

**FAREWELL SPEECH BY HON'BLE MR. JUSTICE VIPIN SANGHI
ON 11TH MARCH, 2022 ON THE RETIREMENT OF HON'BLE
MR. JUSTICE DHIRUBHAI NARANBHAI PATEL, THE CHIEF
JUSTICE OF DELHI HIGH COURT.**

Hon'ble Chief Justice D. N. Patel,

My esteemed sister and brother Judges,

Shri Chetan Sharma, Additional Solicitor General of India,

Shri Rakesh Sherawat, Chairman, Bar Council of Delhi,

Shri Mohit Mathur, President, Delhi High Court Bar Association,

Shri Jatan Singh, Vice-President, Delhi High Court Bar Association,

Shri Abhijat, Secretary, Delhi High Court Bar Association,

Shri Sanjay Lao, Standing Counsel (Criminal), Govt. of NCT of
Delhi,

Shri Santosh Tripathi, Standing Counsel (Civil), Govt. of NCT of
Delhi,

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,

Principal District and Sessions Judges and other judicial officers of
Delhi,

Members of the Bar,

Members of Print and Electronic Media,

Family members of Chief Justice D.N. Patel,

Ladies and Gentlemen,

A very Good Afternoon to all of you.

We have assembled here today to bid farewell to our Hon'ble Chief Justice Shri D. N. Patel, who has been with us for more than two and half years, having been appointed the Chief Justice of this Court on the 7th of June, 2019.

Chief Justice Patel was born on 13th of March, 1960. He completed his schooling in 1975 with Science subjects. After graduating in science from M. G. Science College, Ahmedabad, he went on to complete M.Sc. with Organic Chemistry from University School of Science in the year 1981. But since he was destined to associate himself with the legal profession, he joined L.A Shah Law College, at Ahmedabad and obtained his LL.B. degree in 1984 with first class. He also did his LL.M. with first class, and ranked first in college.

The academic record of Chief Justice Patel shows that he was born to excel. He was adjudged a National Scholar in the years 1983-84, and 1984-85. He was awarded two Gold medals – viz. Principal M. S. Pandit Gold Medal, and Bombay Hindu Law Research and Reform Association Gold Medal.

Chief Justice Patel got enrolled as an Advocate on 28th July, 1984 with the Bar Council of Gujrat. He made his mark as an Advocate in a very short period. His practice included a diverse range of cases in fields of Constitutional law, Civil law, Criminal Law, and Excise and Customs law.

Chief Justice Patel also represented various Authorities like Gujarat Public Services Commission (GPSC), Ahmedabad Urban Development Authority (AUDA), Ahmedabad District Panchayat, Bharat Sanchar Nigam Limited (BSNL), All India Council for Technical Education (AICTE) etc. He was also appointed as a Special Counsel of the State of Gujarat, for other High Courts.

Chief Justice Patel's deep inclination towards academics prompted him embrace the extra responsibility as a part-time Lecturer in L.A. Shah Law College for almost 9 years. He was amongst the most admired teachers.

Chief Justice Patel was appointed as an Additional Central Government Standing Counsel by Union of India, in the year 1999 and as Senior Central Government Standing Counsel for High Court of Gujrat on 5th July, 2001.

Chief Justice Patel was elevated as an Additional Judge of Gujrat High Court on 7th March, 2004 and became a permanent Judge of that Court on 25th January, 2006. On transfer, he took oath as Judge of the High Court of Jharkhand, Ranchi on 3rd February, 2009. He had a great tenure at Jharkhand High Court, where he also functioned as the Acting Chief Justice on several occasions.

Apart from the contribution he has made while enunciating principles of law in a wide spectrum of cases, his continued involvement with intellectual activities in the administration of the Court has made him a multi-faceted personality. The members of this great bar would agree that the Chief Justice always gave a patient hearing to one and all, with consummate ease, and always maintained a very balanced temper in, and out of Court. At the same time, he was firm, wherever so required.

Chief Justice Patel participated in several National and International Conferences held in India and abroad, and presented papers on various topics of Law.

Throughout his distinguished career as a Judge, Chief Justice Patel has delivered numerous landmark judgments on various jurisdictions which have immensely contributed towards the growth of procedural and substantive law. It will be impossible to make reference to each one of those important judgments. However, I may highlight few significant observations made by him.

