

ITEM NO.2 Court 4 (Video Conferencing) 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).920/2021

SHOBHA PORWAL Petitioner(s)

VERSUS

THE HON'BLE HIGH COURT OF MADHYA PRADESH Respondent(s)

(FOR ADMISSION)

Date : 18-02-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Sanjay Sen, Sr. Adv.  
Mr. Matrugupta Mishra, Adv.  
Ms. Mandakini Ghosh, Adv.  
Ms. Ritika Singhal, Adv.  
Ms. Anindita Mitra, AOR

For Respondent(s)

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

- 1 Mr Sanjay Sen, senior counsel appearing on behalf of the petitioner, states that the petitioner, who is a judicial officer, is due to retire on 31 May 2022.
- 2 The petitioner was aware of the fact that seniority was fixed with reference to 5 July 2002, which is the date of entry into the Higher Judicial Service. The mere filing of a representation cannot obviate the delay of well over 19 years of taking recourse to the remedy for the assertion of rights. Hence, the grievance on the count of seniority cannot be entertained at this belated stage.
- 3 Seniority is one element which is borne into mind in considering a judicial officer for elevation to the High Court. The decision is based on other relevant

considerations; among them including merit and the record of service. On the record as it stands and since the issue of seniority has also been dealt with above, we see no reason to entertain the petition under Article 32 of the Constitution. The petition is accordingly dismissed.

4 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**