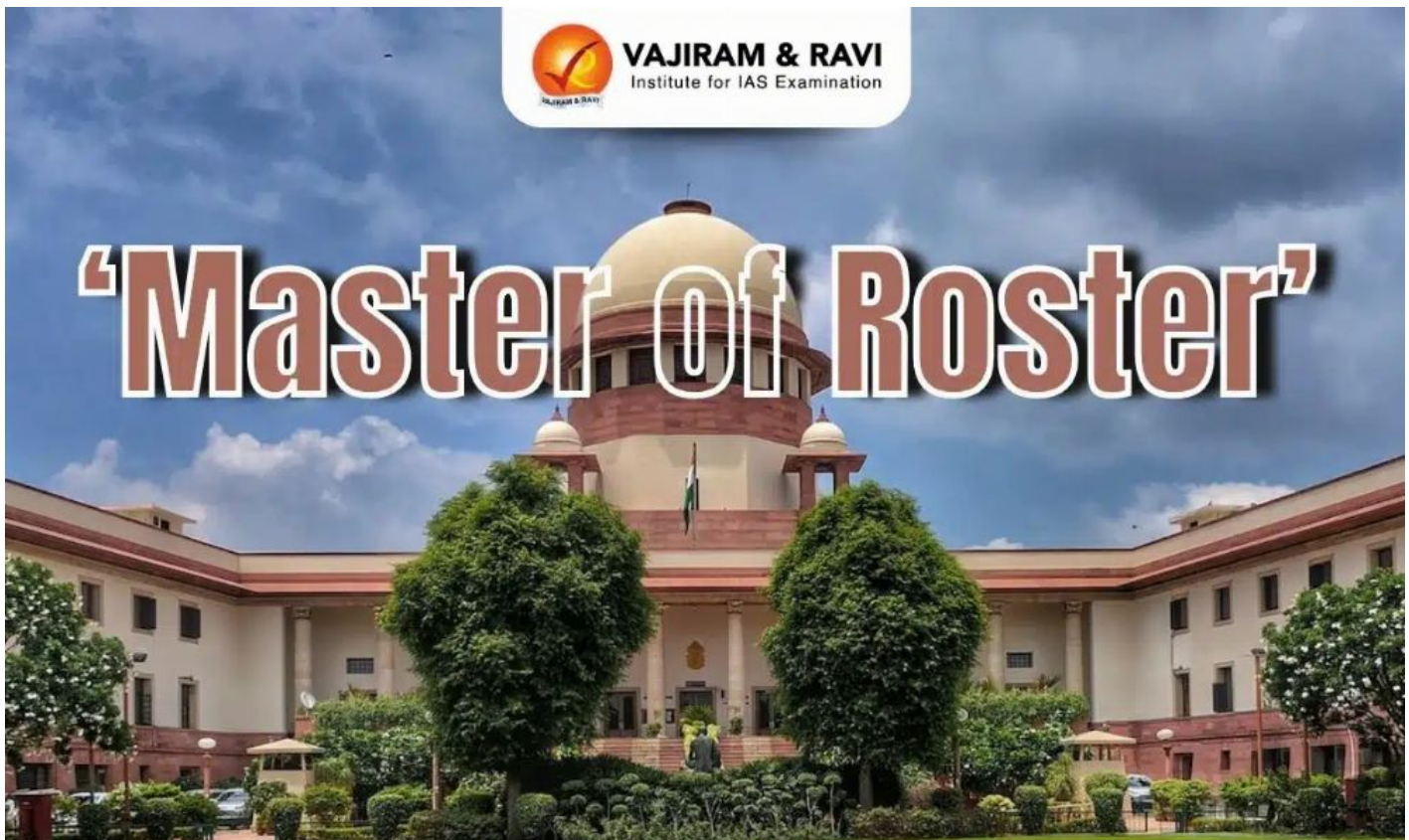


‘Master of Roster’ – SC vs. HC, Judicial Authority, and Limits of Intervention

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‘Master of Roster’ Latest News

- The Supreme Court’s (SC) recent censure of an Allahabad High Court (HC) judge for an “absurd” order has **reignited debate over whether the apex court can intervene in the internal functioning of High Courts**, particularly in the domain of a State HC Chief Justice’s exclusive ‘Master of Roster’ powers.
- This raises important constitutional questions on judicial independence, institutional integrity, and the scope of the Supreme Court’s authority under **Articles 141 and 142**.

Background

- **Incident:** Recently, an SC Bench of Justices J.B. Pardiwala and R. Mahadevan directed that Justice Prashant Kumar (Allahabad HC) be paired with a senior judge and not be given a criminal roster till retirement, following an “erroneous” order.

- **Objection:** HC lawyers and Chief Justice Arun Bhansali raised concerns over interference with the Chief Justice's administrative powers.
- **Modification:** Following a letter from the Chief Justice of India (CJI) B.R. Gavai, the SC modified its order later, clarifying it did not intend to challenge 'Master of Roster' powers.

Key Constitutional and Judicial Principles

- **Master of the Roster principle:**
 - **Definition:** Exclusive authority of a Chief Justice (SC or HC) to constitute benches and allocate cases.
 - **Landmark judgments:**
 - **State of Rajasthan vs. Prakash Chand (1998):** Only CJ can decide which judge hears which case.
 - **State of Rajasthan vs. Devi Dayal (1959):** HC CJ decides single/division bench composition.
 - **Mayavaram Financial Corporation (Madras HC, 1991):** CJ has inherent powers for judicial business allocation.
- **SC's hierarchical role:**
 - **Article 141:** SC's declared law is binding on all courts in India.
 - **Article 142:** SC can pass any decree/order to ensure "complete justice" beyond ordinary procedure.
 - **Tirupati Balaji Developers Case (2004):** SC is "elder brother" in judicial administration but has no power of superintendence over HCs.
- **Judicial independence vs. institutional oversight:**
 - **HCs are independent constitutional bodies**, but the integrated judiciary structure allows SC to intervene in rare cases threatening the rule of law.
 - **Intervention in HC internal matters** is exceptional and often debated as potential overreach.

Issues Raised

- **Scope of SC's powers:** Can SC give administrative directions to a HC CJ on roster allocation?
- **Judicial discipline:** Maintaining quality of judgments without undermining HC autonomy.
- **Article 142 usage:** Justification for preventive action to avoid repeated judicial errors.
- **Separation of powers within judiciary:** Balancing hierarchy with independence.

In-House Mechanism vs. Public Reprimand

- **Formal process:** Impeachment (Parliament) for serious misbehaviour/incapacity; in-house inquiry for lesser issues.
- **SC's move:** Public directive in open court rather than confidential administrative procedure.
- **Nature:** Not punitive removal; corrective mentoring by pairing with a senior judge and removing from the criminal roster.

Way Forward

- **Clear guidelines** for when SC may step into HC administrative functions.

- **Strengthening in-house mechanisms** to address judicial conduct without public controversy.
- **Mentorship and training for judges** to avoid repeated errors in sensitive matters.

Conclusion

- While the 'Master of Roster' principle protects judicial independence, it is not an absolute barrier to SC intervention when judicial errors threaten the rule of law.
- The SC's Article 142 powers allow exceptional **corrective steps**, but such actions must be **balanced** to avoid undermining the autonomy of High Courts.

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