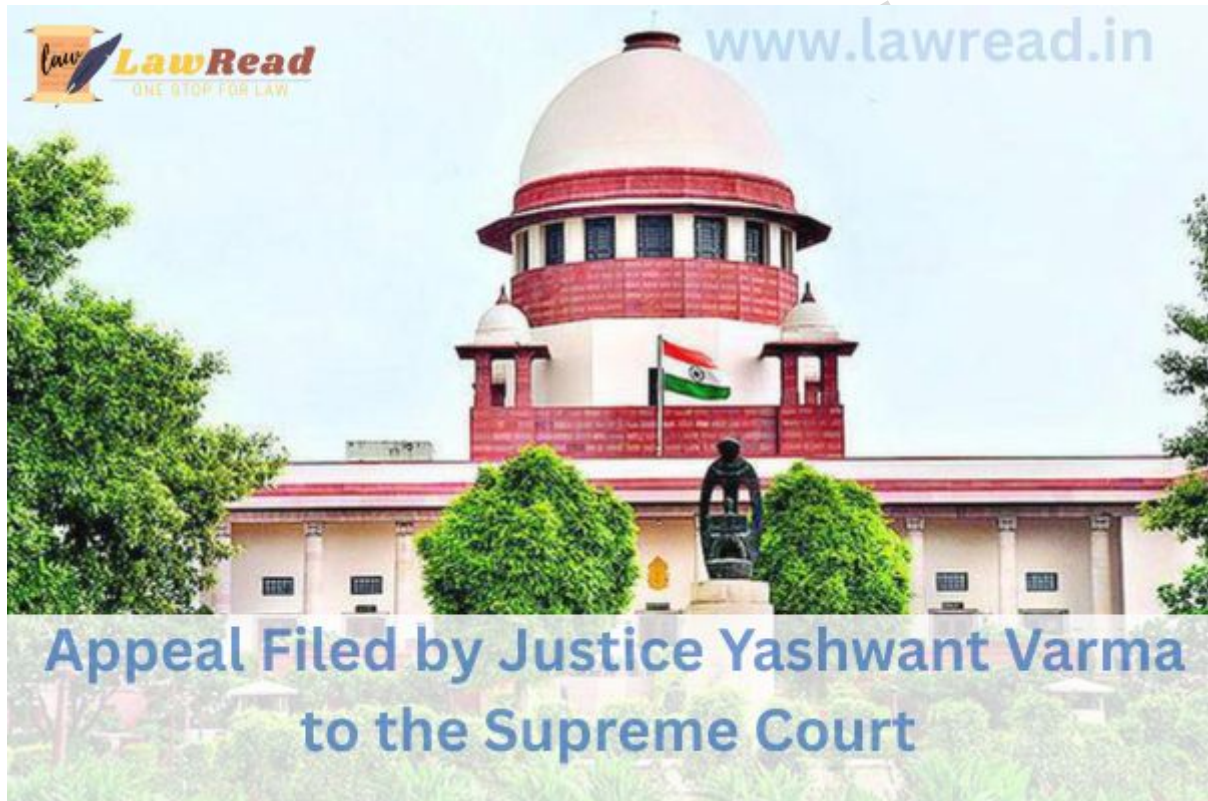


News

Appeal filed by Justice Yashwant Varma to the Supreme Court



The in-house committee report that indicted Justice Varma for the recovery of a huge sum of undeclared cash from his official residence in Delhi is now being heard by the Court in his case.

Justice Yashwant Varma of the Allahabad High Court has petitioned the Supreme Court to dismiss the indictment based on an internal committee's findings on the seizure of a substantial quantity of untraceable cash from his Delhi official residence.

It is being heard by a Bench consisting of Attorney General Masih and Justice Dipankar Datta.

Justice Varma has pleaded with the highest court in India to declare that former Chief Justice Sanjiv Khanna's recommendation to remove him from his position as High Court judge was extra vires and contrary to the constitution.

Firefighters allegedly found untraceable funds after extinguishing a blaze at Justice Varma's residence on March 14th. Subsequently, footage showing stacks of cash engulfed in flames emerged.

Following the incident, Justice Varma was accused of corruption; however, he disputed the charges and claimed that he suspected a plot to frame him. On 22 March, the CJI appointed a three-person team to launch an internal investigation into the claims.

Following the charges, Justice Varma was sent back to his parent High Court, the Allahabad High Court, where he recently was granted the oath of office. However, judicial activity of the judge was taken away on the instructions of the CJI.

Meanwhile, a committee comprising Punjab and Haryana High Court Chief Justice Sheel Nagu, Himachal High Court Chief Justice GS Sandhawalia and Karnataka High Court Justice Anu Sivaraman, probed the claims of cash finding at Justice Varma's apartment.

The committee initiated the probe on March 25 and finished its report on May 3. It was then placed before then CJI Khanna on May 4.

After the panel indicted the judge, CJI Khanna forwarded the same to the President and recommended Justice Varma's removal.

Varma has appealed the supreme court against the conclusions of the report and the suggestion of CJI Khanna.

According to Varma's plea, the invocation of in-house proceedings against him was illegal and invalid since it was done in absence of any official complaint. He has also stated that "unprecedented" public publication of the allegations via a news release by the top court had subjected him to media trial.

The hearings before the Committee breached natural justice principles, he has further asserted, noting that the panel had failed to tell him of its devised procedure and denied him any opportunity to offer comments on the evidence.

On the accusation of cash discovery at his apartment, his petition claims that it was vital to verify who it belonged to and how much was recovered. The panel report gives no such explanations, as per Justice Varma.

He has further said that CJI Khanna had requested him to resign or seek voluntary retirement within a "unduly restricted timeline" while warning him of commencing the procedure for removal.

During the previous hearing of the suit on July 28, the Court had asked Justice Varma why he appeared before the committee if it was unconstitutional as he is saying now.

The Court further interrogated him on why he waited for the committee to conclude its study and submit its findings before moving the Supreme Court contesting the committee's constitutionality.

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