

COMMITTEE ON JUDICIAL ACCOUNTABILITY

66 Lawyers Chambers

Supreme Court of India, New Delhi

Members:

**Ram Jethmalani Shanti Bhushan Rajendra Sachar
D.S. Tewatia Anil Divan Indira Jaisingh Kamini Jaiswal
Prashant Bhushan Arvind Nigam Convener: Hardev Singh**

To,
The Chief Justice of India
Supreme Court of India
New Delhi

1/11/06

Subject: Application for permission to register an FIR against Justice Jagdish Bhalla of the Lucknow bench of the Allahabad High Court

Dear Chief Justice,

We had earlier written to you (letter dated 11/7/06) bringing to your notice facts regarding the improper and illegal acquisition of property by Justice Jagdish Bhalla of the Lucknow bench of the Allahabad High Court. We had requested you to get the facts investigated by investigators under the control of the Supreme Court. However, it appears that no investigation has been made in the matter and Justice Bhalla still continues to preside over the Lucknow Bench as the senior judge.

The facts, as set out in the letter of the SDM R.K. Singh in his letter to the DM Noida dated 21/6/05 (copy enclosed) disclose that members of a land Mafia who were under investigation for a number of offences sold about 7,200 sq. meters of land on the Noida/ Greater Noida expressway to the wife of Justice Bhalla for a sum of Rs. 5 lacs. The market price of this land, according to the SDM was around Rs. 7 Crores. According to the SDM, the reason for the members of this land mafia selling the land to influential persons like the wife of Justice Bhalla is to buy their influence, since they are facing a number of criminal cases in various courts in U.P.

The above facts prima facie disclose serious offences under the Prevention of Corruption Act. Nobody would normally sell land worth several crores for 1/100 of its market value, unless there was some other consideration involved. It is also not believable that Justice Bhalla would be unaware of such a large transaction of land by his wife or would be unaware of the market price of land in this prime area near the Noida/Greater Noida expressway. It is clear that this matter needs to be thoroughly investigated as to whether there was any other consideration involved in the transaction and if so what?

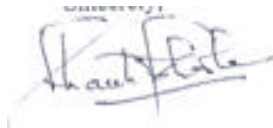
Since it has been laid down in Veeraswami's case by the Supreme Court that an FIR against a sitting judge of the High Court can only be registered with the consent of the

Chief Justice of India, by this letter, we are seeking your formal consent for the registration of an FIR in this matter so that the entire transaction of this purchase of land and its real consideration can be properly investigated by the police. This investigation is important not only to clear the air in this matter, but also to dispel an impression that is gaining ground that the judiciary has by self serving judgements removed itself from accountability for even criminal offences.

We would also request you and the collegium to transfer Justice Bhalla to some other High Court pending this investigation by the U.P. Police, so that he is not able to influence the investigation. We are therefore sending copies of this application to other members of the collegium as well.

With warm regards,

Sincerely,

 (SHANT) BHUSHAN

Prashant Bhusan (PRASHANT BHUSHAN)

Jaiswal (Kamini Jaiswal)

Anil B. Guman (ANIL B DIVAN)

Hardev Singh (HARDEV SINGH)

Hardev Singh (HARDEV SINGH)

Ram Jethmalam (RAM JETHMA)