

**SPEECH OF HON'BLE THE CHIEF JUSTICE IN FULL COURT
REFERENCE TO CONDOLE THE SAD DEMISE OF
JUSTICE ARUN KUMAR, FORMER JUDGE, SUPREME COURT OF
INDIA AND JUSTICE AVADH BEHARI ROHATGI, FORMER JUDGE,
DELHI HIGH COURT**

My brother and sister judges, Mr. A.S. Chandhiok, Learned Additional Solicitor General of India and the President of the Delhi High Court Bar Association, Mr. Rajeev Mehra, learned ASG, High Court of Delhi, Mr. J.P. Sengh, Vice-President of the Delhi High Court Bar Association, Mr. Mohit Mathur, Secretary, Delhi High Court Bar Association, Executive Members of the Delhi High Court Bar Association, Mr. R.S. Goswami, Chairman, Bar Council of Delhi, Mr. Rakesh Sehrawat, Vice-Chairman, Bar Council of Delhi, Mr. Murari Tiwari, Secretary, Bar Council of Delhi, Additional Standing Counsel, Govt. of NCT of Delhi, learned members of the Bar, members of the bereaved families, ladies and gentlemen.

We have assembled here today to express our profound sense of sorrow on the sad demise of Justice Arun Kumar, a former Judge of the Supreme Court of India and Justice Avadh Behari Rohatgi, a former Judge of the High Court of Delhi.

Justice Arun Kumar

Justice Arun Kumar breathed his last on 24th April, 2013. He hails from a prominent legal family. His father, Shri Harnam Das was a leading trial lawyer in Delhi and his grandfather, a District Judge in Delhi. Born on 12th April, 1941, he graduated in B.Com. with honors and then received a law degree. His desire for knowledge did not stop there as he went on to pursue an LL.M. from Delhi and later, from Yale University.

He enrolled as an Advocate with the Bar Council of Delhi on 15th July, 1964. Immediately thereafter, he began to work as a lecturer teaching law at Delhi University for two years, in 1965 and 1966. He began his practice in the Delhi High Court from 1967. He served as President of the Delhi High Court Bar Association from 1988 to 1989. Throughout his career as lawyer, and later a judge, he remained a humble man and did not believe in showcasing his success and achievements.

Justice Arun Kumar was appointed as a Permanent Judge in the Delhi High Court on 13th July, 1990. On 2nd December, 2001, he was appointed as Chief Justice of the Rajasthan High

Court. He was elevated to the Supreme Court of India on 3rd October, 2002 and demitted office on 12th April, 2006.

His devotion to law and respect for court proceedings are some of the traits that made him excel in his chosen field. I have been told that while in judicial office he took leave on very rare occasions and held court even on his son's wedding day. He had great compassion for the staff and the clerks as he always sought to help them.

Inside the court room, he always kept a calm demeanor and was very encouraging towards the junior lawyers. If there was instance where he felt that he had been rude to a lawyer in court, he would be the first person to apologize.

After his retirement, he was appointed as the Chairperson of the Telecom Disputes Settlement and Appellate Tribunal (TDSAT) on 6th September, 2006 and remained there till 5th September, 2009. He was also, on several occasions, appointed as an arbitrator by the Supreme Court.

On a personal front, he was quite social and enjoyed interacting with lawyers. He was a man with immaculate mannerisms and dressing sense. He was fond of traveling. A complete family man, he is survived by his wife, his son, Amit

Bansal, who is a practicing lawyer in this court, his daughter-in-law and two grandchildren.

Justice Avadh Behari Rohatgi

Justice Rohatgi breathed his last on 27th April, 2013. His strong work ethic and commitment had won him many friends and well-wishers. Working well into his eighties, he remained self-reliant till the end and never sought to trouble his family members.

Born on 10th February, 1923, Justice Rohatgi graduated from Hindu College, Delhi with an M.A. and subsequently obtained a law degree from Faculty of Law, Delhi University with a 1st class in the year 1947.

Owing to his academic brilliance he was offered a part time lectureship in Delhi University in 1947. Thus, he taught law from 1947 to 1972 while simultaneously practicing at the Bar. Many a leading lawyers, judges of this court and the Supreme Court were his students. Two of them, Mr. Justice B.N. Kirpal and Mr. Justice Y.K. Sabharwal, went on to become Chief Justices of the Supreme Court.

He practiced law from 1947 to 1972 before being elevated as judge of the Delhi High Court. While at the Bar, he handled varied cases which were civil, criminal, and commercial in nature. His field of liking was arbitration, intellectual property and land acquisition cases.

He was appointed as Additional Judge of Delhi High Court on 7th March, 1972 for a period of 2 years. He was reappointed for two more years in 1974 before being appointed as a Permanent Judge on 4th September, 1974. He retired as judge of this court on February 9, 1985. Retirement did not slow him down and the fact that he practiced as senior advocate in the Supreme Court till 2008 demonstrates his dedication to the profession.

As an arbitrator, bringing with him a wealth of judicial experience, he has presided over a hundred arbitration proceedings under the aegis of the Indian Council of Arbitration and the International Centre for Alternative Dispute Resolution. In addition, he was appointed as arbitrator by this court on several occasions. His services as an arbitrator were much sought after by various High Courts, the Supreme Court and government departments & undertakings.

Loved by family, friends and colleagues alike, all who came in contact with him had a tremendous amount admiration and respect for the judge, the lawyer and the academic in him. He is survived by his son, daughter and four grandchildren. His son, Mukul Rohatgi is a Senior Advocate and a member of the Delhi Bar. His daughter Madhulika is a lecturer at Delhi University. Two of his four grandchildren, Sidharth Singla and Nikhil Rohatgi, are advocates; one is a doctor and the last is pursuing a degree in law. His daughter-in-law, Vasudha Rohatgi is an advocate and her brother, Mr. Justice Vipin Sanghi, is a sitting judge of this court. Late Shri G.L. Sanghi, senior advocate, was father-in-law of Mr. Mukul Rohatgi.

With the demise of Justice Rohatgi, the legal fraternity has lost a man who possessed a high sense of public duty and professionalism while conducting himself in judicial office as well as outside it.

We all present here, expressly convey our heartfelt condolences to the members of the bereaved families and pray to God to give them strength to bear this irrecoverable loss. May almighty bestow peace to the departed souls.

(AFTER REFERENCE BY LAWYERS IS OVER)

I request you all to pay homage by standing in silence for two minutes in the memory of late Justice Arun Kumar and late Justice A.B. Rohatgi.

(The Hon'ble Judges will take their respective seats for a moment after the silence, and it will be announced by Hon'ble the Chief Justice as under).

“As a mark of respect to the departed souls, the Court is adjourned for the rest of the day”.