

JUDICIAL APPOINTMENTS UNDER SCRUTINY: REVISITING THE HISTORICAL ALLEGATIONS CONCERNING CJI SURYA KANT



By Ronnie Rodrigues

Mumbai: An investigation first published by The Caravan on 30 January 2019, subsequently brought back into public discussion through its republication by CineBuster Magazine, raises questions about historical complaints concerning property transactions, alleged financial irregularities and judicial appointments. With Justice Surya Kant now serving as Chief Justice of India, attention has returned to what was alleged, what was examined and what remains publicly ascertainable.

A HISTORICAL REPORT WITH RENEWED PUBLIC SIGNIFICANCE

The appointment of a Chief Justice of India carries constitutional significance far beyond the individual assuming office. The position represents the highest level of judicial leadership and places particular importance on impartiality, institutional integrity and public confidence in the administration of justice.

Justice Surya Kant assumed office as Chief Justice of India on 24 November 2025. His judicial career, however, had already attracted controversy several years earlier, when allegations concerning property transactions and certain judicial orders were reported by The Caravan in January 2019.

The original report, written by Atul Dev, examined complaints reportedly submitted to the Supreme Court concerning Justice Kant's conduct while serving as a judge of the Punjab and Haryana High Court. It also discussed objections attributed to former Supreme Court judge Justice A.K. Goel concerning Justice Kant's elevation to the position of Chief Justice of the Himachal Pradesh High Court.

The republication of that investigation by CineBuster Magazine brings the historical record back into public discussion. The central issue is not whether allegations appearing in a magazine should automatically be accepted as true. Rather, it is whether the complaints were examined through appropriate institutional procedures and what conclusions, if any, were reached.

These distinctions are essential. Allegations are not proof, and no individual should be declared guilty merely because accusations have been published. Nevertheless, serious questions about the integrity of public institutions deserve scrutiny based on evidence, due process and the available record.

FROM HARYANA'S LEGAL PROFESSION TO THE HIGHER JUDICIARY

Justice Surya Kant began practising law in Hisar, Haryana, in 1984 before moving to Chandigarh to practise before the Punjab and Haryana High Court. He became Advocate General of Haryana in 2000 and was appointed a permanent judge of the Punjab and Haryana High Court in January 2004.

In October 2018, he assumed office as Chief Justice of the Himachal Pradesh High Court. He was elevated to the Supreme Court of India in May 2019 and subsequently became Chief Justice of India in November 2025.

The significance of the controversy lies in the fact that the complaints described in the 2019 report predated these elevations. The report questioned whether the concerns raised at the time had received sufficient scrutiny before Justice Kant was recommended for higher judicial responsibilities.

The circumstances of his elevation were also debated within the judiciary, according to correspondence and accounts reproduced in the original investigation.

THE 2012 COMPLAINT: PROPERTY DEALINGS AND ALLEGED FINANCIAL IRREGULARITIES

One of the principal allegations examined in the 2019 investigation originated in August 2012. Satish Kumar Jain, a Chandigarh-based businessman working in construction and real estate, reportedly wrote to then Chief Justice of India S.H. Kapadia.

Jain alleged that he had undertaken renovation work and facilitated property transactions connected with Justice Kant, and raised concerns about unpaid dues, alleged cash payments and the declared consideration for several properties. His complaint referred to a sum of approximately ₹7.63 crore in alleged tax and transaction irregularities.

According to the report, the Supreme Court Registry responded on 11 September 2012 that the complaint required verifiable supporting material and an affidavit. Jain reportedly submitted a sworn affidavit six days later.

The affidavit and supporting documents, as described in the investigation, formed the basis of several specific allegations.

RENOVATION WORK AND THE CLAIM OF UNPAID DUES

Jain reportedly stated that he had been asked to undertake renovation work at three properties: the official residence in Chandigarh's Sector 10, a two-bedroom property in Sector 16, and a farmhouse extending over approximately 15 acres in Panchkula, Haryana.

The reported cost of the work was around ₹19 lakh. Jain alleged that he had initially received no payment. In his subsequent affidavit, he reportedly acknowledged receiving ₹6 lakh after submitting his complaint to the Supreme Court.

