

## Exploring Justice: From Aspiration to Achievement: A Conversation with Justice Ananda Mohan Bhattarai

*Interviewer Prajwol Bickram Rana\**

- Interviewer** : Namaste, *Shriman*. First of all, thank you so much for accepting our request to be a part of this initiative by the Kathmandu School of Law Review, where we engage with esteemed professors and experts in the legal field. The objective of this initiative is primarily to inspire and motivate law students through sharing the journey and experiences of accomplished professionals like yourself. I hope you are doing well.
- Justice Bhattarai** : Thank You, thank you for coming over to me and for your interest in my journey and my work.
- Interviewer** : Thank you, *Shriman*. After more than 3 decades of distinguished service in the judiciary, you have recently retired from the Supreme Court. So, how is your retirement life going on?
- Justice Bhattarai** : It's going fine, I am trying to resettle and relocate myself to the academic side of my life.
- Interviewer** : Let's begin with your early career and life history. Has there been any key moments that you reminisce during your upbringing that inspired you to join the field of law?
- Justice Bhattarai** : In fact, by and large, it has been accidental for me to come to the legal field. But if I were to recollect my early years, I was born and brought up in a family of political dissidents. Ever since I became aware of my surroundings, my father was not at home; he was in political exile. When he came back after amnesty in 1969 (B.S.), it was the first time I had seen my father. Slowly and gradually, the notions of democracy, rule of law, people's rights, and all these things were being discussed at our home.
- As the youngest child of my family, my parents and elder siblings were keen to enroll me in the science faculty. I did not know what to do, but when I started my studies at the intermediate level in science, I realized

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\* Assisted by Susmit Khanal and Spandan Shrestha for interview, *Exploring Justice: From Aspiration to Achievement\_A conversation with Justice Ananda Mohan Bhattarai*, Ananda Mohan Bhattarai, Former Justice, Supreme Court of Nepal, Residence of Justice Ananda Mohan Bhattarai, Tinkune, Kathmandu, 9<sup>th</sup> September 2024.

that science was not the subject of my interest. My faculty was more philosophical. So, slowly and gradually, I started developing an interest in law. This was partly because of my family's inspiration and partly because I felt science was not good for me.

**Interviewer** : That's interesting, *Shriman*. You have had an interdisciplinary academic journey. If we see, you have studied Law, Political Science and English Literature. So, how has your diverse education shaped your understanding of law and legal philosophy.

**Justice Bhattacharai** : I've always had an interest in English literature. Even though I studied at a vernacular school in Pokhara, my English was relatively good compared to my peers. Perhaps because of that, I developed an interest in English literature. After graduating in law, I decided to study English Literature and Political Science.

The reason was my strong desire to pursue further studies. Since I was part of the judiciary, I was waiting for the Colombo Plan Fellowship, which was available back then. There was a single quota for the judiciary under that plan. While waiting for the fellowship, I thought I should work on improving myself. So, I chose to study Political Science and English Literature because I knew English would become quintessential for advancing my career. This motivation drove me to enhance my knowledge and skills during that time.

**Interviewer** : You have also been part of international fellowships like the Hubert H. Humphrey Fellowship and Alexander von Humboldt Fellowship. So, how important is international exposure for the law fraternity in Nepal? What do you think about this?

**Justice Bhattacharai** : Before I come to Hubert H. Humphrey Fellowship and Alexander von Humboldt Fellowship, let me tell you my journey regarding L.L.M. and Doctorate studies in India. After 12 years of my work at the Supreme Court, I got to study in India. At that time, National Law School was a growing institution, and as a Colombo Plan Fellow, I was offered a place in Delhi University as well. But I chose Bangalore, and I now retrospectively feel I made the right decision.

It was a vibrant organization, and later, when India started rating its institutions, it was also ranked first. With 12 years of work experience and my academic background in English Literature and Political Science, I was well-prepared for my studies at the National Law School. I graduated as First Class First in my L.L.M. program, achieving the highest score in the institution's history. This turned out to be a significant academic boost for me. Upon returning, I began working at the Kathmandu District Court, where I came to know about the Hubert H. Humphrey Fellowship through my senior colleague, Dr. Tripathi.

