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3-Year Practice Requirement Reduced to 1 Year with Mandatory Training & Clerkship

Case: *Bhumika Trust v. Union of India & Connected Cases*

Detailed Supreme Court Judgment Summary

Civil Judge (Junior Division) Recruitment — Reduction of Practice Requirement from 3 Years to 1 Year

1. Case Details

Case: *Bhumika Trust v. Union of India & Connected Cases*

Case No.: W.P. (C) No. 001110/2025 and connected cases.

Bench:

- Chief Justice of India **Surya Kant**
- Justice **Augustine George Masih**
- Justice **K. Vinod Chandran**

Justice K. Vinod Chandran **dissented** from the majority decision.

2. Background of the Case

The controversy concerns the eligibility requirements for direct recruitment to the post of **Civil Judge (Junior Division)**.

In **May 2025**, the Supreme Court had directed that candidates seeking entry-level judicial service must possess **at least three years of legal practice** before appearing for the Civil Judge examination.

The earlier decision was based on the Supreme Court's view that a person entering the judiciary should have practical exposure to the legal profession before becoming a judicial officer.

However, the three-year requirement generated considerable concern, particularly among:

- fresh law graduates;
- young lawyers;
- women candidates;
- persons with disabilities; and
- candidates who had prepared for judicial examinations under the earlier eligibility framework.

Several **review petitions** were therefore filed challenging the May 2025 judgment.

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3. Issue Before the Supreme Court

The principal issue was whether the **three-year prior practice requirement** prescribed by the May 2025 judgment should be retained in its original form.

The Court was required to consider whether the requirement of prior professional experience should be:

retained, modified, or dispensed with, particularly considering the hardship caused to law graduates and young candidates.

The Court ultimately retained the **principle of prior professional exposure**, but modified the manner in which that experience would be acquired.

4. Earlier Position: Three Years' Practice

The May 2025 judgment had prescribed:

Three years of legal practice → Eligibility for Civil Judge (Junior Division) examination.

The earlier judgment had also directed that the practice period would be counted from the date of **provisional enrolment**.

The Supreme Court had further required successful candidates to undergo at least **one year of training before presiding over a court**.

5. Arguments Against the Three-Year Requirement

The review petitions raised several objections.

A. Hardship to Young Law Graduates

The petitioners argued that imposing a mandatory three-year waiting period would adversely affect candidates who intended to join judicial service immediately after graduation.

The concern was that candidates would have to postpone their judicial career for several years.

B. Effect on Women and Persons with Disabilities

During the proceedings, concerns were raised that the three-year waiting period could disproportionately discourage **women and persons with disabilities** from entering judicial service.

C. Existing Judicial Training Infrastructure

It was argued that State Judicial Academies already provide institutional training and that judicial competence could be developed through **structured training after selection**, rather than requiring three years of litigation experience before recruitment.

D. Law Commission Reports

A review petition relied upon Law Commission reports issued between **1924 and 1986**, which had opposed making prior Bar practice an absolute mandatory condition for entry into the judiciary.

E. Second Judicial Pay Commission

The petitioners also relied upon the **Second Judicial Pay Commission Report, 2022**, which recommended that any such eligibility requirement should be introduced only after a broader consultative process.

F. Articles 14 and 16

One review petition contended that the three-year practice requirement could affect the guarantees of:

- **Article 14 — Equality before law**
- **Article 16 — Equality of opportunity in public employment**

The petition sought relaxation/deferred implementation so that recent graduates who had prepared under the previous eligibility rules would not be unfairly excluded.

6. Supreme Court's Approach

The majority did **not completely reject the reasoning behind the May 2025 judgment**.

The Court continued to accept the underlying principle that a person joining the judiciary should have some **exposure to the legal profession** before becoming a judicial officer.

However, the Court considered that the experience requirement must have a **reasonable nexus** with the objective sought to be achieved and should not create unnecessary hardship.

Therefore, instead of completely removing professional experience, the Court adopted a **modified model combining prior practice with institutional judicial training and clerkship**.

