

FAREWELL SPEECH

My Lords, Hon'ble Chief Justice of High Court of Delhi, Mr. Justice Ajit Prakash Shah and his Hon'ble Companion Judges, Mr. K.C. Mittal, President of Delhi High Court Bar Association, Central Government Standing Counsels, Ms. Mukta Gupta, Standing Counsel for Delhi Administration [Criminal], Mr. Najmi Waziri, Standing Counsel for Delhi Administration [Civil] and counsels for various statutory authorities and other bodies and my esteemed colleagues, family members of Justice J.M. Malik, Ladies and Gentlemen.

2. Today, we have assembled to bid farewell to Hon'ble Mr. Justice Jatinder Mohan Malik. Hon'ble Mr. Justice Malik was born on 18th July, 1946 in Sargodha which was not far from Lyallpur, now in West Pakistan, where I was born. His Lordship did his graduation from Punjab University and got enrolled as an Advocate with the Bar Council of Punjab and Haryana in 1968. His Lordship's father Late Shri M.L. Malik was a leading advocate and had been President of Municipal Committee, Kaithal and President of Bar Association, Kaithal. His Lordship's brothers, Late Shri I.M. Malik retired as District and Sessions Judge, Haryana and Late Shri S. M. Malik was a leading advocate and the President of Bar Association at Kaithal.

3. After joining the Delhi Judicial Services in 1972 his Lordship acquired a rich and varied experience as a Magistrate, Sub-Judge, Rent Controller, Chief Metropolitan Magistrate, Additional District Judge and Sessions Judge, Member of the Sales Tax Appellate Tribunal, TADA, POTA and MACOCA Courts. His Lordship dealt with important criminal trials including trial of rapist Bhura in the Shanti Mukund Hospital case. I have known Mr. Justice Malik since His Lordship joined Judicial Services in Delhi and have had several opportunities to appear before him. He was always calm, cool and gave a patient hearing, the only thing lawyers generally desire. It was always a great pleasure to appear before his him.

4. By his Lordship's elevation as a Judge of this Hon'ble Court on 28th of February, 2006 a rich and varied experience was added to this Hon'ble Court. His Lordship's learning and knowledge of law is par excellence. His Lordship's attitude toward the Members of the Bar has been unparalleled. His Lordship will always be remembered as a simple, sober, soft-spoken, sympathetic and unassuming judge. His Lordship, though very knowledgeable, is a Judge who had no egos about himself. Appearing before his Lordship has been a great pleasure for one and all and even for junior members of the Bar.

5. Judicial system and justice flowed in his Lordship's mind and body. Born in a family where his Lordship's late father and brothers

were not only lawyers of standing but were even social workers of repute, this unique combination of the qualities of the family brought the rights and sufferings of the citizens in the forefront before his Lordship. His Lordship considered the cases all along whether in the Courts below or in the High Court with sympathy and mercy which are hallmarks of a good judge. It is said that justice is to be tempered with mercy and I can say his Lordship's sense of justice was always tempered with mercy. His Lordship is well-known and respected for his honesty and integrity which are essential qualities of a good judge.

6. I hope and pray for His Lordship's happy and healthy retired life.



(P. P. Malhotra)

Additional Solicitor General of India

Date : 17-07-2008.