I applied for the Hubert H. Humphrey Fellowship and received an 'A' on my first attempt, which led to an opportunity to study at MIT. This

was during the academic year 2002–2003, and it turned out to be an incredibly valuable experience for me. Initially, I had some hesitation about going to MIT, so I went to the Fulbright Commission and had a discussion with Michael Gill, who was the Chief of the Fulbright Commission in Nepal at the time.

I expressed my desire to attend law school, but he encouraged me to branch out. He later revealed that he himself was a lawyer and, had he been given the opportunity, he would have greatly enjoyed studying at MIT. His words convinced me, and I decided to go to MIT.

MIT and Harvard had a credit transfer facility, and at that time, they were only two stations apart. So, besides taking mandatory courses for the Hubert H. Humphrey Fellowship at MIT, I could also go and audit classes at Harvard Law School. I took four or five courses at Harvard Law School and one course at the Fletcher School of Law and Diplomacy.

At one point, I considered pursuing another Ph.D. in the U.S. It is common for people attending such prestigious institutions to develop that kind of ambition. While working on my proposal, I approached my professor at MIT. However, he advised me against spending another four to five years on a second Ph.D., suggesting it would be a waste of time. Instead, he recommended I pursue a postdoctoral opportunity.

This led me to apply for the Humboldt Fellowship at the Max Planck Institute in Heidelberg. I was fortunate to receive the fellowship and had the chance to work at the Max Planck Institute for Comparative Public Law and International Law, a world-class institution in Germany. This was during the 2005–2006 academic year.

One of the unique benefits of the Humboldt Fellowship is that once you become a Humboldtian, you are considered one for life. After spending about fourteen months there in 2005, I returned. The fellowship provides grants of three to five months to continue studies in areas where there is a logical progression of your work. Because of this, I returned to the Max Planck Institute in 2008, 2010, 2012, and 2018, each time exploring different areas of law.

During my first visit, I spent a longer duration working on the protection of Himalayan biodiversity, which later came out in the form of a book published in 2010. This research took me a full year plus an additional three months. When I went there again in 2012, Nepal was experimenting with the Constitution, so I started researching the structure of the judiciary that Nepal should have. This is how my ongoing visits to the Max Planck Institute for further studies have continued.

**Interviewer**

- : Now, moving towards your career. During your initial phase as a bench officer at judiciary, you have shared in many other interviews as well that you had experiences working with prominent Chief Justices of that time. How do you view their approaches to resolving legal disputes, and

how have these changed during your tenure as a judge?

**Justice Bhattarai** : You see, when you ask me this question, I remember working with Chief Justice Nayan Bahadur Khatri. He was a wonderful person, very learned and hardworking. More than that, he had a unique style of making people work. He used to jot down points in his notebook and ask us to elaborate. As a bench officer; we were required to make a summary presentation of the case. That required a lot of hard work, but it was equally joyful.

I worked with Chief Justice Nayan Bahadur Khatri for around 6-7 years, after which he was succeeded by Chief Justice Dhanendra Bahadur Singh. Chief Justice Singh was a very sharp individual, known for writing short yet impactful sentences. As bench officers, it is essential to adapt to the vision and working style of the Chief Justices or judges we work with because the decisions we wrote were not for ourselves, but for them. I had to understand their preferences—what kinds of sentences they liked, their usual expressions, and how they approached and decided cases. This gave me a lot of opportunity to develop my legal writing and legal thinking.

In total, I worked as a bench officer for 8 years, which was the longest tenure for any bench officer at the time. Down the line when I started working as a judge, this experience helped me a lot.

**Interviewer** : So, what differences do you see between your tenure as a Judge and the approaches of the erstwhile Judges you worked with during that time?

