

**FULL COURT REFERENCE ON 20TH DECEMBER, 2013
AT 3.00 P.M. IN COURT NO. 1 TO BID FAREWELL TO
HMJ M.L. MEHTA, RETIRING ON 31ST DEC., 2013.**

N.V. RAMANA, C.J.

Today afternoon, we all have gathered here, to bid farewell to our esteemed colleague, Mr. Justice M.L. Mehta, who would be demitting the office of judgeship in a few days, with a sense of contentment.

Justice Mehta graduated in Science from Punjab University; pursued M.A. and LL.B. from Delhi University, while L.L.M. from Kurukshetra University.

Justice Mehta's legal journey started in May, 1977 on joining Delhi Judicial Service, after practising for over a year. He was promoted to Delhi Higher Judicial Service in 1996 where he worked in different capacities including Special Judge (TADA); Special Judge (CBI); Presiding Officer, Labour Court and Motor Accident Claims Tribunal, etc.

I am informed, in 2006, on special requisition, his services were placed at the disposal of the Apex Court in Gujarat Riot Cases to go through voluminous records, verify papers and submit report in a short span of four weeks – which task was accomplished well before the given time.

I am also informed that a Committee was appointed under his Chairmanship, to examine the then existing system of Processing Agency, Nazarat Branch, Payment to Witness(es), etc. and all the recommendations, so made, were accepted and implemented *in toto*. With the introduction of formats for various processes, service reports have increased tremendously.

In the capacity of Chairman of the District Courts' Libraries, he redesigned and remodeled the libraries with the addition of a wing for reading and research by the Judicial Officers at Tis Hazari Courts and other District Courts Complexes.

As a Chairman of the Core Group, appointed by this Court, prepared a Road Map for the future judiciary of Delhi including acquisition of land at new locations, preparation of plans for construction of new buildings and creation of additional posts of DJS as well as DHJS.

I am told, a larger part of credit for establishing Delhi Mediation Centre at Karkardooma Court Complex goes to him – where he, after its establishment, worked as Full Time Coordinator and Mediator from 2006 to 2008. He, being designated trainer, imparted training in mediation to many lawyers and judicial officers in Delhi as well as in different parts of our country. His contribution in preparation of Mediation

Training Manual of India by the Mediation and Conciliation Project Committee of the Supreme Court was termed as '*highly commendable*'.

He was selected for Six (6) Months' Fellowship on ADR by JAMS Foundation, California, U.S.A., which was completed within three and a half months. While awarding fellowship, JAMS Foundation, recognized him as the Certified International Commercial Mediator. He was also selected as Visiting Scholar by the Law School of Stanford University, California, U.S.A.

He became District Judge in 2008; also worked as Principal Secretary (Law, Justice and Legislative Affairs), Govt. of NCT of Delhi; and then elevated to the Bench of this Court on 3rd December, 2010. It is pertinent to say that he came to this Court with wide judicial and administrative experience.

Justice Mehta delivered a number of judgments on varied subjects as he sat on different jurisdictions as per roster of this Court from time to time. A few of them are :

- In the case of ***Star India Pvt. Ltd. v. Piyush Agarwal & Ors.***, while distinguishing '*match information*' and '*news worthy information*', it was held that the latter, being a matter of public interest, could be disseminated freely; however, the former can be disseminated only after

obtaining a license from the organiser. It was, thus, held that telecom companies were indulging in unfair competition and unjust enrichment, by disseminating contemporaneous, ball-by-ball, minute-by-minute match updates for a premium, without obtaining license from its licensee.

- In ***Mrs. Indira Sonti v. Mr. Suryanarayan Murthy Sonti***, the issue with regard to the jurisdiction of petitions regarding maintenance in the case of a couple married in India and cause of action arising in a foreign country was dealt with in depth.
- In ***Commissioner of Income Tax v. HLS India Ltd.***, it was held that the real test for deciding the question whether the term '*machinery*', as stipulated under Section 32-A of the Income Tax Act, could be termed as plant or not, would depend upon the function to which said machinery was put, regardless of the location where machinery was situated.
- In RK. ***Chandolia v. CBI & Ors.***, while taking cognizance of the difficulties faced by the Subordinate Judiciary, laid down guidelines, in consonance with various provisions of the Indian Evidence Act, pertaining to the relevance and admissibility of evidence.

- In the case of Pradeep Sehrawat v. State (**NCT of Delhi**), the parameters for determination of the age of a juvenile were debated in detail, while taking note of divergent opinions from different Courts.

A perusal of his judgments shows that the same are well-considered. They clearly set out the legal question(s), which are analysed in relation to the facts of the case and the conclusion(s) arrived at. The relevant case-law has not only been noticed, but also logically applied, while penning down the judgments.

On a personal note, during my short acquaintance, suffice to say, I have found Justice Mehta to be a very simple and God-fearing human being. If I may say so – *nobody is complete, it's about being human!*

I, on behalf of my colleagues and myself, wish him good health and long life so that he can serve the institution and the society *albeit* in a different capacity.

Thank you.

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