The dispute over payment was separate from, but formed part of the background to, the more serious allegations Jain subsequently raised concerning property transactions.

According to his account, the transactions involved discrepancies between the amounts allegedly paid and the amounts recorded in the relevant sale deeds. He claimed that portions of the consideration had been paid in cash and were not reflected in the registered documents.

These claims were allegations made by Jain. Their evidentiary significance depends on the underlying records, the complete transaction history and any findings reached by the competent authorities.

THE KUMARHATTI FARMHOUSE TRANSACTION

One transaction identified in the report concerned a farmhouse on Nahan Road in Kumarhatti, Himachal Pradesh.

Jain alleged that the property was worth approximately ₹2.32 crore when it was sold in March 2010. According to his account, the sale deed recorded consideration of only ₹13 lakh, while the remaining approximately ₹2.20 crore was allegedly paid in cash.

Jain further claimed that the cash component was received on Justice Kant's behalf

because, according to the complainant, the judge was the actual owner of the property.

If established by reliable evidence, a discrepancy of this nature would raise questions about the accuracy of the registered consideration and compliance with applicable tax and property laws. The allegation itself, however, cannot substitute for a formal finding about ownership, payment or liability.

THE PANCHKULA PLOT: TWO DIFFERENT FIGURES

The investigation also described a residential plot measuring approximately 441 square metres in Panchkula.

Jain reportedly claimed that the property was sold in April 2011 for ₹3.10 crore, although the registered sale deed reflected consideration of ₹1.50 crore. He alleged that the difference was paid outside the registered transaction in cash.

The allegation formed part of the broader claim that certain properties were transacted at declared values substantially below the amounts allegedly exchanged.

The relevant questions include whether the complete payment trail can be established, what the transaction documents recorded and whether any competent authority independently verified the alleged discrepancy.

THE GREATER KAILASH PROPERTY IN NEW DELHI

Another transaction concerned a residential property measuring approximately 285 square yards in Greater Kailash-I, an upscale locality in New Delhi.

According to Jain's account, Justice Kant purchased the property in September 2010 from Diya Kumari, a member of the former Jaipur royal family who later entered politics with the Bharatiya Janata Party.

Jain alleged that the actual purchase consideration was ₹3.50 crore, whereas the sale deed recorded ₹1.50 crore. He claimed that the remaining ₹2 crore was paid in cash by the judge's wife at the seller's residence in Maharani Bagh, New Delhi, and stated that he had accompanied her there.

The report also discussed the prevailing circle rate for Greater Kailash in September 2010. It cited a rate of approximately ₹1.25 lakh per square metre, which, according to the investigation's calculation, placed the property's indicative value at around ₹3 crore.

The significance of the comparison was that the registered consideration described in the complaint was substantially lower than the estimate derived from the stated circle rate.

Circle rates, however, are valuation benchmarks and do not, by themselves, establish the actual consideration paid in a particular transaction or prove an offence. Any conclusion would require examination of the relevant deeds, payment records, valuation evidence and applicable law.

THE CHANDIGARH PROPERTY AND QUESTIONS ABOUT THE DOCUMENTS

A further allegation related to a residential property measuring approximately 190 square yards in Chandigarh's Sector 18.

Jain reportedly asserted that the property had been purchased for ₹3.08 crore, although he alleged that the declared consideration was considerably lower. His complaint described the difference as an alleged cash transaction.

The Caravan investigation also noted an important documentary complication: the material attached to the complaint included two sale deeds dated March and April 2011. One recorded a consideration of ₹3.08 crore, while the other reflected ₹1.45 crore.

This discrepancy makes it particularly important not to treat the allegation as a settled conclusion without examining the complete documentary record. The relationship between the two deeds, their legal effect and the actual consideration would need to be established before drawing firm conclusions.

The report further compared the transaction with the circle rate it cited for the locality, approximately ₹3.49 lakh per square yard, and estimated that the property would have had a substantially higher benchmark value.

