

**TRIBUTE TO LATE PANDIT JAI RAM SINGH AND
MR. R.D. JOLLY, ADVOCATES.
FULL COURT REFERENCE – JULY 15, 2009**

MY LORD CHIEF JUSTICE, YOUR LORDSHIPS,
STANDING COUNSEL FOR GOVERNMENT OF
INDIA AND GOVERNMENT OF NATIONAL
CAPITAL TERRITORY OF DELHI, MR. K.C.
MITTAL, MR. J.P. SENGH, MR. D.K. SHARMA,
MR. ANIL GAUTAM, MR. NARESH THANAI -
OFFICE BEARERS OF DELHI HIGH COURT BAR
ASSOCIATION, AND OTHER BAR
ASSOCIATIONS, MR. N.S. VASISHT, MRS.
ROHINI JOLLY AND MEMBERS OF FAMILIES OF
LATE PANDIT JAI RAM SINGH AND LATE R.D.
JOLLY, RESPECTED SENIOR MEMBERS OF THE
BAR, MY COLLEAGUES AT THE BAR, LADIES
AND GENTLEMEN:

Every obituary or death as well, has an underlying and unpalatable message or say, a truthful warning – *memento mori* – remember you must die! We hate death. We fear to die. And all hate and fear end with death. Socrates says: “nobody knows what death is, nor whether to man it is perchance the greatest of blessings, yet people fear it as if they surely knew it to be the worse of evils.” We can quote mountains of on death, but to escape, avoid or evade that, a way has yet to be invented. That is why perhaps we accord utmost certainty to death.

We are here today to pay our homage to two of our colleagues, who are no more with us - Respected Pandit Jai Ram Singh ji and Mr. R.D. Jolly. The former lived a full life, and the latter, had to leave the boat mid-way. Bereavement is bereavement which has no equal, and no one likes to lose a relative or friend, whether young or old.

Pandit Jai Ram Singh

Pandit Jai Ram Singh ji, affectionately called ‘Pandit ji,’ was no less than a luminary. His life and practice witnessed history, not only the history we read in school and college classes, but the history of litigation connected with land acquisition and land revenue laws of Delhi and

adjoining states. I do not know how many of our fraternity of his age are amongst us now, in practice or otherwise.

In 1947, he took up a job in Quetta (now in Pakistan), but could not stay there long, as the pangs of partition compelled his retreat. He used to tell the agonizing story of his return reflecting the pain and price men had to suffer and pay, for man's own cruelty to man.

The plight of migrants, who became refugees, touched his heart. He then decided to enter the profession and got enrolled as a pleader with a view to rendering all possible assistance to such displaced people. He joined the chambers of late Tara Chand Mathur, the legend in criminal jurisprudence. Pandit ji assisted his senior in many landmark trials.

The fifties saw large scale acquisition of land by the government after the acquisitions of 1905-11 for the development of the Imperial City of Delhi. He proved that he could handle civil cases as well with the same ease as he handles criminal cases. He helped many landowners whose land were acquired by the government to get due and proper compensation and also assisted the government in formulating reform laws. Law volumes unfold the submissions made by him and his contribution to furtherance of justice.

During my interactions with him, Pandit ji often used to stress on the social dynamics of the judiciary and the role of lawyers in it. He used to narrate the spirit of law students during his college days, with reference to freedom movement and national issues. He often expressed despair over the lack of interest shown by law students and lawyers in respect of national issues. He was particularly concerned with corruption and malpractices. Citing the risks he and his friends undertook as students and young lawyers, he used to say that if we ignore the warning signals of a social or political error, it won't be too long before we also are part of that. Sitting too much on the fence would help the iron enter our soul. He used to say that self-centered ambition and the attitude of 'smash and grab' have become the hallmark of life today.

Lawyer is a fearless warrior and a compassionate friend, according to Pandit ji. He said it was high time that the Bench and Bar identify the areas of fault and default and initiate corrective action to repair the damage before it is too late. One is reminded of response of the US Chief Justice Warren E. Burger when his senior Judge gently chided him to wait for few years before saying what was wrong: **"No, I am afraid that if I wait too long I will get used to it"** - followed it by remarking - **"My mother taught us that the time to fix cracks in the plaster is when you first move into a house. Later you don't pay attention to them."**

He was a compassionate senior and fine human being too.

He was at forefront of introducing farm houses in Delhi. He along with his client late Feroze Gandhi, were the first of those who started this venture, which has become a status vogue now.

Though Pandit ji acquired farm land and had a farm house in the Chattarpur area, he was kind enough to donate his land for the Chattarpur Temple in 1996.

However good or bad one's actions were or are, death spares none. He is the greatest leveller. He levels the poor and rich, mighty and weak, sinner and saint, and every one else with one stroke, leaving the interment complete at the pyre or grave.

