

To,  
The Speaker / Chairman  
Lok Sabha / Rajya Sabha

Subject: Notice for presenting a motion for the removal of Justice Jagdish Bhalla as a judge/Chief Justice of the High Court u/s 3 of the Judges Inquiry Act, 1968

We, the undersigned Members give notice for the presentation of a motion for the removal of Justice Jagdish Bhalla as judge/Chief Justice of the High Court for the following acts of misconduct:

1. That Justice Jagdish Bhalla while being a judge of the Lucknow bench of the Allahabad High Court purchased through his wife a large piece of land measuring 7,200 sq meters or thereabouts around the Noida/Greater Noida expressway in the year at a price far below its market price, from persons against whom several criminal and civil cases were pending in the courts of U.P. where Justice Bhalla was in a position to exercise his influence.
2. That Justice Jagdish Bhalla as the senior judge of the Lucknow Bench of the Allahabad High Court ordered the constitution of a special bench after court hours on 7/7/06 to hear the unregistered case of Reliance Energy pertaining to Noida, when his own son was the counsel for Reliance and the Lucknow Bench did not even have territorial jurisdiction to entertain a case relating to Noida.
3. That Justice Jadish Bhalla used his position and influence to obtain the allotment of several plots for himself and his close relatives, including his son, brother, sister, brother in law, sister in law etc from the Lucknow Development Authority and the Noida authority. That he thereafter used his influence to get several of these allotments changed from new sectors to developed and highly priced sectors through the discretionary powers of the Vice Chairman, LDA.

Signed By-.

## **EXPLANATORY NOTE ON THE NOTICE OF MOTION FOR THE REMOVAL OF JUSTICE JAGDISH BHALLA**

**Charge No. 1.** That Justice Jagdish Bhalla while being a judge of the Lucknow bench of the Allahabad High Court purchased through his wife a large piece of land measuring 7,200 sq meters or thereabouts around the Noida/Greater Noida expressway in the year 2003 at a price which was far below its market price, from persons against whom several criminal and civil cases were pending in the courts of U.P. where Justice Bhalla was in a position to exercise his influence.

**Explanatory Note:** Renu Bhalla, the wife of Justice Bhalla purchased about 7,200 Sq Metres of land Vide 2 separate sale deeds dated 21/7/03 for sums of Rs 1 lacs and 4 lac respectively, from Veena Goel, wife of Moti Goel, and from Anshu Bhale, son of V.K. Jain, through power of attorney holders. (Annexure A). This land is situated in Village Shahpur Goverdhan pur Khader, in Dadri, Noida, near Sector 132, on the Noida-Greater Noida expressway.

On 28/3/05, the DSP Noida wrote to the DM pointing out that in the investigation of various criminal cases of cheating, forgery, and Corruption, against a well known leader of a land Mafia, Moti Goel, he came across evidence that Moti Goel had been involved in acquiring and selling gaon Sabha land, which needed investigation by a revenue official. (Annexure B). The DM marked it for investigation to the SDM.

The SDM Noida in his reports to the DM, dated 21/6/06 and 30/9/06, notes that various lands belonging to the gaon sabha and had been illegally acquired by a notorious members of a land mafia operating in Noida, named Moti Goel, Harish Nagar etc. He had thereafter sold parts of this land to various influential persons in U.P. for sums well below the market price. The SDM also mentioned that various disputes about the land and several criminal cases had been going on against Moti Goel in several courts of U.P. By way of example he notes that 7,200 sq metres of land had been sold to Renu Bhalla at a price of Rs. 5 lacs when the market price of this land was Rs. 7.2 Crores. (Annexure C). Even the circle rate according to him was Rs. 72 lacs for the land purchased by Renu Bhalla for Rs. 5 lacs only. Even the sale deeds mention a circle rate of Rs. 20 lacs/Ha for this land, on the basis of which the stamp duty was paid.

It is inconceivable that this purchase of land could have been done by Renu Bhalla who is a housewife without the active involvement of Justice Bhalla. The purchase of this land at a price which is less than 1% of its market price from members of a land Mafia against whom various civil and criminal cases were going on in courts of U.P. over which Justice Bhalla as the senior judge of the Lucknow Bench could have exercised influence in various ways, amounts to gross misconduct on this part and potentially involves offences under the Prevention of Corruption Act.

**Charge No 2.** That Justice Jagdish Bhalla as the senior judge of the Lucknow Bench of the Allahabad High Court ordered the constitution of a special bench after court hours on 7/7/06 to hear the unregistered case of Reliance Energy pertaining to Noida, when his own son was the counsel for Reliance and the Lucknow Bench did not even have territorial jurisdiction to entertain a case relating to Noida.

