

## SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following eight Advocates as Judges of the Orissa High Court:

1. Shri Rudra Prasad Kar,
2. Shri Pranaya Kishore Harichandan,
3. Shri Kali Prasanna Mishra,
4. Shri Bimbisar Dash,
5. Shri Narasingh V.,
6. Shri Tushar Kanti Satapathy,
7. Shri Bishnu Prasad Pradhan, and
8. Shri Sameer Kumar Das.

The above recommendation has been made by the then Chief Justice of the Orissa High Court on 18<sup>th</sup> May, 2018. As per record, views of the State of Odisha have not yet been received though the Department of Justice had on 21<sup>st</sup> June, 2018 requested in this regard to the concerned Constitutional authorities in the State.

For purpose of assessing merit and suitability of the above-named recommendees for elevation to the High Court, we have carefully scrutinized the material placed on record, including certain complaints against some of the recommendees and the observations made by the Department of Justice in the file. Apart from this, we invited three of the above-named recommendees with a view to have an interaction with them. On the basis of interaction and/or having regard to all relevant factors, the Collegium is of the considered view that

1. the proposal in respect of Shri Rudra Prasad Kar (mentioned at Sl.No.1 above) be remitted to the Orissa High Court since he does not qualify the existing norms, his average net professional annual income for the preceding five years being less than the prescribed income limit applicable in case of Bar members.
2. the proposal in respect of Shri Pranaya Kishore Harichandan (mentioned at Sl.No.2 above) be remitted to the Orissa High Court.

3. the proposal in respect of Shri Kali Prasanna Mishra (mentioned at Sl.No.3 above) deserves to be deferred for the present. His case would be taken up for consideration by the Collegium after some time.
4. the proposal in respect of Shri Bimbisar Dash (mentioned at Sl.No.4 above) be remitted to the Orissa High Court for the reasons recorded above in the case of Shri Rudra Prasad Kar.
5. the proposal in respect of Shri Narasingh V. (mentioned at Sl.No.5 above) be sent back to the Orissa High Court for reconsideration by the High Court Collegium.
6. the proposal in respect of S/Shri (i) Tushar Kanti Satapathy, (ii) Bishnu Prasad Pradhan and (iii) Sameer Kumar Das (mentioned at Sl.Nos.6, 7, and 8 above) be remitted to the Orissa High Court since they do not qualify the existing norms, their average net professional annual income for the preceding five years being less than the prescribed income limit applicable in case of Bar members.

The Collegium resolves to recommend in terms of what is elaborated above.

( Ranjan Gogoi ), C.J.I.

( Madan B. Lokur ), J.

( Kurian Joseph ), J.

October 31, 2018