

ITEM NO.41

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1022/1989

ALL INDIA JUDGES ASSOCIATION & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 54701/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 04-03-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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UPON hearing the counsel the Court made the following
O R D E R

I.A. NO.54701 of 2025

1. The application has been filed by the applicant praying for staying the effect and operation of the order dated 24.02.2025 passed by the learned Single Judge of the High Court of Gujarat.

2. From the perusal of the material placed on record, it would reveal that no minimum number of years of practicing as a lawyer is prescribed as a qualification for applying to the post of Judicial Magistrate First Class (JMFC) and Civil Judge (Junior Division) in the advertisement issued by the High

Court of Gujarat.

3. The question as to whether a specific number of years should be prescribed as a minimum qualification for enabling a candidate to apply for the post of JMFC and Civil Judge (Junior Division) is pending before the three-judge Bench of this Court.

4. The three-Judge Bench has elaborately heard the matter. The contentions of all the State Governments as well as the High Courts have been heard by this Court and the matter is reserved for judgment.

5. When this Court is seized of the issue, we do not appreciate the necessity to rush through the selection process, inasmuch as the outcome of the said judgment would have a direct bearing on the qualification to be prescribed for JMFC and Civil Judge (Junior Division).

6. We, therefore, issue notice to the High Court of Gujarat as well as the State of Gujarat, returnable on 18.03.2025.

7. The notice to the State of Gujarat be issued through its Chief Secretary and notice to the High Court be served through the Registrar General of the High Court of Gujarat.

8. We stay the proceedings initiated by the High Court for recruitment to the post of JMFC and Civil Judge (Junior Division).

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)