Subject Name: Constitution Law
Topic Name: High Courts

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High Courts in India serve as pillars of the judicial system, entrusted with the paramount duty of upholding the Constitution and laws of the land. Mandated by Article 214, each state boasts its own High Court, with provisions allowing Parliament to establish common High Courts for multiple states. This pivotal role encompasses both civil and criminal jurisdictions, including ordinary and extraordinary matters, highlighting their indispensability in administering justice.

Court of Record

Under Article 215, High Courts enjoy the distinction of being courts of record, affording their rulings evidentiary value beyond reproach. This status not only safeguards the sanctity of judicial records but also empowers High Courts to maintain their authority through contempt proceedings, thus ensuring the integrity of the judiciary.

Review Powers and Judicial Accountability

Despite the absence of explicit review provisions akin to the Supreme Court's Article 137, High Courts possess inherent authority to review and rectify their judgments. The landmark case of **S.P. Gupta v. President of India** highlights the constitutional imperative for High Courts to periodically assess their caseloads, reinforcing judicial accountability in dispensing justice.

Appointment and Removal of High Court Judges

Article 217 provides stringent qualifications for High Court judges, necessitating extensive judicial experience or legal expertise. Moreover, Article 218 mirrors the safeguards accorded to Supreme Court judges, ensuring judicial independence by subjecting High Court judges to the same removal procedures, thus fortifying their autonomy from extraneous influences.

Oath, Restrictions, and Emoluments

Before assuming office, High Court judges solemnly swear allegiance to the Constitution, as mandated by Article 219. Furthermore, Article 220 imposes restrictions on post-retirement practice, preserving the impartiality and dignity of the judiciary. Emoluments and entitlements, articulated in Articles 221 and 222, respectively, underscore the state's obligation to ensure judicial dignity through adequate remuneration and benefits.

Judicial Transfers

Article 222 outlines the mechanism for judicial transfers, emphasising the President's discretion after consulting with the Chief Justice of India. The landmark judgement of In **re Presidential Reference** shows the collaborative decision-making process, ensuring consensus among relevant stakeholders to maintain judicial efficiency and competence.

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Landmark Judgements	GS Notes
Weekly Current Affair	Subject Wise Prelims PYQ Solution
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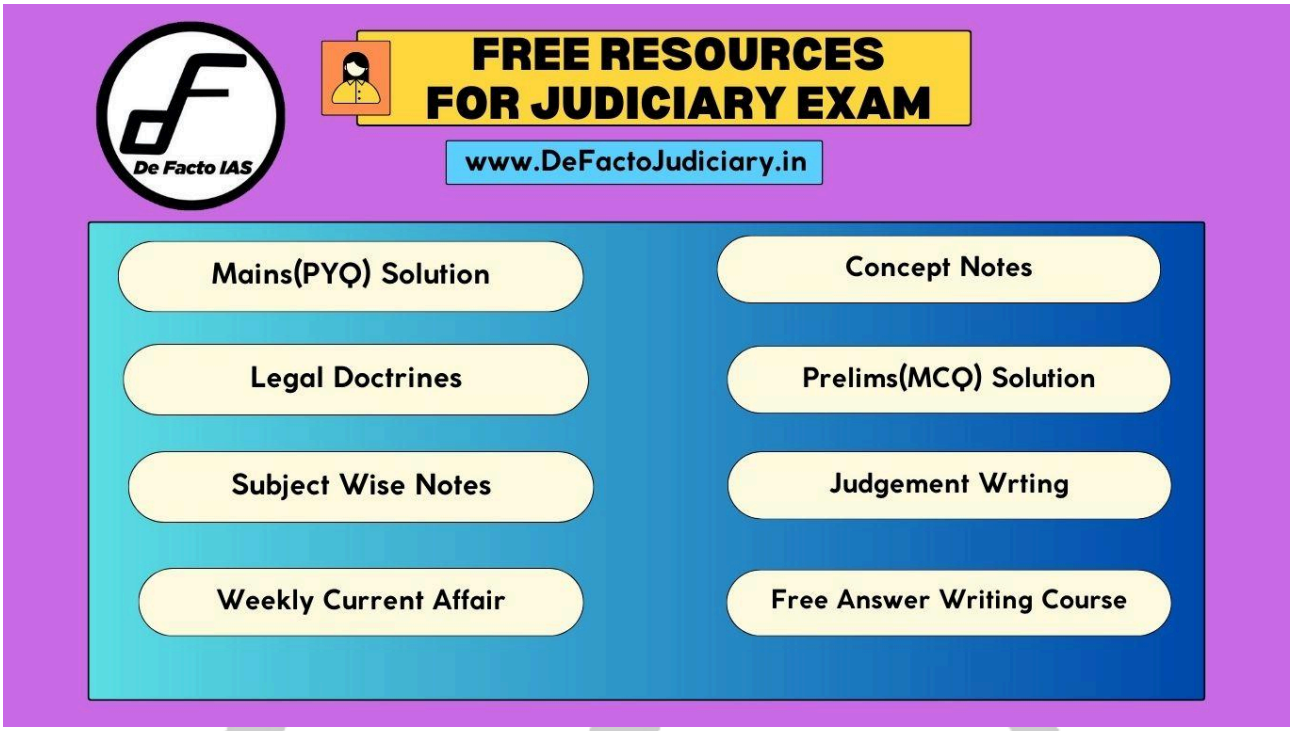
Telegram Link	Youtube Link

Acting Chief Justices and Additional Judges

During vacancies or incapacitation of Chief Justices, Article 223 authorises the appointment of acting Chief Justices, ensuring continuity in judicial leadership. Additionally, Article 224 empowers the President to appoint additional or acting judges to address workload exigencies, bolstering the High Courts' capacity to expedite justice delivery.

Superintendence and Transfers of Cases

Articles 226 and 227 delineate High Courts' superintendence powers over subordinate courts, enabling them to issue writs for enforcing fundamental rights and adjudicating administrative and judicial matters. Furthermore, Article 228 facilitates the transfer of cases involving significant constitutional questions, ensuring uniformity and coherence in jurisprudence across High Courts.



Extension of Jurisdiction and Establishment of Common High Courts

Parliament, under Article 230, retains the authority to extend or exclude High Courts' jurisdiction over Union territories, fostering judicial integration and coherence. Additionally, Article 231 empowers Parliament to establish common High Courts for multiple states or territories, streamlining judicial administration and promoting regional cooperation in dispensing justice.