

2025 LiveLaw (SC) 648

**IN THE SUPREME COURT OF INDIA
ABHAY S. OKA; J., UJJAL BHUYAN; J.**

**WRIT PETITION (CIVIL) DIARY NO(S). 26250/2025; 16-05-2025
CHANDRAPRABHA & ORS. versus UNION OF INDIA & ANR.**

**Constitution of India, Article 142 - Writ petition seeking guidelines for judicial
recusal - Held, recusal is a matter of judicial discretion and Article 142 cannot be
invoked to frame such guidelines.**

*For Petitioner(s): Ms. Nisha Tiwari, Adv. Mr. Vijay Prakash Chaurasia, Adv. Ms. Rupali Panwar, Adv. Mr.
Vishal Arun Mishra, AOR*

ORDER

Delay condoned.

Heard learned counsel appearing for the petitioners.

The prayer 'A' of the petition reads thus:

“(a) Issue an appropriate writ, order or direction for laying guidelines under Article 142 of the Constitution of India governing the recusal of judges, including the requirement to provide reasons for recusal, and the stage at which should be made or asked for”

As far as the recusal of the judges is concerned, it is a matter of discretion for the concerned judges. It is for them to decide whether reasons for recusal can be disclosed. Jurisdiction under Article 142 of the Constitution of India cannot be exercised for laying down guidelines governing the recusal of Judges. Hence, the writ petition is dismissed.

Learned counsel appearing for the petitioners submits that there was a recusal by a Bench in a case filed by the petitioners and no fresh Bench has been assigned. We permit the petitioners to move Hon'ble the Chief Justice of the High Court on the administrative side for assigning a Bench. We are sure that if such application is made, the case filed by the petitioners will be placed before the appropriate Bench for hearing.

Pending application(s), if any, shall stand disposed of.

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