

# Association of Retired Judges of Supreme Court and High Courts of India

(A Society registered under Societies registration Act 1860), vide Registration No. S. 38785 of 2001 of the Registrar of Societies Govt. of NCT, DELHI  
Camp Office: 2/45, VipulKhand, Gomti Nagar, Lucknow-226010

**President:** Justice K.L.Sharma  
(Former Judge Allahabad High Court)  
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**Secretary General:** Justice Mahendra Dayal  
(Former Judge Allahabad High Court)  
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### Secretary General

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### Treasurer

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## MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE HELD ON 07.10.2023 AT 11 AM IN THE CONFERENCE HALL THIRD FLOOR EXTENSION BLOCK, DELHI HIGH COURT, NEW DELHI.

The office bearers and the special invitees who were present in the meeting appended their signatures on a separate sheet which forms part of the minutes.

Hon'ble Justice Adarsh Kumar Goel, former judge of the Supreme Court of India, and other former judges of different High Courts, graced the meeting as special invitees.

The chairpersons of State Chapters also joined as regular invitees and appended their signatures.

The quorum of the meeting was complete.

The President Justice K. L. Sharma, presided over the meeting. At the outset the President welcomed all the office bearers, the regular invitees and the special invitees, who attended the meeting. The President introduced himself and also requested all the office bearers, regular invitees and special invitees to introduce themselves.

Thereafter, the President requested the Secretary General to take up the agenda wise items and present his notes.

The Secretary General presented notes on each and every item of the agenda in the meeting.

**Agenda No.1 : Confirmation of the minutes of the meeting of the Executive Committee held on 22<sup>nd</sup> July, 2023, in Bharat Hotel Kochi, Kerala.**

Resolved that the minutes of the meeting dated 22.07.2023, held at Kochi, be and are hereby confirmed.

**Agenda No.2 : Information about the new members of the Association.**

The Secretary General informed that since the last meeting of the Executive Committee held at Kochi, fifteen new members have joined the Association. Their names were also read out by the Secretary General. List of these new members is given below:-

1. Justice Ramesh D Dhanuka	Bombay High Court
2. Justice Suresh Kumar Gupta	Allahabad High Court
3. Justice Geeta Mittal	Chief Justice of Jammu & Kashmir High Court
4. Justice F.M.I Kalifulla	Supreme Court
5. Justice Mohan Lal Mehta	Delhi High Court
6. Justice Chandra Kumar Sonagara	Rajasthan High Court
7. Justice V.N. Sinha	Patna High Court
8. Justice B.C.Kandpal	Uttarakhand High Court
9. Justice V.K. Shali	Delhi High Court
10. Justice Prahlad Rai	
11. Justice T.N.Vallinayagam	Madras High Court
12. Justice Tarun Kumar Kaushal	Madhya Pradesh High Court
13. Justice Sneh Parashar	Punjab & Haryana High Court
14. Justice Darshan Singh	Punjab & Haryana High Court
15. Justice Mohinder Mohan	Punjab & Haryana High Court

Justice Raghavan Basant, former Judge of Kerala High Court was of the view that the members of the association must be more involved and play more active role to increase the members and for this, four or five former judges of each High Court must take initiative and ensure that if not all, more and more former judges are enrolled.

The President pointed out that last year he himself wrote to the Chief Justice of India and the Chief Justices of all the High Courts mentioning about the Association and Association website [www.arjschc.com](http://www.arjschc.com) and providing format of the prescribed membership application and requesting to circulate the letter and the application to all the retiring and retired Judges of the court. This year the Secretary General Justice Mahendra Dayal wrote a similar letter to the Secretary General of the Supreme Court and the Registrar Generals of all the High Courts and enclosing therewith the format of the membership application and requesting to circulate the letter

and the application to all the retiring and retired Judges of the court. This exercise will be repeated every year now twice, in the months of January and July. However, every member can make his individual effort to persuade the retired Judges to become the member of the Association and do something to the benefit of the public by his long experience and wisdom.