Taken together, the transactions described by Jain raised questions about declared consideration, alleged cash payments and possible tax or stamp-duty implications.

Whether any of those allegations were ultimately substantiated is a separate question that must be answered through verified findings rather than inference alone.

THE 2017 COMPLAINT CONCERNING BAIL ORDERS

The 2019 investigation also described a second set of allegations, distinct from the property dispute.

According to the report, a prisoner named Surjit Singh, held in a high-security prison in Patiala, Punjab, submitted a complaint in 2017 concerning eight bail orders passed by Justice Kant between October 2015 and February 2017.

The complaint reportedly alleged that bribes had been accepted in connection with bail in cases involving offences under the Narcotic Drugs and Psychotropic Substances Act. It also accused the judge's brother, nephew and two lawyers of acting as intermediaries.

These were serious accusations. The report did not establish that the alleged payments had been proved in a criminal proceeding. The claims must therefore be understood as allegations contained in the complaint, not as findings of guilt.

Nevertheless, the nature of the accusations made the question of institutional examination especially important. Where allegations concern possible interference with judicial decision-making, any assessment must be based on the relevant orders, case records, evidence of alleged payments and the responses of those concerned.

The 2019 report stated that the complaints had not resulted in the kind of independent examination sought by Justice A.K. Goel. The precise status and eventual outcome of each complaint should be verified from authoritative records before any present-day conclusion is published.

JUSTICE A.K. GOEL'S OBJECTIONS AND THE CALL FOR FURTHER EXAMINATION

A central element of the controversy was the correspondence attributed to Justice A.K. Goel, then a Supreme Court judge.

As described in the report, Justice Goel had considered complaints concerning property

acquisitions and alleged irregularities in bail orders. He reportedly expressed the view that independent property valuations and further verification were necessary.

On 10 January 2018, the collegium recommended Justice Kant for appointment as Chief Justice of the Himachal Pradesh High Court, notwithstanding the fact that Justice A.K. Mittal was senior to him in the Punjab and Haryana High Court.

The collegium's recorded reasoning, as reproduced in the investigation, was that it considered Justice Kant more suitable after taking relevant factors into account.

Two days later, on 12 January 2018, Justice Goel reportedly wrote to then Chief Justice of India Dipak Misra expressing disagreement with the recommendation. He referred to his earlier opinion concerning complaints against Justice Kant and stated that, in his assessment, the appointment should not proceed until a thorough inquiry had been conducted.

His earlier observations, according to the report, included the need for independent valuation of certain properties and closer examination of eight bail orders referred to in the complaint.

The correspondence therefore raised two distinct issues: whether the complaints had been adequately examined, and whether the concerns expressed by a senior judicial colleague had been fully considered before the appointment recommendation was made.

Justice Goel's objections were significant as part of the historical record, but they did not themselves constitute a judicial determination that the allegations were true.

SENIORITY, THE COLLEGIUM AND THE 2018 APPOINTMENT

The controversy also involved the question of judicial seniority.

Justice A.K. Mittal, who was senior to Justice Kant in the Punjab and Haryana High Court, was not selected for the Himachal Pradesh High Court chief justiceship. The Caravan report described differing views within the collegium and referred to consultations involving judges who had served in Chandigarh.

The report also discussed the possible influence of changing collegium membership and the views of individual judges on the eventual recommendation.

These accounts were attributed to former and sitting members of the higher judiciary. They should be read as reported accounts of the appointment process rather than as independently established proof of improper influence.

The wider institutional question remains important: how should the collegium balance seniority, professional merit, suitability and complaints against a candidate? Judicial appointments necessarily require evaluative judgment, but the existence of credible complaints raises the question of what verification is appropriate before a recommendation is finalised.

On 3 October 2018, Justice Kant was appointed Chief Justice of the Himachal Pradesh High Court. The investigation questioned why the appointment proceeded despite the concerns it described and whether the underlying issues had been resolved during the intervening period.

THE PUBLIC DEBATE IN 2019

The controversy did not end with the original report.

