

SUPREME COURT OF INDIA

Re: Appointment of Mr Justice Ashish J Desai, Judge, High Court of Gujarat as the Chief Justice of the High Court of Kerala.

A vacancy in the office of the Chief Justice of the High Court of Kerala would arise consequent upon elevation of Mr Justice S Venkatanarayana Bhatti to the Supreme Court in terms of the separate recommendation made by the Supreme Court Collegium. Therefore, appointment to that office is required to be made.

Para 3 of the Memorandum of Procedure relating to appointment of Chief Justice of a High Court provides as under:

“A fair representation shall be given to various High Courts for selection of Chief Justices. For purposes of such selection, inter-se seniority of puisne Judges will be reckoned on the basis of their seniority in their own High Court. The consideration for appointment of Chief Justices shall be based on the criterion of seniority subject to merit and integrity.”

It is proposed to appoint Mr Justice Ashish J Desai as the Chief Justice of the High Court of Kerala. Mr Justice Ashish J Desai was appointed as a Judge of the High Court of Gujarat on 21 November 2011. He has acquired experience of more than 11 years in dispensing justice in a large High Court. He is the seniormost puisne Judge in his parent High Court and is currently performing the duties of the office of Chief Justice of that High Court. While recommending his name, the Collegium has taken into consideration the fact that the High Court of Gujarat presently has no representation among the Chief Justices of the High Courts.

Having regard to all relevant factors, the Collegium is of the considered view that Mr Justice Desai is suitable in all respects for being appointed as Chief Justice of the High Court of Kerala.

In view of the above, the Collegium resolves to recommend that Mr Justice Ashish J Desai be appointed as the Chief Justice of the High Court of Kerala.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J.

(Sanjiv Khanna), J.

05 July 2023

