

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petitions for Special Leave to Appeal (C) No(s). 11021-11022/2020

[Arising out of impugned judgment and order dated 20-09-2019 in WP No. 21147/2018 20-09-2019 in WP No. 21148/2018 passed by the High Court of Judicature at Madras]

REVENUE BAR ASSOCIATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[ONLY I.A NO. 45843/2026 IN W.P.(C) No. 302/2022 IS LISTED UNDER THIS ITEM]

WITH

W.P.(C) No. 302/2022 (X)
(IA No. 45843/2026 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

ITEM NO. 44.1

Diary No(s). 11555/2026 (PIL-W)
(IA No. 66593/2026 - APPLICATION FOR PERMISSION and IA No. 62749/2026 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 09-03-2026 These petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Mr. Arvind P Datar, Sr. Adv.
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Mr. Samarth Luthra, Adv.
Mr. Jatin Parashar, Adv.
Mr. Nishank Tripathi, Adv.
Ms. Harshita Sukhija, Adv.
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For Respondent(s) : Mr. R Venkataramani, Attorney General for India
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Mr. Raman Yadav, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Abhisehk Kumar Pandey, Adv.
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Ms. Chinmayee Chandra, Adv.
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Ms. Shradha Deshmukh, Adv.
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Mr. Mukesh Kr. Singh, Adv.
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Mr. Raman Yadav, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Abhishek Kr. Pandey, Adv.
Mr. Jagdish Chandra, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Yogesh Vats, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Dr. N. Visakamurthy, AOR

Ms. Misha Rohatgi, AOR
Mr. Nakul Mohta, Adv.
Mr. Amulya Upadhyay, Adv.
Mr. Ayush Kashyap, Adv.

Ms. Sneha Menon, Sr. Adv.

Mr. Sabarish Subramanian, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. These writ petitions/applications etc. pertain to the grant of extension of tenure to Chairpersons, Presiding Officers, Presidents or Members of various Tribunals, whose terms are about to expire. The different Bar Associations have filed these instant petition/application etc. apprehending that due to non-extension of tenure, the respective Tribunals may become defunct.

2. In order to address the issues effectively, learned Attorney General for India has put up a proposal containing broad principles for extension of tenure of the Chairpersons, Presiding Officers, Presidents (as the case may be) as well as members of various Tribunals. The suggested proposal reads as under:

"Broad principles for extension of tenure of Members of various tribunals:

1. The principles set out herein shall apply to all Tribunals covered under the Tribunal Reforms Act, 2021.

2. The tenure of any Chairperson, Presiding Officer or President (by whatever name called) of any Tribunal whose current tenure is due to expire between March 9, 2026 and September 8, 2026 shall stand extended until September 8, 2026, or until they attain the maximum age prescribed under the law under which they were appointed, *whichever is earlier*.

The maximum age shall be 65 years if the person was appointed under the parent Act prior to the Tribunal Reforms Act, 2021, and 70 years if the person was appointed under the Tribunal Reforms Act, 2021.

3. The tenure of any Member of any Tribunal whose

current tenure is due to expire between March 9, 2026 and September 8, 2026 shall stand extended until September 8, 2026, or until they attain the maximum age prescribed under the law under which they were appointed, whichever is earlier.

The maximum age shall be 62 years if the person was appointed under the parent Act prior to the Tribunal Reforms Act, 2021, and 67 years if the person was appointed under the Tribunal Reforms Act, 2021.

4. In the case of any Chairperson, Presiding Officer, President or Member whose tenure was ending between the date of the decision of the Hon'ble Supreme Court in MBA VI and March 9, 2026, and who have obtained interim orders of the Hon'ble Supreme Court in their favour granting extension, such persons shall also be allowed to continue until September 8, 2026, or until they attain the maximum age prescribed under the pre-amended law under which they were appointed, *whichever is earlier.*

5. Any person whose tenure has already ended by reason of resignation, demitting office without extension pursuant to an interim order of the Court, or upon attaining the maximum age, shall not be granted extension and shall not be recalled to the post.

6. The extension of tenure as provided above shall take effect in accordance with the above principles and formal extension orders shall be issued by the respective Ministries/Departments administering the concerned Tribunals in respect of the incumbents covered under these principles (once the SCI agrees with the proposal).

7. During the period of extension granted under these principles, the Chairpersons, Presiding Officers, Presidents and Members shall continue to be governed by the same terms and conditions of service, including remuneration, allowances and other service conditions, as were presently applicable to them. *There shall no alteration to salary, terms and conditions of service except for the extension of tenure as proposed."*

3. In view of the decision in principle having been taken to the extend the tenure of the presently serving Chairpersons, Presiding Officers, Presidents (as the case may be) till 08.09.2026 or until they attain the maximum age prescribed under the Tribunal Reforms Act, 2021, we allow the Government of India to proceed further accordingly, subject however to such suggestions that may be placed on record by the Bar Associations or other stake holders.

4. We would like to take up this matter every fortnight so that various issues pertaining to different Tribunals and their functioning can be effectively addressed through the appropriate means.

5. List on 06.04.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR