

Collegium puts off decision on Joseph

Justice K.M. Joseph

The government's request to reconsider Justice Joseph came after a delay of three months. In its communication, the government had argued that Justice Joseph was "at serial number 42" in the All India High Court Judges' seniority list. It had reasoned that 11 Chief Justices across various high courts were senior to Justice Joseph and his parent Kerala High Court was already "adequately represented" in the Supreme Court and high court chief justiceships.

"Taking into consideration the points mentioned above, the proposed appointment of Shri Justice K.M. Joseph as a Judge of the SC at this stage doesn't appear to be appropriate. It would also not be fair and justified to other more senior, suitable and deserving Chief Justices and sub Puisne Judges of various High Courts... This proposal for the reconsideration of Shri Justice K. M. Joseph has the approval of the Hon'ble President and Hon'ble Prime Minister," the government said in a letter to CJI Misra.

Meanwhile, the Law Minister denied that Justice Joseph's elevation was opposed because he quashed President's Rule in Uttarakhand and restored the then Congress government in the State. "I wish to deny with all authority at my command. It has nothing to do with that at all. A proper government with 3/4th majority has been elected in Uttarakhand. Second that order (of Justice Joseph) was confirmed by Justice J.S. Khehar of the SC, who had also set aside the National Judicial Appointments Commission Act. Yet he became the CJI in the NDA government. Therefore, I deny these insinuations."

END

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