

17.3.2008

REFERENCE

Hon'ble The Chief Justice Dr. M.K. Sharma, Hon'ble Judges, Sh. P.P. Malhotra, ASG, Standing Counsels, Delhi Government & Central Government, Respected Senior Advocates, Sh.J.P.Sengh, Vice President, Sh. D.K. Sharma, Secretary and other members of the executive of the Delhi High Court Bar Association, fellow members, family members of Late Sh.N.C.Sikri, Sr. Advocate ladies and gentleman.

Within one week, we have to assemble here to condole the demise of another strong pillar in the field of labour and service laws. After the loss of Dr. Anand Prakash and Mr. Ramamurti, few years ago, in quick succession the destiny has snatched from us Mr.G.B. Pai, Mr. S.N. Bhandari and now Mr. N.C. Sikri, who was perhaps one of the 'last Samurai' of the golden era, if not the last.

He was born on September 16, 1923. Though his father was a businessman, it was his dream from childhood that he would have other pursuits in life. After completing his intermediate, he got job in the National Bank of Lahore and reached the position of Controller of Accounts within short period. Soon thereafter, he shifted to Delhi from Lahore on the partition of the country. He was married to Smt.Shanti Devi just before migrating to Delhi, who was destined to be her companion for more than 60 years.

He did his graduation and also passed most prestigious course in Banking, i.e. C.A.I.I.B. and LL.B from University of Delhi. While working with New Bank of India, he used to appear before Income Tax authorities to argue their cases. The then Chairman-cum-Managing Director of the

bank found in him the potential of becoming a good lawyer. He persuaded him to give up the job and join the Bar. Consequently, he joined the Bar in 1960.

He also passed Advocate-on-Record exam of the Supreme Court. His appearance was from Labour Courts and Industrial Tribunals, to the Delhi High Court and the Supreme Court of India. He excelled in the profession within few years and soon he joined the league of Mr. Ramamurti, Mr. G.B. Pai, Dr. Anand Prakash, Mr.D.K. Aggarwal, Mr. T.R. Bhasin, father of Mr. Lalit Bhasin, and Mr. Yog Raj Bhasin, father of Mr. Vinay Bhasin, Senior Advocate. He also widely traveled to appear in various other High Courts.

He belonged to that old school of lawyers who had commitment to work and put their soul and heart in every case. His drafting of pleadings was excellent and with charity. He was very hard working who would slog for 14/15 hours a day. He was very persistent and persuasive while making submissions before the court. Acknowledging his merit, this Court also designated him as a Senior Advocate.

I can not refrain mentioning two cases wherein he developed new principle of law. A dispute of termination of a workman of M/s. Dunlop (India) Ltd. was raised by the union and referred for adjudication. Later, the union withdrew its support. The challenge was to its continuity by the Workman. He developed the proposition that after the incorporation of Section 2(a) in the year 1965 an individual could also raise dispute about his termination which is to be treated as industrial dispute. It would not matter whether the labour union had espoused the cause or not and consequently, it was upheld.

In *Greysham and Co. Vs. Regional Provident Fund Commissioner*,
The Court accepted his argument that "Inam" paid to the workman under the incentive scheme introduced in pursuance of a voluntary settlement reached between the management and its employees cannot be a part of 'basic wages' for the purpose of calculating the contributions under the Employees Provident Fund.

He was offered judgeship of this Court by Justice V.S. Deshpande, the then Chief Justice. He declined the offer due to some compelling circumstances. His son Justice A.K.Sikri had joined the Bar only a couple of years ago. When he told his son about the offer and was asked why he took such a step, his answer was "*I have not become a Judge myself, but one day I shall be the father of a Judge.*"

"Apart from being a good lawyer, he was a great human being a man of pleasing manner, always smiling, He used to encourage young lawyers a lot". Mr. K.K. Rai, Sr. Advocate still remembers the pattings and encouragement by Sh. N.C. Sikri, while he was opposing him in a case. I always had his blessings whenever, I got the occasion to meeting outside the chamber, or when I had gone to meet him in the chamber.

But another remarkable trait in him was he was extremely religious as well. He used to perform Hawan Yagna daily. He would also visit Temple and Gurudwara everyday. He had attained great heights in spiritualism.

On account of his inspiration and able guidance one of his sons is the Judge of this court and other one, viz., Mr. Ravi Sikri is a practicing Advocate. Mrs. Madhu Sikri, his daughter-in-law is an Advocate-on-Record in the Supreme Court. His grand sons Mr.Saket Sikri and Mr. Tanuj Khurana are also practicing in this Court. His son-in-law Mr. H.B.

Khurana is also an Advocate having practice in Taxation Laws. He is survived of his wife, five sons and one daughter, who is married to Sh.H.B.Khurana, Advocate. His one son Mr.Krishan Sikri is a Chartered Account. It is cultured and sober family.

The greatest tribute that can be paid to him is to follow his footsteps, and work with sincerity and passion. I, on my own behalf, and on behalf of the office bearers and members of Delhi High Court Bar Association express condolence to the bereaved family. We pray almighty that his soul rests in peace.



(K.C. Mittal)
President

Delhi High Court Bar Association

Dated: