

**FULL COURT REFERENCE HELD ON 11<sup>th</sup> April, 2019 AT  
3:00 P.M. ON THE SAD DEMISE OF LATE JUSTICE S.B.  
SINHA, FORMER JUDGE, SUPREME COURT OF INDIA**

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**JUSTICE RAJENDRA MENON  
CHIEF JUSTICE**

My esteemed brother and sister Judges,  
Smt. Maninder Acharya, Additional Solicitor General;  
Shri Rahul Mehra, Standing Counsel (Criminal), Govt. of NCT of  
Delhi;  
Shri K.C. Mittal, Chairman, Bar Council of Delhi;  
Shri Kirti Uppal, President, Delhi High Court Bar Association;  
Standing Counsels of the Central and State Government;  
Executive Members of the Delhi High Court Bar Association;  
Office Bearers of Bar Council of Delhi and other District Bar  
Associations,  
Senior Advocates,  
Members of the Bar,  
Family members of Justice S.B. Sinha,  
Ladies and Gentlemen,

We have assembled here today to express our profound sense of sorrow on the sad demise of Justice, S.B. Sinha the former Judge, Supreme Court of India. Justice Sinha breathed his last on 19<sup>th</sup> March 2019.

Justice Sinha was born on 8<sup>th</sup> August 1944 at Dhanbad, then in State of Bihar. He passed his Matriculation Examination from H.F. School, Dhanbad. Thereafter he completed his Law degree from Chota Nagpur Law College in 1967.

In 1968, Justice Sinha started his legal career as an advocate in Dhanbad District Court. He shifted his practice to Ranchi after constitution of Permanent Bench of Patna High Court in 1976. He was designated as Senior Advocate of Patna High Court and also appointed as first Government Advocate of Ranchi Bench of Patna High Court. Justice Sinha elevated to Bench of Patna High Court on 9<sup>th</sup> March 1987. He was transferred to the Calcutta High Court on 11<sup>th</sup> May 1994 and appointed as Acting Chief Justice of Calcutta High Court on 18<sup>th</sup> May, 1999 and held this position till 4<sup>th</sup> December 1999. He was appointed as the Chief Justice of Andhra Pradesh High Court on 11<sup>th</sup> December, 2000 and transferred as the Chief Justice of Delhi High Court on 26<sup>th</sup> November, 2001. Justice Sinha was elevated to the Bench of Hon'ble Supreme Court of India on 3<sup>rd</sup> October, 2002 and demitted his office on 8<sup>th</sup> August, 2009.

Throughout his distinguished career as a Judge, Justice Sinha has delivered many landmark judgements, few of which deserve special mention. In **Anuj Garg** Case, Justice Sinha held

that the legislation encapsulating majoritarian impulses rooted in biological, social and cultural determinants and moralistic traditions, which impinge upon individual autonomy deserve deeper and heightened judicial scrutiny. ***In Santosh Kumar Satishbhusan Bariyar*** case, Justice Sinha held that not only Doctrine of Proportionality but also Doctrine of Rehabilitation should be taken into consideration, particularly in view of Section 354(3) Cr.PC, which must be read with Article 21 of the Constitution.

After retirement from the Supreme Court in 2009, he was appointed as the Chairman of the Telecom Disputes Settlement and Appellate Tribunal(TDSAT) and served for three years. Post retirement from TDSAT, he did arbitration cases in several commercial matters involving high stakes.

With his passing away, the legal fraternity has lost a stellar jurist who has contributed immensely to the development of law in India.

Justice Sinha is survived by his wife Mrs. Utpala Sinha and two sons Mr. Abhijeet Sinha, Mr. Indrajeet Sinha both are practicing advocates and one daughter Ms. Navanita Sinha who is working in United Nations.

I, on behalf of my brother and sister Judges, and on my own behalf, convey our heartfelt condolences to the members of the bereaved family and pray to God to give them strength to bear this irrecoverable loss. May Almighty bestow peace to the departed soul.

**(AFTER REFERENCE BY LAWYERS IS OVER)**

As a mark of respect to the departed soul, we shall now observe silence for two minutes.

(The Hon'ble Judges will take their respective seats for a moment after the silence, and it will be announced by Hon'ble the Chief Justice as under).

"As a mark of respect to the departed soul, the working in the Court is adjourned for the rest of the day.