Shukla had abandoned "the concept of judicial propriety" and transgressed judicial rules to "proceed on a path where it was not required to". The CJI had held that such transgressions cause "institutional problems".

The Justice Banerjee Committee was formed shortly after this judgment on December 8.

Justice Shukla was also heading the High Court Division Bench which passed an order on August 25, 2017 in the case of another banned medical college of Lucknow-based Prasad Education Trust, which led to a scandal that sent shock waves across the judiciary and compelled the CJI to re-affirm his authority as the master of the roster.

Justice Shukla's Bench had, in an interim order, restrained the Medical Council of India from de-listing Prasad Education Trust's medical college. This order is part of an FIR filed by the CBI which alleges that a criminal conspiracy was hatched by officials of the Prasad Education Trust along with several persons, including I.M. Quddusi, retired judge of the Orissa High Court, to lift the ban on the college from admitting students for the couple of years.

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