

Hon'ble the Chief Justice, my esteemed brother and sister Judges, the Vice President and other office bearers of the Delhi High Court Bar Association, the Ld. Additional Solicitor General, the office bearers of the Delhi Bar Council, Senior Advocates, Standing Counsel and Additional Standing Counsel of the Government, other learned Members of the Bar, Members of the Registry, members of my personal staff, ladies and gentlemen:

I am greatly honoured by the nice words spoken about me, most of which I hardly deserve. This has really been a long journey, 37 years of non-stop work, from a Judicial Magistrate to a Judge of this Court. Though I feel satisfied that I was able to reach up to this Court, this, by no means can be said to be an achievement. Some of my colleagues in the judicial service, who could not make it to this Court, were more competent than me. The appointment of a Judicial Officer to the High Court depends primarily upon where he is placed in the seniority, his merit being only incidental.

As a Judicial Officer, I worked in various jurisdictions and also remained on deputation with other Institutions, but, my tenure as the Secretary General of the Supreme Court, which gave me a lot of exposure to the administrative matters, and an opportunity to initiate several improvements in its practices and procedures, was entirely a new experience. One Sunday afternoon, I received a telephone call from the PPS to the then CJI, Hon'ble Justice Lahoti, who had just taken over, and had not even seen my face. I was summoned to his residence. I got nervous, apprehending some serious complaint against me. To my

pleasant surprise, he offered me a job. Working closely with the Chief Justice of India was a unique opportunity. I have been fortunate to have worked with three successive Chief Justices of India, all of whom were very kind and affectionate to me and I enjoyed complete trust of all of them. The signed Full Court Resolution, passed by the Supreme Court, first of its kind and the last so far, accompanied by a Farewell Tea by the Hon'ble Judges, left me overwhelmed. I could not have asked for anything more from them.

I have been lucky to have worked in several jurisdictions of this Court; Civil Division Bench, Tax Bench, Criminal DB, Criminal Single Bench, Original Side, Regular First Appeals, Writs against CAT orders, Division Bench-I, Writ Court of DDA, Land Acquisition Appeals and Writs against UOI and statutory bodies. I will be failing in my duty, if I do not refer to the wonderful experience I had, while sitting with the senior Judges of this Court. Patient, calm and composed, they were always open to conviction and fair to the hilt. They would never pass any material order, without consulting their junior partner on the Bench. I wish I could cultivate even half of their qualities.

We all have our own preconceptions and prejudices and I am no exception. What is necessary is, that we do not allow them to colour or influence our decisions. I tried that, though I do not know, to what extent, if at all, I succeeded in my efforts. I still remember, that a very senior Judge of the Supreme Court, who later became the Chief Justice of India, on my appointment to the Bench of this Court, cautioned me against

passing orders, which though potentially populist, may not confirm to the settled legal principles. In this regard, I am reminded of the often quoted words of Justice Cardozo:-

*“The Judge, even when he is free, is still not wholly free. He is not to innovate at pleasure. He is not knight-errant, roaming at will, in pursuit of his own ideal of beauty or of goodness. He is to draw his inspiration from consolidated principles. He is not to yield to sporadic sentiments, to vague and unregulated benevolence. He is to exercise a discretion, informed by tradition, methodized by analogy, disciplined by system, and subordinated to the primordial necessity of order in public life.”*

I am also reminded of the advice, Francis Bacon gave in his essay ‘of Judicature’:

*“Judges ought to remember that their office is jus dicere and not jus dare; to interpret law; and not to make law or give law.....Judges ought to be more learned than witty, more reverend than plausible; and more advised than confident. Above all, integrity is their portion and proper virtue”.*

It has been my experience that by and large, the members of the Bar would accept with grace, even an adverse order, so long as it is not perceived to be actuated by malice, or influenced by extraneous considerations. Even otherwise, so long as a Judge is true to his conscience, any criticism of his orders, or even of him, should not really bother him.

I have always believed that a Judge continues to be a student of Law, throughout his career. I recall that when Chief Justice V.S. Deshpande visited Tees Hazari Courts, he told us that the Code of Civil Procedure was his Bible, which he would always keep on his table, and every time he read it, he found something new in it. There have been umpteen instances, when the counsel appearing before me, made me change the view, which I had initially formed, on reading the file. I genuinely feel that without adequate assistance from the Bar, it would be extremely difficult for a Judge, to arrive at a just conclusion, merely on the basis of the reading of the file and his own perception of law.

This Court has plenty of advocates, who are highly capable and possess deep and extensive knowledge of law and legal principles, and this includes not only the senior members of the Bar, but also a number of young lawyers, whom I found to be very hardworking and well read. It is primarily because of the high standard of its Bar, that this Court is today regarded to be one of the premier High Courts in the country. I have no doubt in my mind that, in coming times, the Bar of this Court would attain even higher standards of competence and ethics.

Towards the end, I would like to thank firstly to Almighty God, for blessing me with an opportunity to perform a divine function. I am thankful to all my colleagues on the Bench of this Court, for giving me

the privilege of their company. I'm especially thankful to Hon'ble Mr. Justice Badar Durrez Ahmed, for encouraging me to switch over to the E-Court and training me in the use of its hardware and software. I found the E-Court System to be very convenient and time saving, particularly in the final hearing matters. I am thankful to the members of the Bar, for giving me due respect and regard, despite several shortcomings in me. I am thankful to the members of the Registry, who are always at our back and call, even at odd hours. Our protocol, P&P and Accounts staff in particular is very courteous and efficient. I am also grateful to the members of my personal staff, who, quite often, have been the target of my impatience, particularly my Law researchers who always treated my outbursts as fatherly criticism.

Lastly, and most importantly for me, I am thankful to my wife, without whose untiring support and inspiration, and daily supply of snacks in the evening, I could not have continued to work in my chamber, till about 9.00 pm, six days a week. My children, both of whom chose law not to be their vocation, have always been a source of strength and comfort for me. I wish them every success in life.

I express my gratitude to all of you, for having assembled here, to bid farewell to me, and wish you good luck. Thanks.

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