It was also apprised by the Secretary General that pursuant to the sincere efforts made by the President, the retired judges of Supreme Court and High Courts settled in different States, are showing interest in joining the association and many of them have already joined. The office bearers, the chairpersons and the special invitees present in the meeting were requested to contact and persuade more and more former judges and retiring judges to join the association and provide them the prescribed membership form to which most of the judges present in the meeting agreed and assured to persuade the former judges to join and take membership of the association.

**Agenda No.3 : Consideration of the Audit Report for the financial year 2022-23.**

The audit report and balance sheet prepared by the auditor Ms. Shailja Agrawal was read over. The auditor did not raise any objection or point out any discrepancy. It was unanimously resolved to approve the audit report which is hereby approved.

**Agenda No.4 : Consideration of the report of Justice S.N. Agnihotri, Secretary In charge litigation.**

The Secretary In charge litigation, Justice S. N. Agnihotri presented his report orally and informed that as resolved in the previous meeting of the executive committee held at Kochi, two separate Writ Petitions, one for removing the disparity in the grant of pension and additional pension and the other regarding post retiral benefits for the former judges of Supreme Court and High Courts, have been filed through Sri Arjun Garg, Advocate-on-record with team leader Justice N. K. Mody. The copies of both the Writ Petitions were provided to the members of the litigation committee present in the meeting and also Justice Raghavan Basant, former Judge of Kerala High Court, Senior Advocate in the Supreme Court, with the request to be

present along with the team leader and argue in both the writ petitions on such dates as may be fixed by the Hon'ble Supreme Court. The Advocate-on-record Mr. Arjun Garg, will contact them and intimate the dates. The Advocate-on-record has just informed that the two petitions have been listed on 16.10.2023 at Serial No. 16 and 17 before bench of the Hon'ble Chief Justice of India, Hon'ble Mr. Justice J.B. Pardiwala and Hon'ble Mr. Justice Manoj Misra. He is requested our senior advocates and members of the Association to be prepared and present for arguments on the appointed date and time before the bench.

**On the suggestion of Justice Adarsh Goel, a drafting committee was also formed consisting of Justice Raghavan Basant, Justice N.K. Mody, Justice Subhash Samvatsar and the President. The assistance to the committee will be provided by the Advocate-on-record Mr. Arjun Garg, Contact No. 9971796913.**

**Agenda No. 5: Consideration of the additional estimated demand under the head 'Litigation' in the approved budget for the financial year 2023-34, subject to the final approval of the General Assembly in its next meeting.**

As resolved in the previous meeting of the executive committee held at Kochi, the expenses of litigation to be filed in the Supreme Court on behalf of the Association, were to be borne by the association. It was informed by the Secretary General that two Writ Petitions, one for removing the disparity in the grant of pension and additional pension and the other regarding post retiral benefits to the former judges of the Supreme court and High Courts, have been filed through Sri Arjun Garg, Advocate on record and a sum of Rs. 80,000/- has been paid to him towards expenses and fee for filing the petitions. The balance fee shall be paid to him at a later stage of the litigation. It was also informed that as per the decision taken by the President, the expenses of traveling etc. incurred by Justice Agnihotri in filing and pursuing the Writ Petitions, will also be reimbursed to him. In the light of these developments, the necessity of additional budget under the head 'litigation' arose. In the last annual general meeting held at Bhopal, no expenditure was demanded and sanctioned under this head. The executive committee on request, approved the additional budget of estimated expenditure of two lakhs of rupees to meet out the expenses of

litigation for the current financial year 2023-24, subject to final approval by the General Assembly to be held in April next year.

**Agenda No. 6 : Consideration of the report of Justice J. K. Ranka, Secretary in Charge of the State Chapter.**

The Secretary in Charge Justice J. K. Ranka could not attend the meeting on account of health issue but the Secretary General informed that on his request WhatsApp group of Chairpersons of the State Chapters has been constituted to facilitate the working assigned to him and now he is in contact with the Chairpersons through this group.

**Agenda No.7 : Consideration of the date and venue of the next meeting of the Executive Committee.**

Justice Adarsh Kumar Goel and Justice Raj Rahul Garg, Chairperson of Punjab & Haryana State Chapter, proposed that the next meeting of the Executive Committee be held in Chandigarh and assured that all the arrangements including stay and food etc., would be made conveniently at Chandigarh. This suggestion was accepted by all office bearers present in the meeting and the date 20<sup>th</sup> January 2024 was also unanimously agreed.

