

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).879/2026

ASSOCIATION OF RETIRED JUDGES OF SUPREME
COURT AND HIGH COURTS OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

WITH

ITEM NO.34

Writ Petition(s) (Civil) No(s).882/2026

Date : 31-07-2026 These petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Rajesh Tandon, Sr. Adv.
Dr. Shilpa Vitthbalrao Bagade, Adv.
Mr. Arjun Garg, AOR
Ms. Amruta Arjun Garg, Adv.
Mr. Sunil Verma, Adv.
Mr. Divyanshu Natiyal, Adv.
Ms. Arushi Kulshrestha, Adv.
Ms. Muskan Bensla, Adv.

Mr. S.K. Saxena, Sr. Adv.
Mr. Arjun Garg, AOR
Mr. Amruta Arjun Garg, Adv.
Mr. Aviral Saxena, Adv.
Ms. Muskan Bensla, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

Writ Petition(s) (Civil) No(s).879/2026

1. The Association of Retired Judges of Supreme Court of India and the High Courts of India has filed the instant writ petition under Article 32 of the Constitution of India, *inter alia*, seeking

the following reliefs:

"A. Issue appropriate writ, order or direction to the Respondents to apply the amended Rule 3B of Supreme Court Judges Rules, to the spouse of the deceased Judge of the Supreme Court also;

B. Issue appropriate writ, order or direction to the Respondents to consider the representation dated 01.07.2022 and 18.03.2025 and take appropriate steps for amendment in the High Court Judges Rules, 1956 in terms of the said Representations.

C. Issue appropriate writ, order or direction to the Respondents to grant the post retiral benefits to former judges of the Hon'ble Supreme Court and Hon'ble High Courts as per the Petitioner Association's representations dated 01.07.2022 and 18.03.2025.

D. Issue appropriate writ, order or direction to the Respondents to appropriately amend the service Rules of Judges of the Hon'ble Supreme Court and Hon'ble High Courts in order to bring uniformity in grant of post retiral and medical benefits;

E. Pass any other appropriate writ order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case"

2. It appears that a comprehensive representation has been made by the petitioner-Association to the Government of India, raising these issues, especially the purported omission of the expression "spouse" in Rule 3-B of the Supreme Court Judges Rules 1959. It goes without saying that the non-inclusion of "spouse and/or dependent-children" within the said Rule deserves to be examined by the Competent Authority for taking an appropriate decision. In any event, such issue can be effectively considered by the Committee that the Government of India has fairly agreed to constitute in terms of this Court's order dated 20.07.2026 passed in Contempt Petition (C) Nos. 425-426/2015 in W.P. (C) No. 523/2022.

3. The instant writ petition is, accordingly, disposed of at this stage, with a direction to the Union of India to consider the representations dated 01.07.2022 and 18.03.2025 submitted by the petitioner-Association and refer all the pending issues for consideration of the Committee, referred to hereinabove.

4. The pending applications, if any, also stand disposed of.

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5. Issue notice, returnable on 03.11.2026.

6. Tag with C.P.(C) Nos. 425-426/2015.

7. Additional documents, if any, be placed on record.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR