

## CAMPAIGN FOR JUDICIAL ACCOUNTABILITY AND REFORMS

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**5<sup>th</sup> June 2018**

To,  
The Hon'ble Chief Justice of India  
Supreme Court of India  
New Delhi.

**Subject:** Regarding constitution of 'in-house inquiry' for initiating appropriate action against Justice Hemant Gupta, Chief Justice, Madhya Pradesh High Court for the alleged cases of 'disproportionate assets' and 'misbehavior' and regarding proposed elevation of Justice Hemant Gupta to the Supreme Court

Dear Hon'ble Chief Justice,

The Campaign for Judicial Accountability and Reforms (CJAR) had sent a detailed complaint on 3.03.2017, against Justice Hemant Gupta who was then the Acting Chief Justice of the Patna High Court. He was however then appointed as the Chief Justice of the Madhya Pradesh High Court. The complaint which requested for an in-house inquiry to be initiated, had also detailed serious allegations against Justice Hemant Gupta, of amassing huge wealth disproportionate to the known source of his income and also of influencing the ongoing investigations against his wife for the charges of money laundering, acquiring properties illegally by creating forged/ sham agreement to sale, evading stamp duty, filing collusive suits for specific performance, transacting through shell companies for layering and structuring the transactions etc.

In a letter to the hon'ble collegium on 21<sup>st</sup> September 2017, CJAR further brought to the notice of the hon'ble collegium that on 4.09.2017,

an FIR has been filed by the Head of Branch, CBI/ACB/Chandigarh, against Sh. Murari Lal Tayal, retd IAS officer from Haryana Govt on allegation that he was in possession of assets disproportionate to his known sources of income and against his wife Smt. Savita Tayal and their two children for abetment of the fore mentioned crime. Smt. Savita Tayal is the real sister of Justice Hemant Gupta. Justice Hemant Gupta was a Judge of the Punjab and Haryana High Court at the time when these disproportionate assets to the tune of nine crores was acquired by Sh. Murari Lal Tayal and his family. Whether Justice Hemant Gupta had any role in the acquiring of these assets may have to be further investigated.

We have received information from reliable sources that the government of India is also seriously interested in the promotion of Justice Hemant Gupta. With such serious allegations against him of amassing huge wealth disproportionate to his assets, influencing the ongoing investigations against his wife for the charges of money laundering, his sister being named in a CBI FIR, it is clear that Justice Hemant Gupta should not be considered for further elevation. It has further been learnt that the government transferred the concerned ED officer and thereafter the investigation was moved to Delhi. It has also been learnt that the government has closed the ED investigation and given Justice Hemant Gupta a clean chit. Justice Gupta's close proximity to the government as he comes from an influential RSS background, is well known.

Since it is apparent, that there is sufficient prima facie evidence, it is only appropriate that an "in-house enquiry committee" be constituted to verify the charges levelled against Justice Hemant Gupta and also to initiate appropriate action against him. Pending the enquiry Justice Hemant Gupta must be suspended from carrying out any judicial and administrative work.

I am enclosing the CJAR complaint against Justice Hemant Gupta, the CBI FIR and a CD with a recording of Justice Hemant Gupta's conversation with the Investigating Officer of the ED.

Kind regards,

(Prashant Bhushan)

Convenor

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