

SPEECH FOR 09.11.2021

Hon'ble The Chief Justice Shri D.N.Patel,
Mr.Chetan Sharma, Additional Solicitor General of India;
Mr.Sanjay Lao, Standing Counsel/Criminal, Govt. of NCT of Delhi,
Mr.Rakesh Sherawat, Chairman, Bar Council of Delhi; and
Mr.Mohit Mathur, President, Delhi High Court Bar Association.

Sitting here I have mixed feelings. I feel sad leaving this court where I practised as a lawyer for about 30 years and was a judge for about 8 years. I also feel happy. I am retiring and will be a free bird. I am also happy that we have been able to gather again after a passage of much time due to the covid problem and meet each other physically instead of the meeting virtually.

When I look back I feel a deep sense of satisfaction. It has been an exciting and very fulfilling journey, thanks to the grace of the Almighty.

I would like to say something about myself. My entry into the legal profession was by chance. My father retired from the Central Government at the rank of Deputy Secretary. When I passed out from law faculty I was thoroughly confused as to which career I should follow. After having spent some time in the private sector and in a nationalized company I chose to join the legal profession. My father, by that time, had already retired from government service. However, he endorsed my decision to join the legal profession and actively encouraged me. However, to provide some financial support to me, he took up an assignment in a Trust which had received some sponsorship from the Central Government. This work he undertook much against his own desire.

I would say that it was by my good fortune that I joined the legal profession. Being a first generation lawyer, it was a struggle in the initial years. I used to commute to the high court on a DTC bus. After about a year I borrowed some money from my Masi and bought a second hand Bajaj Scooter. That remained my mode of conveyance for another four-five years till I bought a second hand Ambassador.

The initial period was confusing and difficult. Breaks were difficult to get. But friends that I made in college were a big help. My first senior was Mr.J.K. Seth, Senior Advocate. I was introduced to him by my dear friend and classmate late Justice Valmiki Mehta who is unfortunately no more with us. My second senior was Mr.S.P. Aggarwal, Senior Advocate. I was introduced to him by another friend who was his junior and was leaving him. I shall remain ever grateful to my seniors for their guidance and blessings.

Number of other friends from college pitched in to help my career. I got a good break through another good college friend when I was appointed as Standing Counsel of Delhi Vidyut Board, I remained as Standing Counsel for quite a number of years. It gave me a huge exposure as I was handling large number of cases of Delhi Vidyut Board in the High Court. There was not much money. But I got a good exposure. Each day I had 5 to 6 matters to argue in almost every court in the High Court. Every possible field of law was covered.

My career advanced in small steps. I was designated as a Senior Advocate in the year 2006.

There was another important factor which helped. There was a boom in the legal profession. In the last three -four decades the legal profession has gone through a huge change, a change for the better. Lawyers / the Legal profession has prospered. This prosperity helped my generation and subsequent generations do well. When I

joined the Bar there were only 24 court rooms in this court and only about 25 to 30 Judges. Today, we have 51 court rooms with a sanctioned strength of 60 judges. The membership of the Delhi High Court Bar Association was barely 2,000. Today, there are, I am informed more than 24,000 members of the Delhi High Court Bar Association.

There were only two law firms in existence that were really heard of, namely, J. B. Dadachand ji and company and Khaitan & Co. Today, we have large number of such law firms doing extremely well and rendering professional services.

In the decades from 1990 onwards when boom took place in the Indian economy the said boom percolated to the legal profession. I can say the proof of this is apparent if one were to take a stroll down the expensive colonies of Delhi like Jor Bagh, Golf Links, Sunder Nagar, Defence Colony. A number of properties have been bought by the successful lawyers. When I make the above observations, I also must acknowledge the fact that it's a tough profession and it is a difficult struggle to climb up the ladder. A number of junior members of the Bar find it difficult to get good breaks which will help them build a strong career. This problem has been further compounded by the present pandemic where the income of number of lawyers has been adversely affected.