**Justice Bhattarai** : As a judge, looking at regular cases, there is no notable difference. However, when you look at the legal and constitutional framework, your role as a judge is different. For example, during those earlier days, the independence of the judiciary was not firmly established, and the power of judicial review had not been granted to the court. Additionally, the security of tenure for judges was not very strong.

Although no judges were sacked while I was working at the Supreme Court, there were certain events. For instance, Justice Prakash Bahadur Singh was asked to resign, and Justice Bishwanath Upadhyaya was transferred to the Law Commission. Since the 1990s, when we embarked on our democratic path and the independence of the judiciary was secured through the framework of the Constitution, it has made a very positive impact in terms of the role and responsibilities of judges. I should say that our responsibilities expanded as the final interpreter and custodian of the Constitution, and so the role changed.

**Interviewer** : What major challenges or constraints did you and your contemporary generation face during your initial years as young legal professionals? Based on your experience, what words of wisdom would you give to the young cohort of legal professionals or law students pursuing their legal careers?

**Justice Bhattarai** : I welcome new talents to the judiciary because the constitutional provisions regarding judgeship, especially at the District Court level, are well-structured. Now, competent officers have gotten through the district judge examination, and their numbers are going to increase. So, if a person becomes a judge in their early thirties, they have a tenure of 30 to 35 years to serve as a judge.

I became a district judge at the age of 34, and I believe that if you start at that age, nothing can stop you from eventually reaching the Supreme Court because of the long tenure ahead. The charm of being a judge lies in the complete autonomy you have. If you remain independent and resist external influences, no one can harm you. As a judge, if you are truthful and dedicated to the responsibilities entrusted to you, you can truly enjoy the role.

Compared to my time, the facilities for judges have improved. However, if you compare the emoluments and benefits with those of judges in India or Pakistan, they are relatively less. That said, you must also consider the local context. If you are willing to live a spartan life, it is okay. There will not be too much, but it will not be too little either. The real beauty of the system is the autonomy it provides to use your creativity and shape your journey as a judge. There is ample opportunity for growth, whether at the High Court or the Supreme Court. The working flexibility and potential for personal and professional development make this judicial system very rewarding.

**Interviewer** : You have been involved in numerous landmark cases, so what has been the most challenging aspect of serving in the judiciary for such an extended period, and which of your ruling do you believe will have the most lasting impact on Nepal's legal system?

**Justice Bhattarai** : Oh, I don't know! I leave it to the law students, but I am happy to tell you that some of my decisions are closely studied and reviewed by law students. I feel that I am surviving in the memory of young talents. Every generation has talents; it's not that our generation was talented, and this generation is not. Also, the present generation is well-equipped with the boons of science and technology and has more access to legal resources. So, your evaluation and analysis will tell me about the work that I have done which will have a lasting impact.

**Interviewer** : Thank you, *Shriman*. You have cited philosophers in your writings and judgement like Amartya Sen and Jacques Derrida. How do you integrate their ideas into your legal reasonings, particularly in social justice and human rights cases?

**Justice Bhattarai** : I started following Jacques Derrida during my study of English literature when I was doing my Master's in English Literature. At that time, there was a course called Literary Theory, where we had to study concepts like structuralism, post-structuralism, and reader-response theory. I am

not sure if it is still part of the curriculum, but during my time, literary theory was essentially the philosophy of literature. This background later became relevant when I started reading jurisprudence at the Master's level. Derrida was particularly referred to during the study of jurisprudence, especially in areas connected to the Critical Legal Studies movement where he talks about the ideas of deconstruction and the bottom-up approach. In India, when we studied Law, Society, and Development, we also engaged with the nuances of development economics, which brought us to thinkers like Amartya Sen and Mahbub ul Haq, who is from Pakistan.

These individuals made significant contributions to the study of development. For example, they challenged the calorie-intake approach to measuring poverty. Around 1989 or 1990, the United Nations Development Program (UNDP) began measuring development using frameworks propagated by these two scholars. Later, Sen's books, such as *The Idea of Justice and Development as Freedom*, really influenced me, encouraging me to view law and jurisprudence from a different perspective. I remember being particularly drawn to Amartya Sen because, as a student, I witnessed him receiving the Nobel Prize in Economics. Another point of connection was that he was from India, and he occasionally taught at the Delhi School of Economics. His close grip of the Indian situation, which had so much salience in the study of Nepal's situation attracted me to his work.

