

# Keep off court proceedings, lawyers tell CJ Dinakaran

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***Already under cloud over his alleged land holdings in contravention of land ceiling laws, Chief Justice of Karnataka High Court Justice P D Dinakaran suffered a fresh setback as an association of Bangalore lawyers on Thursday asked him to stay away from the court proceedings.***



The Advocates' Association Bangalore (AAB), which met in Bangalore on Thursday afternoon, adopted a resolution asking Justice Dinakaran not to participate in the court proceedings until the charges against him were probed. The association even considered a resolution to urge the brother judges of the court not to share the bench with Justice Dinakaran. However, such a drastic resolution was not pressed in the meeting.

The resolution came a day ahead of the scheduled meeting in Delhi of the Supreme Court collegium on Friday to take stock of the situation arising out of the serious allegations made against Justice Dinakaran. The collegium meeting will be presided over by Chief Justice of India K G Balakrishnan. Other members of the collegium are senior-most judges — Justices B N Agrawal, S H Kapadia, Tarun Chatterjee and Altmas Kabir.

The collegium itself has come under the scanner as reports have suggested that it had cleared the name of Justice Dinakaran for appointment as an apex court judge last month even after being aware about the charges against him. With the Forum for Judicial Accountability (FJA), a registered NGO that has several prominent legal luminaries already questioning Justice Dinakaran's very continuance as a judge, the AAB resolution can be expected to mount pressure on the collegium when it meets on Friday.

Indeed, the FJA has also sent a representation to the President and Prime Minister drawing the attention on the media reports that the CJI has cleared Justice Dinakaran's name after he submitted his clarification in person. The representation has been signed, among others, by top lawyers, including Shanti Bhushan and Fali S Nariman. It has sought the stalling of Justice Dinakaran's appointment to the apex court.

The Supreme Court and Delhi High Court bar associations, too, have taken strong positions against Justice Dinakaran.

## Other resolutions

The AAB meeting adopted two other resolutions — asking all judges of the High Court to declare their assets immediately and bring the declarations to the notice of the Chief Justice of India, the President and the Prime Minister.

The other resolution sought to highlight Justice Dinakaran's questionable conduct, deeds and orders.

At the meeting that lasted over three hours, as many as 26 of the 34 speakers spoke against Justice Dinakaran, while four of them counselled caution and the remaining four were non-committal. The meeting felt that a memorandum should be sent to the CJI stating that Justice Dinakaran should not be allowed to continue in the Karnataka High Court until his name was cleared.

However, earlier during the day, the Chief Justice, who was not present on Wednesday, presided over a bench that heard submissions in several cases, including the one relating to the holding of the BBMP elections. But the issue will not be relevant for the next few days as it is time for court vacation.

The CJI had summoned Justice Dinakaran last week to get his version on the allegations that he had acquired more than 550 acres in two districts of Tamil Nadu in his and his relatives' names in violation of the Tamil Nadu Land Ceiling Act. The act permits only a maximum of 15 acres for a family of 5 members.

However, Justice Dinakaran has defended himself holding that he belonged to a rich agrarian family and did not indulge in any corrupt practice.

Similar case

The controversy is similar to the one involving another judge — Justice Bhalla of Chhattisgarh High Court. A few years back, Justice Bhalla was elevated to the post of Chief Justice of Uttarakhand High Court after the Supreme Court collegium refused to yield to pressures from the legal fraternity on his alleged land acquisition in Noida (on the outskirts of Delhi in Uttar Pradesh). Justice Bhalla had reportedly acquired a piece of land in Noida at a throwaway price.