In **Govt of NCT of Delhi Collectors of Stamps vs. CTA Apparels Pvt Ltd.**, he observed that Circle rate was not conclusive evidence for the valuation. He emphatically held

that, at best, the circle rate can be one of the factors for determination of the valuation and nothing more.

In **Union of India vs. Vedanta Ltd**, Chief Justice Patel reminded the Government of India of its duty to provide complete protection to the natural resources as a 'Trustee of the public at large', and that the Union of India cannot enter into a contract that permits extraction of resources in a manner that would abrogate its permanent sovereignty over such resources.

In **Praveen Kumar Chaudhary vs. Election Commission of India**, there was a Challenge to the vires of Section 62 (5) of Representation of the People Act, 1951, which provided for a bar on a prisoner's right to vote. Chief Justice Patel held that right to vote is neither a fundamental right, nor a constitutional right. Constitutional Validity of Section 62(5) of the Representation of the People Act was upheld, noting that the classification of the persons who are in jail, and who are out of jail is a valid classification, and it has a reasonable nexus with the objects sought to be achieved.

In **Ashok Kumar Aggarwal vs. Union of India**, Chief Justice Patel observed that Compulsory retirement involves no civil consequences. He further observed that Rule 56(j) of the Fundamental Rules was an extension of "**Doctrine of**

Pleasure", and that there was no right vested in the employee to continue in the employment.

Apart for Chief Justice Patel's work on the judicial side, we have had the good fortune of witnessing his leadership qualities on the administrative side as well. His patience and humility are writ large in all that he did. He has always been eager, ready and willing to address every problem placed before him.

His Concern for his brethren, including the retired Judges of this Court – particularly for their medical treatment is highly appreciable. During his tenure he created several posts of Officer and other officials in this court, and more than 800 Vacancies were filled through promotion/appointment during his tenure.

His techno savvy approach played a vital role in adoption of technology by this Court, and Courts subordinate to this Court, during the pandemic. The steps taken under his leadership ensured that doors of Justice always remained open, even during the strict lockdown during the pandemic, as they were converted into e-courts. Under his leadership a *Graded Action Plan Committee* was constituted to deal with the evolving situation, to surmount the problems being faced due to the lockdown during the pandemic. He took all the

stakeholders on board. Because of his dynamic approach only, the video-conferencing hearings and hybrid hearings held by Delhi High Court were applauded not only by the other High Courts, but also by the Supreme Court.

His endeavour has always been to ensure minimal use of paper – to save and protect the environment. Therefore, he made provisions for use of e-books, E-journals and electronic gadgets in the Judges' Library and functioning.

Under his leadership, Delhi State Legal Services Authority (DSLISA) conducted the first-ever E-Lok Adalat in 2020, amid the restricted judicial functioning, owing to the Covid-19 outbreak. This unique Lok Adalat was the first of its kind in India to be conducted, full digitally, on an Online Dispute Resolution (ODR) Platform.

Chief Justice Patel inaugurated the new website of DIAC with Audio Visual Tour of DIAC and the Publication of first Journal of DIAC. He also launched the Website of Delhi High Court Mediation and Conciliation Centre, Samadhan.

Under his leadership, Digital NI Act Courts were established at District Courts. These were created with the objective of providing hassle-free environment to the litigants for filing, hearing and disposal of cheque dishonor cases. These Courts are also first of their kind in the country.

Currently, 34 Digital NI Act courts are functioning w.e.f. 17/11/2020.

Under his leadership, IP Division (Intellectual Property Division) has been created on the Original Side of this Court to deal with the cases received on transfer from erstwhile IPAB, as well as fresh cases of IPR.

Chief Justice Patel has always been popular amongst the Bar. It was in his tenure, that 55 Advocates were designated as Senior Advocates of this Court.

While we bid farewell to you Chief Justice Patel, and although we shall miss you in this Court, I, on my behalf and on behalf of my colleagues on the bench, and on behalf of the entire court, extend congratulations and best wishes to you for a very successful tenure as a Chairperson of Telecom Disputes Settlement and Appellate Tribunal (TDSAT) and for higher glory.

I extend my best wishes and congratulate your esteemed family members, your Wife: Mrs. Giraben Dhirubhai Patel, Sons: Mr. Rahul Dhirubhai Patel and Dr. Bhargav Dhirubhai Patel, Daughter-in law: Ms. Roshni Rahul Patel and Grand-Daughter: Vidmahi.

Thank You!!