

## Apex court mulls scam probe against judges

OUR LEGAL CORRESPONDENT

**New Delhi, July 7:** The Supreme Court today agreed to take a call on whether to start a judicial probe against 14 current and former apex court and high court judges in a scam running into crores.

Ghaziabad police have filed an FIR against 82 lower court staff for allegedly siphoning off Rs 7 crore from the employees' provident fund at the Ghaziabad treasury. But no FIR has been registered against the 26 accused judges.

The 26 include a serving apex court judge, seven sitting and six retired high court judges, and 10 current and two retired district judges. Ghaziabad police have written to the Chief Justice of India seeking his permission to probe the charges against the judges.

Allahabad High Court had earlier refused a plea by the Ghaziabad-based Adhivakta Kalyan Trust for a CBI probe. The Supreme Court today heard an appeal against that ruling, moved by trust chairman Nahar Singh Yadav, a local advocate.

Yadav's petition was supported by the Ghaziabad Bar Association — represented by constitutional expert Fali S. Nariman — which claims the scam involves Rs 23 crore.

Nariman appealed to a three-judge bench, headed by Chief Justice K.G. Balakrishnan, to either appoint a sitting or a retired Supreme Court judge to probe the allegations. He cited precedents.

“How can you expect the police or the CBI to probe these allegations? Scandalous things are floating around about the judiciary.... These should be scotched by the judiciary... to maintain the fair name of the judiciary,” he argued.

Chief Justice Balakrishnan, though initially disinclined to intervene in the matter, later issued a notice to the solicitor-general asking for his opinion.

He said the court would decide next Monday whether to order a judicial probe. In a departure from practice, the decision will be taken in a judge's chamber instead of the courtroom.

Earlier, the Chief Justice, replying to the Ghaziabad police request, had in a letter permitted the force to draw up a questionnaire outlining the specific charges against individual judges.

He had said he would allow the interrogation of specific judges if their answers were found unsatisfactory.