**It was therefore resolved that the next meeting of the Executive Committee will be held in Chandigarh on 20<sup>th</sup> January 2024.**

**Agenda No. 8 : Any other matter of importance with the permission of the President.**

(1). Justice Adarsh Kumar Goel, former judge of the Supreme court pointed out that the perception of the public about the judiciary is getting adverse and vocal about the delay in the disposal of the cases pending for years. The members of the Association can play an effective role in removing the misunderstanding and telling the reality to the public through the media/personal contact/lectures in the colleges/universities or by holding seminars and conferences inviting the public at large. This role is actually in consonance with the aims and objects of the Association which every member undertakes to pursue. But in fact substantial and prominent work is not so far being done.

Justice Raghavan Basant, former Judge of Kerala High Court also suggested that apart from showing anxiety towards the interest of the members, the association must take out plans and projects to extend help to the society taking advantage of the experience and practical knowledge of the members.

Justice T. K. Kaushal was also of the view that since we are answerable to the society, we must provide our services to them in all possible ways.

The President explained that the Association has constituted State Chapters at the seat of every High Court but so far only eleven chapters are active and holding their monthly meetings and discussing the matters of importance. The State Chapters can effectively contribute either individually or collectively to interact with the public for removal of the misunderstanding and spreading awareness of the realities and also extend free legal aid and do other social work in order to improve the image of the judiciary. The increasing litigation in every court right from the District up to the Supreme Court has put the judges under great strain and pressure to deal with the list of several hundreds of cases per day yet they are making their best efforts to do utmost in the prevailing situation. But the former Judges can also help in the reduction of the cases by the process of mediation and by clearing the misunderstanding of the disputing parties. It is expected that the members doing public work of importance will also apprise the Secretary General, so that their work may be considered in the next meeting of the Executive Committee and the Annual General Meeting.

Justice D.K. Trivedi, Vice President of the Association also pointed out that the former Judges who are doing Arbitration Cases assigned by the Supreme Court and the High Courts are charging exorbitant fees and expenses under different heads like per day of sitting up to the tune of 65000/-, administrative charges, secretariat charges, reading of the pleadings and evidence and writing of the award from each of the parties contrary to the provision of Section 11(14) of the Arbitration and Conciliation Act 1996, as amended and this conduct is bringing the former Judges into disrepute. He suggested that the former Judges should be law abiding Arbitrators to protect the interest of the litigants as independent,

honest and humane, so that the confidence of the public in the judiciary as a whole be restored and enhanced.

**It was then resolved that the members of the State Chapters should not only be concerned with their individual problems but they should also make their efforts to ameliorate the hardships of the public by use of their long judicial experience and wisdom and remove the misunderstandings of the public about the judiciary.**

(2). Justice Shobha Dikshit, former judge of Allahabad High Court, pointed out a case heard by a judicial officer from the beginning and also heard the arguments and fixed the date for judgment three months before the month of annual transfers, but the judgment was not delivered and a date was fixed for hearing after the month of transfer. When Justice Shobha Dikshit enquired from a serving High Court Judge elevated from the District Judiciary as to why such a situation happens. In reply she was told that most of the judicial officers whose transfer becomes due after a fixed tenure of three years, either stop working or do not pronounce judgments in the matters heard by them as they remain under fear of complaint against them and action by the High Court. In such circumstances the matters get delayed and the new officer has to rehear the case for a final decision. She suggested that the association should write to all the Chief Justices in this regard with the request to issue a circular in supersession of earlier circular if any in this regard, directing all Judicial Officers to deliver judgments/orders in all the cases heard before their transfer without any fear of administrative action by the High Court which will not take cognizance of any frivolous complaints either by the party or anybody else.

