

SPEECH

My Lord the Hon'ble Chief Justice of High Court of Delhi, Mr. Justice M . K. Sharma, Hon'ble Mr. Justice T. S. Thakur and other Hon'ble Companion Judges, retired Judges, Mr. Ram Jethmalani, Mr. A. S. Chandiok, President of Delhi High Court Bar Association, Mr. Ramesh Gupta, Chairman, Bar Council of Delhi, Ms. Mukta Gupta, Standing Counsel for Delhi Administration (Criminal side), Mr. J. R. Midha, Standing Counsel for Delhi Administration (Civil side), Counsels for the Central Government, State Government and Counsels for various public authorities, and statutory corporations, my esteemed colleagues at the Bar, relations and family members of late Shri D. D. Thakur, Ladies and Gentleman.

2. Mr. D. D. Thakur had a humble beginning. His life was full of struggles and challenges and in that quest he shifted from place to place and each time, he became more courageous and victorious. Beginning his studies as a child in a small village, he did his primary education in Himalayas. Then he shifted to Banihal and later to Udhampur and then to Srinagar where he did his graduation. For his law, he turned to U.P. and there he came under the influence of Socialist leaders like Jai Prakash Narayan, Ram Manohar Lohia and Acharya Narendra Dev. Thereafter, he started his practice in Ramban in Jammu and Kashmir in the year 1954.

3. He shifted to Jammu in 1959 where he had a roaring practice and his talent was recognized by one and all and he was elevated as a Judge of the Jammu & Kashmir High Court in the year 1973. As a Hon'ble Judge of the High Court he delivered many landmark judgements. He had a perfect

temperament of a judge. Always very cool, anger had been thousands of miles away from him. He was a down to earth Judge and had concern for the poor and downtrodden. He was full of life, enjoyed struggle and destiny had laid down a different role for him. Seeing his acumen and concern for poor, Late Shiekh Mohd. Abdullah persuaded him to quit the judiciary and join politics. His Cabinet consisted of three Ministers each from different regions. He was chosen as a Minister from Jammu Region and he headed several Ministries including Finance, Law, Planning, Transport, Food & Supplies and Housing and Urban Development. As a Minister he took upon himself the cause of poor, made various reforms for the abolition of dealership and permit Raj and worked for the cause of the poor. He was consulted by Late Shiekh Mohd. Abdullah in various matters. He played an important role to bridge the gap between the Central Government and the State Government and after the demise of Shiekh Mohd. Abdullah, he returned to Bar and shifted his practice mainly to Delhi in the Hon'ble Supreme Court and this Hon'ble Delhi High Court.

4. Hearing him was a matter of great pleasure in as much as he would place a matter before the Court coolly but firmly, he never raised his voice but argued his cases with smile and firmness. He was very simple yet sophisticated, gentle in the arguments yet very firm and always presented his case in a very simple and understandable manner. He had a pleasing personality and would always meet you with a smile. He was an immaculate person. He could handle any difficult matter with great ease. This was probably a gift of God to a noble soul from Himalayas. He was a brilliant advocate. His power of persuasion and argumentative capacity backed up by his assertiveness in a humble way without annoying the Court was a treat to

watch. He could make out a case from nowhere and carry the Court with him by his wit, humour and grace and, of course, with his knowledge of law and sense of justice. He was a finest legal mind. He was respected by every Bench. His personality had a tilt towards the poor and he had a sense of fairness, impartiality and objectivity. There was hardly any case in the Supreme Court where he had not represented one side or the other. His contribution to development of law and art of advocacy is unparalleled.

5. He held various Government positions at different times. He was deputy Chief Minister, he had been the Governor of Assam and neighbouring States of Arunachal Pradesh. He had been the Chairman of the North-Eastern Council and had dealt with the ULFA problem with ease. His role as a Judge of the High Court, as a Member of the State Legislature for about 12 years, as a Minister in successive Governments, as Governor of two States in the North-East, as a Senior Advocate of the Supreme Court and this Hon'ble Court is a testimony of his unique ability and courage which he possessed and which was widely acknowledged and recognized. He was not only an eminent and a brilliant judge, a legal luminary, a jurist, a good administrator but above all he was an honest man, a good man, a man with a noble soul.

6. In his lifetime itself he recognized life and death. His book "My life and years in Kashmir politics" is a testimony to his ideas about the real life; and to his ideas about humanity. He knew that no one could escape death and anyone who is born is destined to die.

7. He was a born challenger, a man very simple but full of grace, dignity, sophistication. He was also a great host. You could not come from his house

without being entertained. His death has caused a great loss to the legal community, society and above all to the poor sections of the society. I was witness to the expression of grief by common men at the time of his cremation at Jammu and it looked as if a sea of humanity has surged at the cremation ground on the banks of river Tawi where his body was laid to rest. Multitudes of assembled people from all walks of life clearly showed how he was loved by one and all.

8. I share this grief with Mrs. Saraswati Thakur, his widow, Hon'ble Mr. Justice Shri T. S. Thakur, his wife and children, Mr. D. S. Thakur and all other Members of the family and the Members of the legal fraternity who have been all grieved. May his soul rest in peace and may God give all of us strength to bear this loss.

9. I request the Hon'ble Chief Justice of the Delhi High Court to convey our heartfelt condolences to the bereaved family and may his soul rest in peace.



(P. P. Malhotra)

Additional Solicitor General of India

Date : 2nd March, 2007.