**Interviewer** : Reflecting on your tenure as a judge, you have contributed to all subject matters of law. However, your scholarly writings and landmark judgments depict your strong inclination towards environmental justice. What sparked your deep interest in environmental law, particularly within the context of Nepal's unique geographical and ecological challenges?

**Justice Bhattarai** : This is a very interesting question! Let me take you back to my time in law school. When I started my studies at the National Law School, the Master's program offered was an LLM in Business Law. This was the general course of study, but environmental law was emerging as a significant area, and I found myself drawn to it.

At the time, however, environmental law had an urban bias. Environmental law revolved around issues like vehicular pollution, noise pollution, water pollution, and similar topics. But Nepal, with its predominantly rural landscape, faced different environmental challenges. For instance, I vividly remember my mother and sisters enduring the impacts of indoor pollution caused by cooking inside the main house with firewood. It was a common practice in rural Nepali households that had created significant in-house pollution.

Water-borne diseases were another major issue. I recall losing some of my close relatives to dysentery, deaths that could have been prevented with access to proper medicine. On a positive note, community

forestry initiatives were gaining popularity in Nepal, which highlighted the unique environmental concerns of the region. At the same time, there were debates around the construction of high dams, such as the Karnali Project, which was planned to be a high time project. During those years, India also faced controversies surrounding high dams, which further drew my attention to such issues. These experiences and observations deepened my interest in environmental law and drew me to the protection of the Himalayan biodiversity and the preservation of the Himalayan ecosystem. This is how I got attracted to environmental law and my exposure to this subject enabled me to have an in-depth study of the challenges and contribute to the discourse through my writing and studies in this area.

**Interviewer** : Nepal has set landmark precedents in environmental justice, such as the excavation in the *Churia* Hills, which you referred to as ecocide. How do you see Nepal's role evolving on the global stage regarding environmental law and climate change?

**Justice Bhattarai** : Thank you for referring the *Chure* Case. *Chure* case is closely tied to the life and livelihood of the Nepali people and we have tried our best to save *Chure*. The issues of environmental and climate justice are evolving in such a way that many issues, which were considered local a decade ago, have now become regional or global issues. For example, forests were previously regarded as a local issue. Climate change has had a severe impact in the forest areas, so, it is no more a local issue. The greenhouse gases emitted by forest fires have turned this to becoming a global concern. I am pleased to note that the International Court of Justice is now considering a matter related to climate justice and is working on issuing an advisory opinion. I am also happy to hear that Nepali youth have taken the initiative to make a written submission to the World Court. I request Nepal Government to make timely decision on Nepal's participation and raise the voice in World Court about Nepal. Unless it is done, mountains and the Himalayan system do not get priority. Mountains are in the periphery of the discourse on climate justice and climate change. Nepal must put this agenda to the world forum. It is a good opportunity and we should not miss it. I am hopeful that Nepal Government will take a timely decision regarding this. I really thank young lawyers who have taken lead on this subject. While deciding who should represent Nepal at the ICJ, age should not be a consideration rather exposure, energy and the commitment to work should be the consideration. Therefore, young lawyers should also be given an opportunity in representing the country at the ICJ.

**Interviewer** : I would also like to mention the role Nepal is playing in the COP negotiations, such as raising the issue of mountains. As you mentioned, the mountains issue has not been given enough priority on the international platform. How do you see Nepal's role in other global platforms where it can play a major role by raising the issue of mountains?

