

**FULL COURT REFERENCE HELD ON 5th MARCH,
2019 AT 10.30 A.M. ON THE SAD DEMISE OF
LATE JUSTICE VALMIKI J. MEHTA, JUDGE OF
DELHI HIGH COURT**

**JUSTICE RAJENDRA MENON
CHIEF JUSTICE**

My esteemed brother and sister Judges,
Shri K.C. Mittal, Chairman, Bar Council of Delhi;
Shri Kirti Uppal, President, Delhi High Court Bar
Association;
Smt. Maninder Acharya, Additional Solicitor General;
Shri Rahul Mehra, Standing Counsel (Criminal), Govt.
of NCT of Delhi;
Justice Kailash Gambhir, Former Judge, Delhi High
Court
Justice Manmohan Singh, Former Judge, Delhi High
Court
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 Valmiki J Mehta;
Ladies and Gentlemen,

It is indeed a moment of extreme grief and pain as we gather here today to express our profound sense of sorrow on the sad demise of Justice Valmiki J Mehta a sitting Judge of this Court, who breathed his last on 1st March, 2019.

Born on 6th June, 1959 at Mumbai, Justice Mehta completed his education in Vishakhapatnam and Delhi. After finishing his schooling from Vishakhapatnam, Justice Mehta completed graduation from Sri Venkateshwara College, Delhi University & LL.B. from Campus Law Centre, Delhi University. He was enrolled with Delhi Bar Council in 1982.

Because of his keen interest in law, Justice Mehta started his professional journey in 1982, practiced in the Delhi High Court, District Courts and various Tribunals. At a comparatively younger age of 42 years, Justice Mehta was designated as a Senior Advocate on 22.09.2001.

Hard work, sincerity, sound knowledge of law and the legal acumen possessed by Justice Mehta were the reasons which resulted in his elevation as a

Additional Judge on 15th April, 2009 and thereafter a permanent Judge on 12th April, 2013.

Justice Mehta was known for his clarity of thought and uprightness. His erudition, vision and learning was highly acknowledged by members of the legal fraternity. Justice Mehta was also known for delivering judgements expeditiously.

Courageous, fearless and candid, Justice Mehta was uncompromising, firm and unbending when it came to upholding the Rule of Law and maintaining the independence of judiciary. His firmness and disregard of all considerations except his principles and convictions were reflected on many occasions during his tenure as Judge of this High Court.

Throughout his distinguished career as a Judge, Justice Mehta has delivered many landmark judgments, few of which deserve special mention. In ***Hamdard Public School case***, he conclusively explained the term 'reasonable period' in the context of Rule 105 of Delhi School Education Act and Rules, 1973. He held that reasonable period should ordinarily be around three years, should not extend beyond five years, and in the rarest of the rare case six years. He relied on Article 21A of the Constitution

in deciding the issue, emphasizing on the importance of education.

In the case of ***Indu Singh And Anr. V. Prem Chaudhary And Ors.***, as a member of the full-bench, Justice Mehta shed light on the status of an order of sale that is passed under Section 8 of the Partition Act, and held it be a final decree in a partition suit and that this final decree is a final order of partition under section 2(15) of the Stamp Act with the consequence that such final order be stamped as per Article 45 of Schedule I of the Stamp Act.

In ***Manoj Arora V. Mamta Arora***, Justice Mehta held that it is legally permissible for a person to purchase an immovable property in the name of his spouse from his known sources, and in such a case, the property purchased will not be a benami property but the property will be of the *de jure* owner and not of the *de facto* owner, in whose name title deeds exist.

Apart from exhibiting his legal acumen on the judicial side, Justice Mehta also lend remarkable contribution on the Administrative side as member of many administrative committees of this Court.

Although I come to know Justice Mehta when I took charge in August 2018 but I found him to be a good friend, a keen thinker and had been a guide to me in various administrative matters. He not only possessed profound knowledge of law but had a deep practical sense on various aspect of life. He maintained very high standard of professional ethics.

On his demise, we have lost a stalwart, a legal luminary, a gentleman par excellence and a man who has no parallel.

Rumi has said and I quote "Goodbyes are only for those whom you love with the eyes, for those whom we love with our heart and soul, there is no such thing as separation". Justice Mehta will always remain in our hearts and his work and philosophy will always guide us in future.

Justice Mehta is survived by Mrs. Sangeeta Mehta and two sons Mr.Tanmay and Mr.Ananya Mehta and his daughter-in-laws Rashmi and Nidhi, all are practicing advocates.

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 the Almighty 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.