In January 2019, senior advocate Prashant Bhushan reportedly wrote to then Chief Justice of India Ranjan Gogoi seeking an inquiry into the allegations and arguing that the complaints should be credibly examined before Justice Kant's elevation to the Supreme Court.

There was also a public response from the Bar Council of India, whose chairman characterised the allegations as baseless. That response is part of the historical debate and should be considered alongside the original allegations and the correspondence attributed to Justice Goel.

The existence of competing public positions illustrates why responsible reporting must distinguish between an accusation, a denial, a request for inquiry and an official finding. None of those categories should be substituted for another.

FROM HIGH COURT CHIEF JUSTICE TO CHIEF JUSTICE OF INDIA

Justice Kant was elevated to the Supreme Court in May 2019 and assumed office as Chief Justice of India on 24 November 2025. The Supreme Court's official website identifies him as the serving CJI and records his retirement date as 9 February 2027.

His present constitutional position gives renewed public importance to questions about the institutional handling of the historical complaints. It does not, by itself, establish that the allegations were true, nor does it demonstrate that any appointment was legally invalid.

The critical issue is whether the record can establish what happened after the complaints were submitted: whether they were investigated, whether the relevant material was independently verified, whether the concerns were resolved, and whether any official conclusions were recorded.

If the competent institutions examined the complaints and reached conclusions, those outcomes should be accurately reported to the extent they can lawfully be disclosed. If the record is incomplete or unavailable, the limitations should be stated rather than replaced with speculation.

QUESTIONS THAT MERIT AUTHORITATIVE ANSWERS

The historical material raises several questions that can be addressed only through reliable documentation and responses from the appropriate institutions:

1. Status of the complaints: What was the final disposition of the complaints attributed to Satish Kumar Jain and Surjit Singh?
2. Independent verification: Were the relevant property records, valuations, payment details and bail orders independently examined?
3. Justice Goel's correspondence: What action, if any, followed from the concerns and recommendations reportedly communicated by Justice Goel?
4. Appointment procedure: What material was considered by the collegium when it

recommended Justice Kant for the Himachal Pradesh High Court chief justiceship in January 2018?

5. Subsequent developments: Were there later inquiries, official findings, formal responses or other developments that materially changed the position described in the 2019 report?

6. Public accountability: What information can lawfully be disclosed to explain how the complaints were handled while preserving the independence of the judiciary and the rights of all concerned?

These questions are not findings against Justice Kant. They are questions about the historical record and the institutional procedures that govern complaints concerning members of the higher judiciary.

A MATTER OF PUBLIC TRUST, NOT PREJUDGMENT

The authority of the judiciary rests on the Constitution, the rule of law and the confidence of citizens that justice is administered impartially. That confidence is protected not by suppressing difficult questions, but by ensuring that credible complaints are handled through fair and appropriate procedures.

At the same time, allegations must never become a substitute for evidence. A judge cannot responsibly be declared guilty on the basis of a complainant's affidavit, a media investigation or disagreement within the collegium alone. The complete documentary record, subsequent developments and any formal findings must be taken into account.

The republication of the 2019 investigation therefore presents an opportunity to revisit a matter of public interest with accuracy and restraint. It calls for clarity about the treatment of the historical complaints, the reasoning behind the appointments described in the report and the extent to which the concerns were resolved.

The issue is ultimately larger than any one appointment. It concerns the standards of transparency, fairness and accountability expected of the institutions entrusted with protecting constitutional rights.

The public deserves verified answers, not assumptions. Judicial independence must be protected, and accountability must be pursued through evidence, due process and the same standards of fairness that the judiciary is expected to uphold.

Editorial clarification: This article recounts allegations and historical developments reported in 2019. It does not assert that Justice Surya Kant committed corruption, tax evasion or any other offence. Any subsequent inquiry, official response or judicial finding must be verified and incorporated before publication.

Sources for editorial verification

The Caravan — Atul Dev's original investigation, published 30 January 2019: Read the original report.

Supreme Court of India — Official Chief Justice and judges listing.

The Wire — January 2019 report on the request for an inquiry.

Bar & Bench — Coverage of the 2019 public debate and response from the Bar Council of India

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