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Q88

With reference to Indian judiciary, consider the following statements : 1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with prior permission of the (a) 1 only (b) 2 only (c) Both 1 and 2 (d) Neither 1 nor 2 Official key: A.

UPSC Civil Services Prelims 2021 · General Studies · 2 marks · Polity and Governance

Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation**(a) Official key**

1 only. **Article 128**: CJI may request a retired SC judge to sit, with the President's consent. High Courts do not have the Supreme Court's review jurisdiction in the same terms as statement 2 claims.

(b)

2 only. Statement 2 over-equates HC and SC review.

(c)

Both. Statement 2 fails.

(d)

Neither. Statement 1 holds.

Summary

Official key is (a) 1 only. A retired Supreme Court judge may sit again at the CJI's request with the President's prior consent. The High Court's power to review its own judgment is not the Supreme Court's **Article 137** replica as statement 2 puts it.

Related possible facts

These can be asked in a future Prelims paper.

Article 128

Attendance of retired judges at SC sittings.

Article 137

SC review of its own judgments.

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