**Justice Bhattarai** : Last year, Nepal played a significant role in the COP 28 Dubai Conference. Before that, the Secretary General of the United Nations visited Nepal. He could see for himself what is happening in the Nepali mountains. If I remember correctly, he said it was a gross injustice committed against the Nepali people, the Nepali mountains, and the Nepali environment. This was, in a sense, his message. Nepal also hosted a program in Dubai at COP28. This is a valuable effort that Nepal has undertaken. Nepal should continue to present itself and the Himalayas in such fora so that the environmental degradation happening in the mountains is not merely addressed with lip service. Instead, tangible actions should follow, such as compensation, reparations, or recognition for the contributions Nepal has made by conserving its forests. Nepal deserves to be reimbursed by the global community. This is what I expect.

**Interviewer** : Adding to this question, some young lawyers like us are also thinking of pursuing careers in environmental law. What suggestions do you have for us? Often, discussions about environmental issues or climate change are viewed as the domain of environmental scientists or climate change experts. What do you think lawyers can contribute to environmental law?

**Justice Bhattarai** : The Asia Foundation once organized a regional dialogue on climate change and climate justice. I participated in the dialogue, where I said that when examining issues like biodiversity loss or climate change, the discourse is undoubtedly initiated by scientists. Then policymakers and lawyers join the conversation, especially when treaties must be drafted. These scientific principles are framed as legal mandates, including the do's and don'ts in declarations and conventions.

It was only around 2002 that judges began participating in these discourses. I remember the Johannesburg Conference, where judges participated for the first time. Now, judges and lawyers are listened more attentively. Whether you are a scientist, a lawyer, or a policymaker, you work under the constitutional framework of your respective country. When it comes to implementing international law, it happens on domestic terrain, where lawyers and judges are essential.

Historically, domestic courts recognized environmental rights as human rights long before the international environmental community did. For instance, courts in India in the 1980s and Nepal in the 1990s extended the interpretation of the right to life to include a healthy environment. They also incorporated rights to health, education, environmental education, and the rule of law.

More recently, the efforts of individuals like John Knox and David Boyd at the United Nations have linked human rights with environmental rights. This has led to the declaration of the right to a healthy environment as a human right. Lawyers play a significant role in this journey.



For young lawyers like you, I must mention that if your goal is to make money, this may not be the best field. However, if your aim is academic contribution or protecting the environment and your community, this is an area where you can create substantial positive change. I encourage young lawyers to study environmental law, climate change law, and related subjects. I wish you good luck.

**Interviewer** : Thank you, *Sbriman*. Moving to another question: Over time, Nepal's courts have been addressing increasingly complex legal disputes, such as cases involving private international law, transnational organized crime, and climate justice. With your extensive experience in diverse legal areas, how would you advise aspiring lawyers, legal professionals, and judges to better understand and resolve such disputes?

**Justice Bhattarai** : First, you must understand the expansion and dimensions of the problems. As I mentioned earlier, what was once considered a local issue has become universal. Addressing such challenges requires studying international law.

Secondly, the compartmentalization of international law and domestic law, the wall of separation, is slowly and gradually crumbling down. Whether a monist state or a dualist state, one has to refer to international law. International law, including climate change law and human rights law is having an impact. It is percolating down to the national legal regime. Because of the fact that we have such a young constitution and a growing legal system that emphasizes recognized principles of law and justice, it takes us to comparative law and environmental law. Also, the rights incorporated in our constitution, such as the right to a clean and healthy environment, are important. It is not just clean; it is healthy. To achieve this, we need to consider many factors. It requires not just to look into facts but also to consider legal norms. The intermingling of national law and international law will be a good tool to address environmental and climate change challenges.

**Interviewer** : So, what about other areas, for example, private international law, which is now included in our Civil Code?

**Justice Bhattarai** : This area is also growing due to the increased mobility of people. There is now a significant Nepali diaspora abroad, many of whom maintain ties to Nepal. As a result, numerous cases related to adoption, child custody, property rights, and the recognition of marriages are coming to the courts. When I was a law student, private international law was an optional subject, and I did not study it. However, after becoming a judge, I realized its importance, and it has since grown significantly.

Considering Nepal's integration into the global community, our lawyers must stay informed about developments in private international law. This includes emerging fields like internet law and the intersection of science and technology with legal frameworks. These areas require

serious attention in our legal education and research.