7. Modified Requirement: One Year of Practice

The most important modification is:

Earlier

3 years' practice before applying

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1 year of active legal practice before applying

+

1 year Judicial Academy training after selection

+

1 year structured clerkship after training

For candidates applying after the transition period, the one year of prior practice must be established through a **certificate of practice**.

8. **Transition Period: Major Relief to Candidates**

One of the most significant aspects of the judgment is the transitional arrangement.

Candidates covered by judicial examination notifications between **20 May 2025 and 31 March 2027** can apply **without having completed prior legal practice**.

For this transitional period, they will be **deemed to have completed one year of active practice** for the purpose of eligibility.

They will therefore **not be required to produce a certificate of practice for that deemed period**.

In simple terms:

Up to 31 March 2027 → No actual prior practice required.

But the candidate must still complete the prescribed training and clerkship after selection.

9. **Trainee Judicial Officer**

Candidates selected during the transition period will not immediately become regular judicial officers.

They will first be designated:

"Trainee Judicial Officers"

They must undergo the prescribed training before regular appointment.

10. **One-Year Intensive Training**

The first stage after selection is:

One year of intensive training at the concerned State Judicial Academy.

The Court treats this training as equivalent to **one year of practice at the Bar for purposes of the overall experience requirement**.

Thus, the Court has effectively created an institutional mechanism through which judicial trainees obtain practical and professional exposure.

11. **One-Year Structured Law Clerkship**

After successfully completing the one-year Judicial Academy training, the trainee must undergo:

One year of structured law clerkship

This is divided into two periods:

First 6 months

Under the supervision of:

- Principal District Judge; or
- members of the Higher Judicial Service.

Remaining 6 months

Under:

- sitting judges of the concerned High Court.

The entire one-year clerkship is treated as equivalent to **one year of practice at the Bar** for the purpose of satisfying the experience requirement.

12. **Practical Experience Structure**

The judgment therefore creates the following model:

Transition candidates

Deemed 1 year practice

↓

1 year Judicial Academy training

↓

6 months District/Higher Judicial Service clerkship

↓

6 months High Court Judge clerkship

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↓

Evaluation

↓

Regular appointment

The PDFs describe the training and clerkship as effectively substituting for the remaining experience that would previously have been obtained through three years of Bar practice.

13. Remuneration During Training

The Court also provided financial protection to the selected candidates.

During the one-year Judicial Academy training, the Trainee Judicial Officer will receive:

50% of the gross remuneration payable to a Judicial Magistrate First Class.

During the clerkship period, the trainee will receive the **same emoluments admissible during the Judicial Academy training.**

14. Evaluation After Clerkship

Completion of training and clerkship does not automatically result in regular appointment.

After completion of the clerkship, the sitting High Court Judge under whose supervision the trainee served must submit a:

Reasoned evaluation report

The report concerns the trainee's:

- progress; and
- suitability for judicial service.

15. Regular Appointment

If the evaluation report is satisfactory:

Trainee Judicial Officer → Regular Judicial Officer

The candidate will then receive:

- regular appointment;
- regular pay scale; and
- other service benefits attached to the post.

16. Position From 1 April 2027

The transition arrangement ends on **31 March 2027.**

For notifications issued **on or after 1 April 2027**, the candidate must have:

At least one year of active law practice before applying.

Additionally, after selection, the candidate must still complete:

1 year Judicial Academy training + 1 year structured clerkship.

17. Verification of One-Year Practice

The post-transition one-year practice cannot merely be claimed by the candidate.

It must be verified through a:

Certificate of Practice

The certificate will not be issued unless the candidate's:

- presence; and
- participation in effective judicial proceedings

have been duly recorded in accordance with the mechanism prescribed by the Supreme Court.

This is important because the Court intends the one-year requirement to represent **genuine practical exposure**, rather than merely formal enrolment.

18. Why Did the Court Modify the Three-Year Rule?

The judgment's approach can be understood through two competing objectives:

Objective 1 — Professional experience

A prospective judicial officer should have exposure to the legal profession before entering judicial service.

