



SURYA KANT
CHIEF JUSTICE OF INDIA

11th October, 2026

Respected Shri Mallikarjun Kharge, Leader of Opposition, Rajya Sabha and

Shri Rahul Gandhi, Leader of Opposition, Lok Sabha,

I have received your letter dated 10.10.2026, requesting an appointment on Monday, 12.10.2026, between 4 PM and 5 PM, to submit a memorandum concerning:

- (a) the Chief Election Commissioner / Election Commission of India;
- (b) the arbitrary arrest of several students;
- (c) the closure of metro stations; and
- (d) the cancellation of trains, among other issues.

At the very outset, it may be noted that the issues referred to hereinabove are already *sub judice* before the Supreme Court of India. Therefore, convening a meeting to discuss pending cases would wholly contravene the principle of Separation of Powers, an intrinsic facet of the basic structure doctrine of the Constitution of India, and would be incompatible with the established ethics and judicial propriety.

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In this vein, I also wish to remind you that within our constitutional framework, the Supreme Court of India is not endowed with any administrative powers to deal with the issues highlighted in your letter. However, in the exercise of our jurisdiction under Article 32 of our Constitution, along with other plenary powers, including that of judicial review, we are duty-bound to consider on judicial side the gravamen of issues affecting the citizens of India.

Supreme Court of India reiterates its commitment to preserve and protect the Fundamental Rights of every citizen of India and they are entitled to seek enforcement of such rights at all hours through the procedure known in law. It would thus be more appropriate on your part to invoke the judicial powers of the Supreme Court of India, instead of submitting a memorandum on the administrative side.

Incidentally, some matters highlighting similar issues are scheduled for hearing on Tuesday, 13.10.2026. If so advised, you may submit your petition on Monday, either physically at the Supreme Court of India, between 10:30 A.M. and 04:30 P.M., or alternatively, by utilising the e-filing option, which permits filing at any time and on any day. You have my assurance that any such petition shall be heard at the earliest possible opportunity, in accordance with the law.

Regards,


[Surya Kant]