**It was resolved that the Secretary General of the Association will send a letter to the Registrar Generals of the High Courts for the issuance of a circular by the High Court directing the judicial officers to deliver judgments/orders in all the cases heard before their transfer without any fear of administrative action by the High Court which will not take cognizance of any frivolous complaints either by the party or anybody else.**

(3). Justice S. K. Katriar suggested that the facility of Diplomatic Passports to the sitting judges, be extended to the former judges as well. This suggestion

was not supported by majority of judges present in the meeting. However, with regard to other protocol and medical facilities, the majority agreed that the protocol and medical facilities should be made available to all the former Judges of the Supreme Court and the High Courts at par with those of the sitting Judges, in every state of India. The Secretary General pointed out that the Hon'ble Supreme Court has already directed all the State Governments by judicial order to grant equal medical facilities to the former Judges at par with the sitting Judges and many States have complied with the orders and a contempt petition is pending before the Supreme Court against the defaulting states. As regards post retiral facilities, a writ petition has been filed by the Association before the Hon'ble Supreme Court.

(4). Justice D.K. Trivedi Vice President and former Judge of Gujarat High Court, pointed out that no protocol facility is available to the visiting Judges at the New Delhi Airports when such protocol facility is made available to all the visiting Judges former and present, at the Railways Stations and the Airports of the other prominent cities by several High Courts. The Registrar Retired Judges Cell Delhi High Court informed that protocol facility is also made available to the sitting Judges at the New Delhi Airports on reciprocal basis. The members present in the meeting were of the unanimous view that the protocol facilities should be made available to the former and present Judges of the Supreme Court and High Courts at every Railway Station and every domestic and international Airports without consideration of reciprocity, on receipt of detailed program/itinerary by the Registrar Protocol of the High Court, through the protocol department of the High Court concerned. In the event of emergency, the Judge concerned should directly send the program by whatsapp to the Registrar Protocol of the concerned High Court.

**It was then resolved that the Secretary General should write a letter to the Registrar Retired Judges Cell, Delhi High Court requesting for grant of protocol facility to the former and present Judges of the Supreme Court and High Courts at every Railway Station and every domestic and international Airports without consideration of reciprocity, on receipt of detailed program/itinerary by the Registrar Protocol/Retired Judges Cell of the High Court, through the protocol department of the High Court concerned. In the event of emergency, the Judge concerned should**



directly send the program by whatsapp to the Registrar Protocol/Retired Judges Cell of the concerned High Court.

It was further resolved that the Secretary General should write to all other High Courts also for grant of protocol facility to the former and present Judges of the Supreme Court and High Courts at every Railway Station and every domestic and international Airports without consideration of reciprocity, within their jurisdiction, on receipt of detailed program/itinerary by the Registrar Protocol/Retired Judges Cell of the High Court, through the protocol department of the High Court concerned. In the event of emergency, the Judge concerned should directly send the program by whatsapp to the Registrar Protocol/Retired Judges Cell of the concerned High Court.

(5). It was brought to the notice of the President by the spouse of a deceased Judge of Allahabad High Court that she was refused issue of her photo ID Card which she needed in connection with her work with the bank and other official bodies, while suffering from geriatric problems. The refusal of the ID passport to the spouse was made on the plea of 'no precedent'. The members present in the house expressed great surprise for such a baseless and flimsy refusal to the aged spouse of the deceased Judge, when it did not involve any financial or administrative problem. Such similar cases might have happened in other States also where the High Courts have not issued photo ID card to the spouse of the deceased Judges.

It was therefore resolved that the Secretary General should write a letter to the Secretary General of the Supreme Court of India and Registrar Generals of the High Courts requesting for issue of photo ID card to the spouses of the deceased Judges, if demanded, on humanitarian ground as early as possible, so that the spouse may not unnecessarily suffer.

The committee conveys thanks to the Hon'ble Justice Satish Chandra Sharma Chief Justice of Delhi High Court, Hon'ble Justice Suresh Kumar Kait, Hon'ble Justice Yashwant Varma, Hon'ble Justice Anup Jairam Bhambhani and Hon'ble Justice Anoop Kumar Mendiratta of Delhi High Court, Shri Ravindra Dudeja Registrar General, Ms. Anju Chhabra Khurana Registrar Retired Judges Cell, Mr. Virendra Singh Officer on Special Duty Retired Judges Cell of Delhi High Court, for extending all facilities to the visiting office bearers, regular invitees and special invitees.