Objective 2 — Avoiding unnecessary hardship

A rigid three-year waiting period can disadvantage young law graduates and candidates who had prepared for judicial examinations under the earlier system.

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The Court therefore attempted to balance the two objectives by retaining professional exposure while reducing the pre-recruitment requirement.

19. Justice K. Vinod Chandran's Dissent

Justice **K. Vinod Chandran** did not agree with the majority's modification. He dissented and maintained the position taken in the earlier judgment. Thus, the judgment represents a **majority decision**, with Justice Chandran dissenting.

20. High Courts' Responsibility

The Supreme Court directed that the relevant judicial service rules should be amended by the High Courts. The PDFs state that the High Courts must amend the relevant rules within **three months**. This is necessary to bring individual State Judicial Service Rules into conformity with the modified framework.

21. Duration and Future Review of the Scheme

The Court did not treat the arrangement as permanently immutable. The scheme is intended to operate for a period so that its effectiveness can be assessed. The second PDF records the Court's view that a period of **three years** would provide sufficient institutional experience to evaluate whether the scheme is achieving its intended objective.

22. Key Difference: May 2025 Judgment vs Review Judgment

Aspect	May 2025 Position	Review Judgment
Prior practice	3 years	1 year after transition
Transition relief	Earlier rule applied prospectively	Candidates in transition period can apply without actual practice
Judicial Academy training	At least 1 year	1 year intensive training
Clerkship	Not structured in this manner	1 year structured clerkship
District Judge/Higher Judicial Service	—	6 months
High Court Judge	—	6 months
Practice verification	3-year practice framework	One-year practice to be verified through certificate after 1 April 2027
Status after selection	Judicial trainee/training requirement	Trainee Judicial Officer
Evaluation	Training requirement	Reasoned evaluation by supervising High Court Judge
Regular appointment	After prescribed conditions	After satisfactory evaluation

The earlier judgment's three-year requirement is specifically recorded in the source as the basis for the review petitions.

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23. **Final Scheme — Easy Revision Chart**
- A. Candidates during transition period
20 May 2025 – 31 March 2027**
- No actual prior practice required
 - Deemed to have completed 1 year practice
 - Selection
 - Trainee Judicial Officer
 - 1 year Judicial Academy training
 - 6 months District/Higher Judicial Service clerkship
 - 6 months High Court Judge clerkship
 - Evaluation
 - Satisfactory report
 - Regular appointment
- B. Candidates from 1 April 2027**
- 1 year active law practice
 - Certificate/verification of practice
 - Judicial Service Examination
 - Selection
 - 1 year Judicial Academy training
 - 6 months District/Higher Judicial Service clerkship
 - 6 months High Court Judge clerkship
 - Evaluation
 - Regular appointment

24. **Important Takeaways for Judiciary Aspirants**
1. **Three-year practice requirement has been reduced to one year.**
 2. **The reduction does not mean that practical exposure has been abandoned.**
 3. **One year of Judicial Academy training is mandatory after selection.**
 4. **One year of structured clerkship is also mandatory.**
 5. Clerkship = **6 months District/Higher Judicial Service + 6 months High Court Judge.**
 6. Candidates in the transition period up to **31 March 2027** do not need actual prior practice.
 7. From **1 April 2027**, one year of actual active practice will be required before applying.
 8. Practice will have to be **verified through a certificate of practice.**
 9. Training and clerkship are **paid periods.**
 10. Regular appointment follows a **satisfactory evaluation** by the supervising High Court Judge.
 11. **Justice K. Vinod Chandran dissented.**
 12. The arrangement is subject to **future institutional review.**

One-line conclusion

The Supreme Court has not abolished the experience requirement for entry-level judicial service; rather, it has replaced the rigid three-year pre-entry practice model with a more balanced system of 1 year prior practice (after the transition period) plus 1 year judicial training and 1 year structured judicial clerkship.

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