

Examrace

Competitive Exams: Political Science Notes Comparison between Supreme Court and High Courts

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Comparison between the Supreme Court and the High Courts

Supreme Court

1. The Supreme Court is a federal court. Its only seat is located at Delhi. Its bench can be established at other places also but so far it has not been established.
2. The Judges of the Supreme Court are appointed by the President.
3. A person shall have the following qualification to become eligible for the appointment as a Judge of the Supreme Court, if:
 - a. He has been a Judge of a High Court for not less than five years in succession; or
 - b. He has been an advocate of a High Court for not less than 10 years in succession; or
 - c. He is a distinguished Jurist in the opinion of the President.
4. The Judges of the Supreme Court retire from their office after attaining the age of 65 years.
5. The President can remove the Chief Justice and the other judges on the basis of impeachment motion passed in the Parliament.
6. The salary of the Chief Justice is ₹ 33,000 and that of the other judges is ₹ 30,000 per month.
7. The judges of the Supreme Court after their retirement and during their term of office are not eligible to plead before any court/authority within the territory of India.
8. The Judges of the Supreme Court cannot be transferred nor can they be demoted in office.
9. The Supreme Court is not bound to abide by the decisions of the High Courts.
10. The salary and the allowances of the Judges of the Supreme Court are charged upon the Consolidated Fund of India.
11. The cases involving the interpretation of the Constitution are decided only by the Supreme Court.

High Court

1. There is a provision for a High Court in each State and each Union Territory but two or more States or two or more Union Territories or States and Union Territories, together, may establish a common High Court.
2. The Judges of the High Court are also appointed by the President.
3. A person shall not be eligible to become a Judge of a High Court unless such a person-
 - a. has been a judicial officer for not less than
 - b. years within the territory of India; or
 - c. has been an advocate for not less than 10 years in a High Court in India.
4. The Judges of the High Courts retire from their office after attaining the age of 62 years.
5. The judges and the Chief Justice of the High Courts are removed from the office by the President in the same manner as adopted in the case of the Supreme Court.
6. The salary of the Chief Justice is ₹ 30,000 and that of other judges is ₹ 26,000 per month.
7. The judges of the High Courts cannot plead before any Court during the term of their office. After retirement, they cannot plead before any Court below the High Court. That means they can plead only before other High Courts and the Supreme Court.
8. The judges of the High Courts can be transferred from one High Court to the other High Court and may be promoted as the Judges of the Supreme Court.
9. The High Courts are bound to abide by the decisions of the Supreme Court.
10. The salary and other allowances of the Judges of the High Courts are charged upon the Consolidated Fund of the States.
11. The cases involving the interpretation of the Constitution are not decided by the High Courts.