**Interviewer** : With your extensive experience in Nepal's judiciary and on international platforms, what key reforms do you believe are essential for advancing the judiciary and legal education in Nepal?

**Justice Bhattacharai** : More transparency and promoting good governance in the work of the judiciary and other legal institutions are essential. Good governance is a big challenge in the country. Wherever you look, whether it be the local government, state government, or federal government, there are many challenges to achieving good governance. To address these issues, the court has to keep its house in order.

We have started the planning process in the judiciary. Recently, differentiated case management has been introduced in the courts. It will take 5 or 10 years for this new initiative to show its true impact. There is a direction. The judiciary has taken up the direction of reform, but the leaders in the judiciary have to pursue it collectively. It is not just the responsibility of the Chief Justice; it is the responsibility of all the judges of the Supreme Court. If we move in a planned way, enforce the work that has been done, and also consider the challenges and aspirations of the people, all these factors will give the direction. The process has started.

Moving to legal studies, in recent times, over the last 10 or 20 years, because of private initiatives, the establishment of schools like law schools, Kathmandu School of Law, and other institutions has produced young talents who are very well qualified. I am happy to see them in the courts as lawyers and court officials. I think we will have a better situation in another 5 or 10 years. We will see more young talents coming to the judiciary as judges and officials, and also as law professors.

Furthermore, because there is so much competition at the international level, good legal education is a prerequisite for young graduates to prosper on the international stage. I think the leaders in legal education and the professors have recognized these challenges clearly and have developed curricula and strategies to address them. I am very hopeful that the situation will be much better in the coming years.

**Interviewer** : Recently, one university gave affiliation to 15 colleges to offer the B.A.LL.B. program, and Tribhuvan University has given affiliation to three more colleges. This means Nepal now has over 30 law schools. What is your perspective on this development?

**Justice Bhattacharai** : Globally, legal education is seen as a special type of education. It is not general education. In the 60s and 70s, especially in India, legal studies were considered part of the general education program. Many law colleges were opened. Here in Nepal, appearing for LLB or B.A.LL.B. privately as a private student was also possible.

But now, with the opening of the B.A.LL.B. program, we have moved from considering legal studies as general education to recognizing it as a specialized field of study. So, I do not have much to say about more educational institutions being opened up, but I am more concerned about the quality—specifically, the quality of legal education.

This world is so competitive. Unless you maintain good quality, just graduating in law will not give you bread and butter. This factor has to be taken into consideration. I hope that the authorities responsible for granting permits to law schools and those involved in legal education take this factor seriously. That said, I wish them good luck.

**Interviewer** : What unique practices and perspectives from Nepal's judiciary could serve as valuable contributions to the international legal fraternity? What do you think Nepal can contribute to the international legal fraternity through its judiciary?

**Justice Bhattarai** : Two things come to my mind when you ask this.

First is the use of our own language in judicial discourse. You see, India, for a long time, continued to use English as the language for legal proceedings. Now, they are embarking on using local languages. Decisions are being translated into local languages, and proceedings are being conducted in local languages at lower courts. We already use our own language as the medium of judicial discourse. I understand that there is a flip side to this. We are less studied internationally. But be that as it may, we are serving our people more closely than courts in many other countries.

Second, in terms of access to justice, the network of courts in Nepal is much better than in our neighboring countries. We have 77 districts, each with its own court. All cases go to the district court first, then move up to the high court, and from there, appeals can be taken to the Supreme Court. The high courts and their branches are spread throughout the country. This creates a neat and organized structure for the judiciary.

Another factor that comes to mind is the flexibility we have adopted. We are an evolving system. We acknowledge this and assign importance to comparative law. Our reference to comparative law helps us examine similar situations and understand how challenges are addressed elsewhere.

This flexibility is very important for a mountainous country like Nepal. It may also serve as an example or point of interest for those studying Nepal's judicial ecosystem.