**Explanatory Note:** On 7/7/06 Justice Bhalla as the senior judge of the Lucknow bench of the Allahabad High Court ordered the constitution of a special bench of Justices Bhanwar Singh and Justice S.N. Shukla after court hours to hear the unregistered case of Reliance Energy which pertained to Noida. This is especially significant because Justice Bhalla's son Aarohi Bhalla was the counsel for Reliance Energy. Moreover, the Lucknow Bench did not have territorial jurisdiction over Noida, which was clearly with the Allahabad bench. Therefore this petition which was not even registered or numbered could not have been heard by judges of the Lucknow Bench at all. The special bench however, not only heard the matter just before midnight, but proceeded to pass final orders in favour of Reliance by dispensing with notice. A copy of the order which itself reflects all the above facts is Annexure D. The above act was Justice Bhalla in ordering the constitution of a special bench after office hours to hear an unregistered case which could not have even otherwise been heard by the Lucknow bench due to lack of territorial jurisdiction is itself improper. However doing so when his own son was the counsel for the petitioner, amounts to serious misconduct.

**Charge No. 3.** That Justice Jagdish Bhalla used his position and influence to obtain the allotment of several plots for himself and his close relatives, including his son, brother, sister, brother in law, sister in law etc from the Lucknow Development Authority and the Noida authority. That he thereafter used his influence to get several of these allotments changed from new sectors to developed and highly priced sectors through the discretionary powers of the Vice Chairman, LDA.

**Explanatory Note:** On 2<sup>nd</sup> July 2005, the Noida Authority in an purported and infamous draw of lots allotted plot No. F52 in Sector 44, Noida to Aarohi Bhalla, son of Justice Jagdish Bhalla. (Annexure E). The market price of this plot was several crores and it was being allotted at a fraction of its market value. The Times of India published a cover story on this scandalous allotment on 6/7/05, which showed that a disproportionate number of allottees were VIPs and their relatives. This draw of lots which was obviously fixed, was cancelled by the Noida authorities on 4/7/05. Thereafter on 4/10/05, the Allahabad High Court ordered a CBI investigation to "find out the officials/employees of Noida, UPDESCO and the State Government responsible for manipulation in the draw of lots held by Noida on 2/7/05 for its residential plot scheme 2004(1), and the names of such persons/beneficiaries at whose behest and direction, the manipulation was done." (Annexure F).

On 23/9/03, Justice Bhalla was allotted plot No. A-5/410 in Viraj Khand, Gomti Nagar by the Lucknow Development Authority (LDA). This was despite the fact that he already owned a plot allotted to him earlier by the LDA (plot 5/74 B, Vishal Khand), and that no person is entitled for a second allotment in the same city. Within 3 months thereafter, he used his influence with the LDA Vice Chairman to get the allotment changed to far more developed and expensive sector (A 5/25 Vineet Khand), purportedly on the ground that the Viraj Khand where he was allotted a plot was not developed.

Another plot No. 3/241 in Viraj Khand was allotted to Justice Bhalla's son, Aarohi Bhalla. This was also got changed soon after allotment to a much more developed and expensive sector Vinay khand (first to plot 5/20 and then to 3/242) on 22/11/01. Obviously this change to a much more expensive sector could not have been made in this manner for the asking, utilizing the discretionary powers of the LDA Vice Chairman, without the influence of

Justice Bhalla. It is significant that Aarohi Bhalla sold this plot within 4 months of allotment on 26/3/02 for a large profit.

Another plot was allotted to Jaideep Bhalla, brother of Justice Bhalla on 19/7/97 (1/55, Viraj Khand). On 15/10/03 (around the same time that Justice Bhalla got his allotment changed from Viraj Khand to Vineet Khand), Jaideep Bhalla's allotment was also changed to B-2/151 Vishesh Khand at his asking, by the Vice Chairman, LDA using his discretionary powers.

Another plot (3/19 Viraj Khand) was allotted to Pratibha Bhalla, wife of Jaideep Bhalla on 7/4/98. On 29/6/02, this was also transferred to the far more developed and expensive Vishesh Khand (plot No. 4/133), using the discretionary powers of the Vice Chairman LDA.

Another plot No 3/235 in Viraj Khand was allotted to Ashok Bhanot, (Justice Bhalla's sister's husband) on 17/4/98. On 19/10/00, this was got changed to a more expensive and lucrative sector (1/42 Vineet Khand). Subsequently, on 28/6/01, it was changed to an even more expensive and developed sector, Vishal Khand, (plot no. 4/78 ).

Another plot No 5/20 B Type, Vinay Khand was allotted on 2/6/01 to Justice Bhalla's cousin, Mrs. Manorama Sharma. This was also subsequently transferred at her request to a more developed and expensive sector Vishal Khand (No. 4/82).

All these allotments of so many plots to Justice Bhalla and his close relatives, and their subsequent transfers to more expensive and developed sectors, using the discretionary powers of the Vice Chairman LDA, could not have taken place without the influence of Justice Bhalla who was occupying a very powerful office of a High Court judge in Lucknow. The use of his influence and his office in this manner amounts to serious misconduct.