

## **Neetibagh Judges' Cooperative Housing Society Ltd PIL Case-Law Research**

### **Conclusions**

“In gist, it can be seen that, as mentioned before, the issues raised a mix of legal and ethical considerations. The broad view that can be taken is that it is wrong on behalf of the judges to pander to the Executive given the fact that the Government is the largest litigant in the Courts. There is no law which requires this. But these standards are expected to be met by a judge in the performance of his judicial function. However, the fact remains that policies of the various Development authorities do provide for allotment to the class of privileged person which judges comprise. This requires that the Discretion afforded to the Chairmen of the Land Development authorities be exercised on valid and reasonable considerations, especially as it leads to the concentration of resources in the hands of a few.

What can also be seen from the aforementioned analysis is that the issue these matters deal with is the exercise of “discretion”. The same can be seen in the *suo motu* PIL taken up by the Gujarat High Court. The issues which have been framed are to determine whether discretion has been exercised properly and the allotment is not an undue largesse extended by the Executive to the Judiciary.”