



SUPREME COURT OF INDIA

The Supreme Court Collegium has recommended the names of the following Advocates for appointment as Judges of the High Court of Bombay in the following terms:

- (i) Ms Nivedita Prakash Mehta,
- (ii) Shri Prafulla Surendrakumar Khubalkar,
- (iii) Shri Ashwin Damodar Bhobe,
- (iv) Shri Rohit Wasudeo Joshi, and
- (v) Shri Advait Mahendra Sethna.

On 19 January 2024, the Chief Justice of the High Court of Bombay in consultation with his two senior-most colleagues recommended the names of the above Advocates for appointment as Judges of that High Court.

We have perused the views of the Chief Ministers and the Governors of the States of Maharashtra and Goa on this proposal.



In order to ascertain the suitability of the above-named Advocates for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the High Court of Bombay.

For the purpose of assessing the merit and suitability of the above candidates for elevation to the High Court, we have scrutinized and evaluated the material placed on record. We have also perused the observations made by the Department of Justice in the file.

(i) Ms Nivedita Prakash Mehta

All the consultee-Judges have unanimously given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against her integrity. The candidate has extensive practice of 31 years in civil, Constitutional, service, local and municipal, labour and criminal laws. She represented the Government of Maharashtra at Nagpur Bench in the capacity of Assistant Government Pleader and Additional Public Prosecutor from 2013 to 2023 and has been representing the State government as an Additional Government Pleader and Additional Public Prosecutor since October 2023.



Bearing in mind all the relevant factors including her income, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court. The elevation of Ms Nivedita Prakash Mehta to the Bench of the High Court would fulfil the need to ensure gender diversity among the High Court Judges.

(ii) Shri Prafulla Surendrakumar Khubalkar

All the consultee-Judges have unanimously given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against his integrity. The candidate has a practice of more than 27 years at the Bar in civil, Constitutional, service and arbitration cases. As the candidate belongs to OBC category, his elevation will facilitate greater representation to the Other Backward Classes in appointments to the higher judiciary.

Bearing in mind all the relevant factors, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.



(iii) **Shri Ashwin Damodar Bhohe**

All the consultee-Judges have unanimously given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court. The candidate has been in the legal profession for more than 26 years with extensive practice which is reflected in his substantial professional income of Rs. 85.52 lacs per annum. He has 45 reported judgments delivered in the cases in which he appeared/argued. He mainly practises before the High Court of Bombay at Goa, the District Courts and the Tribunals in the State of Goa. The Department of Justice has reported that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice about his integrity.

Bearing in mind all the relevant factors, including the positive opinion of all the consultee-Judges, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.

(iv) **Shri Rohit Wasudeo Joshi**

All the consultee-Judges have given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image and that nothing adverse has come to notice against his integrity. The candidate



has extensive practice of more than 26 years in civil, criminal, Constitutional, labour and service cases which is reflected in 34 reported judgments delivered in the cases in which he appeared/argued. The adverse comments made in the file regarding the limited practice and exposure of the candidate are outweighed by the positive opinion of all the consultee-Judges. The fact that the candidate appears for a public sector undertaking should not come in the way of the recommendation of the candidate. Further, one of the members of the Collegium (Mr Justice B R Gavai) during his tenure as High Court Judge, while sitting at the Bench at Nagpur, has personally observed the performance of the candidate.

Bearing in mind all the relevant factors, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.

(v) Shri Advait Mahendra Sethna

Three consultee-Judges have given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court, whereas one consultee-Judge has expressed his inability to give any views regarding the candidate as he has not seen the performance of the candidate. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against his integrity.



The candidate has extensive practice which is reflected in his professional income of Rs. 45.42 lacs per annum and 84 reported judgments delivered in the cases in which he appeared/argued.

Bearing in mind all the relevant factors, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.

