

PLEA TO REVIEW SECOND JUDGES CASE ORDER DISMISSED

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

A nine-judge Bench of the Supreme Court, led by Chief Justice of India Ranjan Gogoi, has dismissed a bunch of petitions seeking a review of the court's judgment in the Second Judges case in 1993, which led to the collegium system of appointment of judges.

The judges took the decision in their chambers, dismissing the petitions on grounds of an inordinate delay of over 9,000 days in filing the review and on merits.

The Bench included Chief Justice of India-designate S.A. Bobde and Justices N.V. Ramana, Arun Mishra, Rohinton Nariman, R. Banumathi, U.U. Lalit, A.M. Khanwilkar and Ashok Bhushan.

The main petitions were filed by the National Lawyers' Campaign for Judicial Transparency and Reforms through its secretary, A.C. Philip, and advocate Mathew Nedumpara, among others.

"There is an inordinate delay of 9,071 days in filing the instant petition, for which no satisfactory explanation has been offered by the petitioners. Thus, though the present petition is liable to be dismissed on the ground of delay itself, yet we have carefully gone through the review petition and the papers connected therewith. We are satisfied that no case for review of the impugned judgment has been made out. The review petition is accordingly dismissed, both on the ground of delay, as well as, on merits," the short dismissal order read.

The order is dated October 17 but made available on Wednesday.

The 1993 judgment was the basis on which a five-judge Constitution Bench declared the National Judicial Appointments Commission Act (NJAC) and the Constitutional (Ninety-Nine Amendment) Act, 2014 unconstitutional in October 2015.

Last December, a five-judge Bench led by Chief Justice Gogoi dismissed a review petition against the judgment in the NJAC case.

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