



S. Basavaraj

Senior Advocate

Member :

Karnataka State Bar Council

To

The Hon'ble Chief Justice
High Court of Karnataka
Dr. Ambedkar Road.
Bengaluru.

30 August 2026

Subject: Request to accord due preference to advocates practising in Karnataka while recommending candidates for elevation to the High Court.

Respected Sir,

Article 217 of the Constitution of India governs the appointment and conditions of office of Judges of the High Courts. Under Article 217(2), an advocate who has practised for at least ten years in a High Court, or in two or more High Courts in succession, is eligible for appointment as a Judge of a High Court.

Though the Constitution does not require that an advocate be appointed only to the High Court in which he or she has principally practised, while considering advocates for direct elevation, due preference should ordinarily be given to deserving members of the Bar who have substantial and long-standing practice before the High Court concerned. Familiarity with the laws applicable to the State, local customs and usages, regional circumstances, and the practical issues arising within the State is of considerable value for the effective discharge of judicial responsibilities.

Karnataka has several experienced, capable and deserving advocates who possess a sound knowledge of local laws and issues and are willing to shoulder the responsibilities of judicial office. Recommending advocates who have had little or only limited practice before the High Court of Karnataka may create a legitimate sense of disappointment among members of the Karnataka Bar who have, through years of hard work, professional excellence and commitment, established their suitability for elevation.



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In referring to certain recent appointments, at least one Judge, though he hails from Karnataka, hardly practised in Karnataka except for a few years before his elevation to the High Court. This has resulted in the deprivation of judgeship to another learned Advocate with substantial and long-standing practice before the High Court of Karnataka. I wish to make it clear that I do not question the constitutional eligibility, competence or merit of any learned Judge. My limited and respectful concern is that Advocates with substantial experience before the Courts in Karnataka should receive appropriate consideration for direct elevation.

I, therefore, most respectfully request your lordship to accord due preference to eligible and deserving advocates practising in the State of Karnataka while considering and recommending candidates for appointment as Judges of the High Court of Karnataka.

Respectfully submitted,

S. Basavaraj