From my own personal experience, I can give some advice to the younger members of the Bar. I hope they like the advice. All that the profession demands is lot of hard-work. Be sincere to your briefs and to your clients. One advice I received from my peers which I found to be extremely useful, when you appear in court to argue a matter it's a public hearing. The bench is watching you, the lawyers / your colleagues are watching you, the litigants are watching you, You have to be well prepared, You have to put in your best when you argue a case. Merely because you

have a client who is not cooperative, does not pay his fees in time or is a difficult person, I would respectfully say is not a ground to not to do full justice to your brief. Excuses like there was a wedding in the family does not help. Bad arguments in the court will only reflect on your professional skills. The reasons why you performed badly in court are not known to anybody other than you. If for some reason you are annoyed with your client for any reason whatsoever the better solution is to return the brief back rather than go in court and argue without preparing. To succeed in the profession is a back breaking struggle but I assure all the younger members of the Bar work hard and success will surely come your way. Remember, there are no shortcuts to success.

I may add a word here about our very own Delhi High Court. In early 1980s, there was a small bar with limited number of cases. On the original side, a suit with a value of above 1 lakh could be filed in the High court. Hardly, anyone was tempted to become a Senior Advocate as it was felt that after being designated as a Senior Advocate you are not in a position to file vakalatnama. In the first 20 years of its existence the High Court had designated only about 35 learned counsels as Senior Advocate. However, today, as is evident from the last Full Court meeting we had nearly 250 young competent counsels aspiring to be designated as Senior Advocate from the Bar. In fact, a large number of senior counsels who were practicing in this court and were designated by this court are now among the top rated senior counsels of the country. This High Court, today, deals with some of the top cases in India. We have one of the finest Bars in the country. Some of the top law firms of the country are located in Delhi. This court and the lawyers of Delhi excel in various fields. Delhi has undoubtedly the best bar for intellectual property rights matters. Similarly, as told by a learned senior counsel involved in arbitration matters that the combined number of arbitration matters in Delhi are among the highest in India. Similarly, in

mediation, we have some very fine mediation centers in the Delhi High Court and in the district courts. Our Mediators from our high court and from the district courts have, in fact, travelled throughout India to train other mediators in the country. The court is also a truly cosmopolitan court. It doesn't matter from which part of the country you come from, which religion you follow: success comes on merits. We are all proud of this court. I am sure this court will keep up all the good work.

I can say proudly that I passed out from Law Faculty in 1982. Our batch has contributed Eight Judges to this court. These include Justice Kaul, Justice Bhatt, Justice Endlaw, Justice Midha, Late Justice Valmiki Mehta, Justice I.S.Mehta and Justice Asha Menon and myself. I am also the last of the Judges of this court who were born in the 1950's.

There is another facet which I would like to touch upon. It is a known fact that the courts are overburdened with long pending cases. Unfortunately, the perception of a common man is usually to blame the courts for the delay in disposal of the cases. Much is said about the court vacations. I can say with full conviction that this public image is not correct. The pendency is there despite huge efforts being done by the courts to try and dispose of the matters. The reasons for the delay are not necessarily attributable to the courts. However, I do not wish to further dwell into this issue. All I can say is that court needs to take some steps to project the hard and good work that is being done by putting in place an appropriate machinery. This machinery would project the hard-work being done by the courts.

Before I close, I would like to thank my staff Mr.Rajender Singh, Ex.Private Secretary; Ms.Nirmla Tiwari, PS; Ms.Radha Bisht, PS; Mr.Virendra Kumar, Senior PA; Mr.Shivam, Senior PA; Ms.Babita Haritash, Court Master: Mr.Narender Singh, Assistant Court Master, Mr. Indermani Pant Restorer, Mr,Devender Mehta, ACM,

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Thanks to the family. Thanks to all my colleagues on the bench present and retired, and all the members of the Bar. Thanks a lot. We will keep meeting. Thanks to all of you, this has been a fulfilling journey.