The committee further acknowledges and conveys thanks to the other staff of the Delhi High Court who rendered their sincere, tireless and laudable services on 7<sup>th</sup> October 2023.

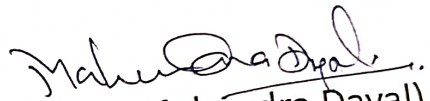
The Secretary General is requested to convey individually letter of thanks and appreciation to these dignitaries.

The meeting ended with thanks to the chair as well as to the invitees.

These minutes are being issued with the prior approval of the President.

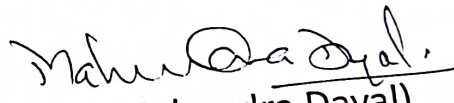
Encl: Attendance Sheet

Justice Mahendra Dayal  
Secretary General  
Assn of Retd Judges of  
S.C. & H.C.'s of India

  
(Justice Mahendra Dayal)

Secretary General

The minutes of the meeting be uploaded on the website of the Association [www.arjschc.com](http://www.arjschc.com) and be also circulated to all the members through email and WhatsApp group of the Association.

  
(Justice Mahendra Dayal)

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## ATTENDANCE SHEET

### MEETING OF THE EXECUTIVE COMMITTEE DATED 07.10.2023, DELHI

### SPECIAL INVITEES

1. Justice Adarsh Kumar Goel..... *Adarsh*
2. Justice Shobha Dikshit..... *Shobha*
3. Justice Sharda Agrawal..... *Sharda*
4. Justice M.L.Mehta..... *M.L.Mehta*
5. Justice Raghvan Basant..... *R. Basant*
6. Justice V.S.Aggarwal..... *V.S.Aggarwal*
7. Justice Vijay Kumar Shali..... *Vijay*
8. Justice Bhanwar Singh....
9. Justice O.P.Garg.....
10. Justice Rajesh Tandon.....
11. Justice Anirudh Singh.....
12. Justice M.C.Agrawal.....
13. Justice V.V.Singh.....
14. Justice A.K.Srivastava..... *A.K.Srivastava*
15. Justice Rakesh Srivastava.....
16. Justice Sudhir Kumar Saxena..
17. Justice C.K.Buch..... *C.K.Buch*
18. Justice R.D.Vyas... *R.D.Vyas*
19. *Dr. Katriar* (S.K.KATRIAR)

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Justice S.N. Agnihotri-8299594224  
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## ATTENDANCE SHEET

### MEETING OF THE EXECUTIVE COMMITTEE DATED 07.10.2023, DELHI

#### PATRONS

1.

#### OFFICE BEARERS

- Justice K.L.Sharma..... *K.L. Sharma*
  - Justice P.S.Gopinathan..... *P.S. Gopinathan*
  - Justice D.K.Trivedi..... *D.K. Trivedi*
  - Justice Mahendra Dayal..... *Mahendra Dayal*
  - Justice N.K.Mody..... *N.K. Mody*
  - Justice I.S.Srivastava..... *I.S. Srivastava*
  - Justice J.K.Ranka.....
  - Justice Subhash Samvatsar.... *Subhash Samvatsar*
  - Justice S.N.Agnihotri..... *S.N. Agnihotri*
  - Justice Vijay Kumar Vyas..... *Vijay Kumar Vyas*
  - Justice Y.C.Gupta..... *Y.C. Gupta*
- #### CHAIRPERONS

- Justice Prashant Kumar Agfawal..... *Prashant Kumar Agfawal*
- Justice Raj Rahul Garg..... *Raj Rahul Garg*
- Justice Virendra Vikram Singh..... *Virendra Vikram Singh*
- Justice T. K KAUSHAL..... *T. K KAUSHAL*
- Aniruddha Singh - A..... *Aniruddha Singh - A*
- J. Bh Anwar Singh..... *J. Bh Anwar Singh*
- Justice Rajendra Kumar..... *Rajendra Kumar*
- Justice Sudhakar Kumar Saxena..... *Sudhakar Kumar Saxena*
- Justice Vijay Kumar Vyas..... *Vijay Kumar Vyas*