In view of the above, the Collegium resolves to recommend that (i) Ms Nivedita Prakash Mehta, (ii) Shri Prafulla Surendrakumar Khubalkar, (iii) Shri Ashwin Damodar Bhobe, (iv) Shri Rohit Wasudeo Joshi, and (v) Shri Advait Mahendra Sethna, Advocates, be appointed as Judges of the High Court of Bombay. Their *inter se* seniority be fixed as per the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjiv Khanna), J

(B R Gavai), J

24 September 2024



SUPREME COURT OF INDIA

The Supreme Court Collegium has recommended the names of the following Advocates for appointment as Judges of the High Court of Bombay in the following terms:

- (i) Shri Rajesh Sudhakar Datar,
- (ii) Shri Sachin Shivajirao Deshmukh,
- (iii) Shri Gautam Ashwin Ankhad, and
- (iv) Shri Mahendra Madhavrao Nerlikar.

On 19 April 2024, the Chief Justice of the High Court of Bombay in consultation with his two senior-most colleagues recommended the names of the above Advocates for appointment as Judges of that High Court. The Chief Ministers and the Governors of the States of Maharashtra and Goa expressed their concurrence with the recommendation.

In order to ascertain the suitability of the above Advocates for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the High Court of Bombay.

For the purpose of assessing the merit and suitability of the above candidates for elevation to the High Court, we have scrutinized and



evaluated the material placed on record. We have also perused the observations made by the Department of Justice in the file.

(i) Shri Rajesh Sudhakar Datar

We have scrutinized and evaluated the material placed on record, including the opinion of the consultee-Judge on the suitability of the candidate. One of the consultee-Judges has given a positive opinion on the suitability of the candidate, opining that he is eminently suitable for appointment as a Judge of the High Court, while the other three have not expressed any views. The candidate was a junior at the Bar of one of the consultee-Judges (Justice Abhay S Oka). The other two consultee-Judges have observed that he has not appeared before them. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against his integrity. The candidate has more than 30 years of experience at the Bar and has practised in civil, criminal, and constitutional matters. The candidate has a good practice which is reflected in his professional income of Rs 23.07 lacs per annum and 34 reported judgments delivered in cases in which he appeared/argued. He enjoys a good reputation.

Bearing in mind all the relevant factors, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.



(ii) Shri Sachin Shivajirao Deshmukh

All the consultee-Judges have found the candidate suitable for elevation as a Judge of the High Court. The candidate has appeared on behalf of various public institutions and practised in civil, criminal, constitutional, and service law related cases. The candidate has a good practice which is reflected in his professional income of Rs 36.07 lacs per annum and 53 reported judgments delivered in cases in which he appeared/argued.

Bearing in mind all the relevant factors, in particular the opinion of the consultee-Judges, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.

(iii) Shri Gautam Ashwin Ankhad

All the consultee-Judges have found the candidate suitable for elevation as a Judge of the High Court. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against his integrity. The candidate's average net professional income of Rs 226.55 lacs for the last five years is indicative of the fact that he has a substantial practice. He has 56 reported judgments delivered in cases in which he appeared/argued. He has expertise in commercial, contract and arbitration cases.



Bearing in mind all the relevant factors, particularly the positive opinion of the consultee-Judges, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.

(iv) **Shri Mahendra Madhavrao Nerlikar**

Three out of four consultee-Judges have given positive opinion on the suitability of the candidate for appointment as a Judge of the High Court. The inputs provided by the Department of Justice in the file indicate that the candidate enjoys a good personal and professional image; and that nothing adverse has come to notice against his integrity. The candidate has an experience of more than two decades in civil, criminal, constitutional, labour and service cases. He has represented the Government of Maharashtra at the Aurangabad Bench in the capacity of Assistant Government Pleader and Additional Public Prosecutor from 2013 to 2023 and has been representing as an Additional Government Pleader and Additional Public Prosecutor since November 2023. As the candidate belongs to a Scheduled Caste, his elevation would ensure social diversity and inclusion in judicial appointments.

Bearing in mind all the relevant factors, the Collegium is of the considered view that the candidate is fit and suitable for appointment as a Judge of the High Court.



In view of the above, the Collegium resolves to recommend that (i) Shri Rajesh Sudhakar Datar, (ii) Shri Sachin Shivajirao Deshmukh, (iii) Shri Gautam Ashwin Ankhad, and (iv) Shri Mahendra Madhavrao Nerlikar, Advocates, be appointed as Judges of the High Court of Bombay. Their *inter se* seniority be fixed as per the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjiv Khanna), J

(B R Gavai), J

24 September 2024