**Interviewer** : Regarding Nepal's judiciary, you also talked about many cases. Right now, there is already an increase in the number of cases pending in the Supreme Court. But I wanted to ask you about the increase in Public Interest Litigation in the courts. Although there is a provision for filing

public interest litigation in the High Courts, the majority of cases are going to the Supreme Court. How do you see the increase in cases, especially public interest litigation?

**Justice Bhattarai** : It is a very interesting question. I have mixed feelings about Public Interest Litigation (PIL). Given the constitutional framework we have in place, we cannot ignore PIL petitions. Public interest petitions bring a lot of issues of public concern to the court, which makes the judiciary socially relevant. Without public interest petitions, many constitutional issues resolved by the court would never have come before the Supreme Court.

From that point of view, I do not want to discourage PIL petitions. However, there is a rush to file PILs. For instance, if the government makes a controversial decision today, the next day, at least 10 or 15 people will file PIL petitions. These are often filed without research or in-depth study. I would prefer they take a pause, conduct proper research, and make a collective effort instead of acting solo.

In the *Bhimsen Pokharel* case, the Supreme Court said that before coming to the Supreme Court, one should approach the concerned ministry or decision-making authority, request a correction, and only if that effort fails, file a PIL. However, this principle has not significantly influenced the filing of such cases.

Some lawyers file PILs after conducting deep studies. For example, in the past, the FWLD (Forum for Women, Law, and Development) made significant efforts. They identified discriminatory laws through extensive research and then filed petitions on these issues. This method is commendable.

Similarly, in the case of environmental issues, a pending case in the Supreme Court involves petitions where lawyers from all seven provinces have studied excavation activities in major rivers. They have filed petitions with photographs, data, and other evidence. Such petitions help the court resolve issues effectively. PIL should be a collaborative process.

Regarding the tendency to file PILs directly with the Supreme Court instead of the High Court, I cannot say for sure why this happens. It may be because the Supreme Court is seen as the final authority, or perhaps petitioners are impressed by its past work. Regardless, it would be better to utilize the High Court first instead of bringing all cases directly to the Supreme Court.

**Interviewer** : Another question I had is about the development of technology. You talked about your experience as a bench officer and then as a judge. Right now, there are new innovations, including artificial intelligence. How do you compare your time with this time in terms of technology? How do you think it will be helpful for the judiciary?

**Justice Bhattarai** : Technology helps a lot. I remember when I was a young officer, we only had hard copies of the *Nepal Kanun Patrika*. We had to refer to cases manually, as there was no easy retrieval system.

Now, we have digital retrieval systems in place. I recall a research project I conducted at the National Law School, where I surveyed around 1,400 cases in just seven days. This would not have been possible without online research facilities.

The Supreme Court has now installed Lexis Nexis. I am very hopeful that the digital divide will soon be bridged. For a long time, efforts were made to establish such systems. Thanks to the family members of Justice Sillu, the Supreme Court now has a functioning search engine.

Universities also have access to e-books and online resources. These are the boons of science and technology. Life has become much easier, and the quality of work produced is much higher. The situation is more positive now.

**Interviewer** : Thank you so much *Shriman*. Thank you for your time. Before we conclude, do you have a message for law students, professors, or researchers?

**Justice Bhattarai** : My message to the Kathmandu School of Law, its faculty, and the students associated with it is one of appreciation. As a primary legal institution, establishing a legal institution by just a few dedicated people is a challenging task.

Kathmandu School of Law has made a name for itself, not just locally, but regionally and internationally. This is because of the dedication of the faculty members- Professor Yubaraj Sangroula, Geeta Pathak Sangroula, and many other faculty members- and the very brightest students produced by the school.

Many students have received fellowships at renowned universities. Some have returned to Nepal, while others have excelled abroad. The dissemination of legal knowledge and the in-depth research conducted by Kathmandu School of Law in different areas of law and justice are commendable.

I congratulate the Kathmandu School of Law community, its teachers, and its students. You have a very bright future ahead. Make the best use of your time at Kathmandu School of Law, and you will come out with flying colors. Your future is very bright.

