

My Lord, the Hon'ble Chief Justice, Your Lordships, Additional Solicitor General of India, Secretary and other office bearers of Delhi High Court Bar Association, Standing Counsel for Government of India and Government of National Capital Territory of Delhi, my colleagues at the Bar, ladies and gentlemen.

Separation is always painful. We all have been separated for ever as per the Will of the Almighty from Mr.Justice D.R.Khanna, a retired Judge of this Hon'ble Court, on 28.04.04. I appeared before him only on 21.04.04 in an Arbitration matter. He was hale hearty and full of spirits. One never thought that destiny would snatch him from us so soon.

"Great men" are the guide posts and landmarks in any society. The population of this country is accelerating, but the numbers who fit that description are rapidly diminishing; to me, this is the single most alarming aspect of our Indian polity – the marked decrease of men and women who can be reckoned as guide posts and landmarks in our society. **There is now one less to be counted in the reckoning.**

I saw Justice Khanna successfully climbing the judicial ladder from 1972 as an Additional District Judge, presiding Judge of various Tribunals, to a Judge of this Hon'ble Court in October, 1979.

Justice Khanna possessed great legal acumen, ethical esteem and photogenic memory. He was courageous and epitomised integrity and knowledge. The Legal fraternity will always remember the monumental contribution of Justice D.R..Khanna to the development of 'justice system'.

Presiding as a Judge, His Lordship was always concerned about the delays in administration of justice and gave practical expression to his concern by deciding matters early. While the dispensation of justice, is nearly always late, in the case of Justice Khanna, it was, on many occasions perhaps early, but never late. His Lordship's anxiety to expedite the final disposal of the matters, however, never made the Members of Bar feel uncomfortable or annoyed. His Lordship's attitude towards Bar was very accommodative without compromising the speed of the disposal. His Lordships never made observations which were derogatory to the dignity of the Bar or hurt the esteem of the lawyer appearing before him. He shall be held in high esteem for his uniform courtesy, extreme cool temper, without fire or fervour of a high strung mind and untiring patience to hear to the cobweb of arguments in different cases.

To the middle section of the Bar he would advise, "**Do not look back or restrain your oars, strive for more and better**". To the Senior section of the Bar, he often appealed that it was their responsibility to help the development of the Bar for providing incentives to the juniors.

Like a professor, he would teach the youngsters, the well known Seven Lamps of Advocacy - as advocated by Appert Parry, viz honesty, courage, industry, wit, eloquence, judgement and fellowship along with worthy character and exhorted them to practice these in their professional life. He was of the view, that lawyers must keep the silver lamp of learning trim and bright and not to remain a mere professional robot.

To the members of Subordinate Judiciary, he advised ~~them~~ to be straightforward, honest, fearless, not to conduct themselves with over bearing attitudes but with kindness, courtesy and smile.

He was a jurist in the complete sense of the term; he lived the life of law and justice. Unsurprisingly, he was an effortless *exemplar* of judicial virtues. Possessing an unsurpassed grasp of comparative jurisprudence, he wore his learning lightly. His disdain for purple judicial prose arose out of mastery of judicial style. Justice Khanna, believed that judicial power is most effective when it is sensible of its limits; and although not an arch-conservative, he gladly subscribed to the growth of judicial power, in Edmund Burke's prescription, by "insensible degree".

His retirement in 1985 was a great disappointment: not only because one liked to appear in his court, but particularly because he was a moral human being. After all, consistency of the moral dimension is the true measure of greatness in every human soul.

Even as an Arbitrator, he was well known for his easy, humble and flexible nature. You only had to explain your difficulty on phone to him and the matter would be adjourned. No throwing tantrums, no holding of forcible hearings, no insistence on Counsel appearing, no raising of fat bills. No wonder, he was one the most sought after Arbitrator.

Mr. Justice Khanna's sincerity and integrity was, to say the least, legendary. His manner of conducting the proceedings, be it be court or arbitration, reflected the above qualities. No action of his could ever be construed as being biased or

prejudiced. He would judge and test all arguments in the crucible of justice and fair play, and only then pass judgment.

I pay my tribute to him and salute him. Writing about a good life is easy, living one is more difficult. Justice Khanna lived the good life – he was the legal fraternity's noblest soul. Like a redwood tree he stood tall and majestic.

We have the privilege of having his son Mr. Sanjiv Khanna as a member of our Bar; an eminent lawyer. I fervently hope and pray that the bereaved family can muster enough strength to bear this loss with courage and fortitude, and, we will do just anything to mitigate their sense of loss. In the words of Ibrahim Lincoln:

"The world will little note nor long remember what we say here, but it can never forget what he did here. It is for us, the living, to be dedicated here to the unfinished work which he ... so nobly advanced."

I, on behalf of Members of Delhi High Court Bar Association and on my own request your Lordships to convey our deep feelings, sorrow to the bereaved family members. May his soul rest in eternal peace.

A.S.Chandhiok
President
Delhi High Court Bar Association
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