Pandit ji completed his interval, but of full life, on this earth and bade goodbye to us, leaving behind Mrs. Singh, two sons and three daughters. His son, Mr. N.S. Vasisht, followed the footsteps of his father and is a known member of the Bar. Our hearts go out to them.

R.D. Jolly

On May 14, 2009, Mr. R.D. Jolly, affectionately called "RD" by his close friends, left for his heavenly abode, after an incessantly brave fight against a deadly disease for nearly two years. To every one's surprise, a few months ago, after a stint of treatment, he resumed practice with more vigor and renewed enthusiasm. When the disease formed a formidable attack, he offered a befittingly stout resistance. The doctors treating him were amazed at his ease, poise and courage. One could see him running from one court room to another and that made every one believe that nothing could ever win a fight with Mr. Jolly. He actively felt as if he could do anything and unlock the infinite potential that he learned was inside every one of us. He started once again to cherish life and to see the divinity in every aspect of it. However, the irony was that he never gave up, but the disease got the better of him. He is no more amongst us. He was too young for the eternal journey, only about 57.

When we argue and win or lose cases, that everlasting arbiter of time - death, follows us closely, with a winking eye and a mischievous murmur - "wait! Next is you and I will give you no room to argue." Nobody, however mightier or wealthier, has escaped him for ever. However, death can only destroy, as Hemingway said, it cannot defeat man. Mr. Jolly knew that time is running against him, yet he never let it bog him down and was at his desk and on his legs, with fine ease and exceptional charm.

Mr. Jolly was a senior standing counsel for the Government of India at the Income Tax side. His submissions regarding the scope of reassessment under Section 147/148 of the Income Tax Act were well appreciated by the Full Bench. He represented the Delhi Government and Municipal Corporation very ably. About his court room performances, I need not say anything here, as I am speaking of him in the Hon'ble Court itself, where he was an expert, handling his cases. Almost every one knew him. Though not bestowed with the designation of 'senior,' he was no less than a senior when it came to the intricacies of law. He passionately did his job.

From the sizable assemblage of legal fraternity and others who filed past his mortal remains to pay their last homage showed the admiration he won and the love and affection he enjoyed.

Often in our lunch recess, he used to speak about the cases that looked too difficult, and how to unwind the mess with great ease, amusing us with stories of many with their allegedly unaccounted monies. Stories of Babu Jagjivan Ram to Charles Sobhraj to Sukh Ram to Mayawati used to play rounds. He did these without causing a nick to the sanctity of the brief and his integrity.

Mr. Jolly laid the canvass of ideals and values, virtues and wisdom. He has drawn there the path of traditions and spirit, challenges and milestones. He coloured the visions of a believer and an achiever, a seeker and a leader. We must try to live upto his dreams and his canvass. Had he been alive for few more years, he would have perhaps been one among those most admired by the fraternity. My experience with him reminded me the words of Lord Denning that *"the barrister is not the mouthpiece of his client.....He owes allegiance to a higher cause. It is the cause of truth and justice."*

RD was my friend, a very dear and close one, for decades. His sudden departure has caused me pain, perhaps as much to his family. It is only when someone so close departs we realize the gravity of bereavement, the value of life, the hollowness of our pride, prejudice and power that we assume to possess. And life has that peculiarity, the power to forget, the power to bear the loss and spring back to action. RD was a good son, a good husband, a good father, a good friend and a good professional – a good lawyer, his chosen vocation. He did utmost justice to his clients. He loved and respected the profession so much that all of his children got enthused and decided to become lawyers. His sons Mohit and Sachit have already entered the profession and the youngest, Rohit, is on his way. As the great poet Byron said, "Heaven gives its

favourites early death.” I do not find any other reason for such an early departure of RD.

Silent yet committed, Mr. Jolly was adored by his friends and juniors. As a person, he was a thorough gentleman with abundant compassion for the less-privileged. He contributed immensely for charitable work and purposes through organizations like the Freemason’s Hall etc.

In his death, the Bar lost an eminent member, the Court an efficient officer and his friends a very dear friend. Our hearts go out to Mrs. Jolly, Mohit, Sachit and Rohit. May God give them enough strength to bear the loss.

God has His own ways. A Full Court Reference after my taking over as the Additional Solicitor General, had to be partaken by me with a sad note, for paying homage and condolences.

With heartfelt condolences to the bereaved families, I pray for peace to the departed souls of Pandit ji and RD. And pray, may God give their bereaved families the strength to bear the loss.

MAY THEIR SOULS REST IN PEACE! THANK YOU.

AMARJIT SINGH CHANDHIOK
July 15, 2009.