

JURISTS URGED CJI TO PROBE ALLEGATIONS AGAINST HIS PREDECESSOR

Nagendera Sharma

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PTI

Lawyer Shanti Bhushan (right) with activist Swami Agnivesh speak to media on Sabharwal issue in New Delhi on Wednesday.

A GROUP of jurists and intellectuals on Wednesday appealed to the Chief Justice of India K.G. Balakrishnan to set up an inquiry committee to probe the allegations of misconduct against his predecessor Justice Y.K. Sabharwal, who has strongly denied all the charges against him. The group, known as Campaign for Judicial Accountability (CJA), said in case the chief justice did not respond to this demand, it would form an inquiry commission of its own to probe the allegations. "I hope the Chief Justice of India (CJI) would rise to the occasion and heed to the advice of a legendary jurist like VR. Krishna Iyer, who has asked Justice Balakrishnan to form an inquiry committee comprising retired judges and eminent members of the civil society to look into the allegations against Sabharwal," senior Supreme Court lawyer and former law minister Shanti Bhushan said on behalf of those leading the campaign. "We are writing to the CJI on this matter appealing for an inquiry based on the comments of four top jurists of the country, who have demanded a probe into the allegations against

Sabharwal," Bhushan said. Magsaysay award winner Arvind Kejriwal said, "If the CJI does not listen to our demand of forming an inquiry committee, we would proceed ourselves and form a People's Commission, which will include eminent citizens of the country including top jurists who would conduct a probe." The CJA has contradicted the view of some senior lawyers that there was no defined legal procedure to initiate an inquiry against a retired Supreme Court judge. "The question is whether there is a will to probe the allegations or not. We are saying some of the decisions given by Justice Sabharwal were influenced by corrupt practices, why can't CBI probe the matter? Why can't an FIR be registered?" senior lawyer Prashant Bhushan asked. The campaign leaders have rejected the arguments given by Justice Sabharwal in his article in an English daily on September 2, in which he had denied the allegations that his two sons benefited due to some of the decisions given by him during his tenure as CJI. However, in a point-wise rebuttal of Sabharwal's article, the CJA said he was guilty of "serious judicial misconduct and it needs to be investigated under Prevention of Corruption Act".