

**Farewell Speech of Acting Chief Justice Vipin Sanghi on  
27<sup>th</sup> June, 2022 at the Delhi High Court**

Justice Siddharth Mridul, Justice Manmohan, Justice Rajiv Shakdher, Justice Suresh Kait, Justice Mukta Gupta, Justice Najmi Waziri, Justice Anu Malhotra, members of the Administrative Committee, my brother and sister colleagues, Sh.Chetan Sharma, ASG; Mr. Murari Tiwari, Chairman, Bar Council of Delhi; Mr. Mohit Mathur, President, Delhi High Court Bar Association; Mr. Jatan Singh, Vice President, Delhi High Court Bar Association; Mr. Abhijat, Secretary, Delhi High Court Bar Association; Ms. Nandita Rao, Additional Standing Counsel, (Criminal), GNCTD.; other Executive Members of the DHCBA; office bearers of the District Bar Associations; Senior Advocates; District Judge & Session Judge; Law Secretary, my family members, my Staff Members, Law Researchers, ladies and gentlemen.

The time has come for me to say goodbye to you all and leave this premier High Court after practicing here at the Bar for

about 20 years, and after administering justice, as I saw it, for over 16 years.

I got into the profession not entirely by choice, but by force of circumstances. I come from a family of lawyers. My grandfather late Shri V.K. Sanghi practiced law initially at the Jabalpur High Court, and when a High Court bench was established in Nagpur in 1936, he moved to Nagpur. That is where my father late Shri G.L. Sanghi studied, taught and practiced law under the tutelage of late Shri A.S. Bobde, Senior Advocate, who was later appointed as the Advocate General of the State of Maharashtra. On his encouragement, my father moved to Delhi to practice in the Supreme Court, where he established himself. Though I was born in Nagpur, I moved to Delhi when I was just about 4 years old. For most part, I studied at Delhi Public School, Mathura Road. That pretty much makes me a *Dilli Wala*.

I was fond of Physics and Maths at school and so took up B.Sc. (Maths) Honours at the Delhi University. I wanted to pursue

Engineering, but could not get admission to an Engineering College either on the basis of my Class 12 marks, or by clearing the IIT JEE Entrance Examination despite repeated attempts. So when I finished my graduation in 1983, I naturally flowed into the legal stream, and I took admission in the LL.B. course at the law faculty of Delhi University.

Our batch at the law faculty was very vibrant with many meritorious students who came from different academic backgrounds and cultures. We all gained in confidence and learning - thanks to not only our professors, but also our peers. The likes of Professor Husain, Professor Madhav Menon, Professor Saxena, and Justice A.K. Sikri - who was then a member of this Bar, to name a few, taught us the fundamentals of law. Thanks to the very good grounding we got, our batch has produced numerous Civil Servants, IPS Officers, IRS Officers, Political Leaders, Army Officers, about 20 Senior Advocates and Judges. Even before I name some who come to mind, I apologize if I have missed out others. So

we have Justice Mridul, Justice Rekha Palli, Justice Waziri, Justice Yogesh Khanna, Justice Sudhir Kumar Jain on the Bench of this Court, apart from Justice Koteshwar, Justice Naveen Rao and Justice Ratnakar Bhengra on the bench of the Gauhati High Court, Telangana High Court and the Ranchi High court respectively. Several of our batch mates joined the District Judiciary. We also have several high ranking Civil Servants amongst us, including Shri Dharmendra Sharma, Joint Secretary to the Government of India, who was also awarded the Rhodes Scholarship.

The reason, I think, for this sterling performance of our batch as a whole, was the clear fundamentals of life that our parents and teachers taught us right from our childhood, till the time we graduated out of the law school. There were less complexities and diversions then, which gave us greater focus in whatever we did.

I was, from my school days, a very shy person and avoided getting noticed in class. Even when I had the correct answers

to questions put in the class, I did not raise my hand to answer for fear of being noticed. I never participated in any debates or declamations for this reason. Only when it dawned on me that I will have to soon face the courts, in my final year, I participated in the last moot court held for our batch at the law faculty. It was a great learning experience. I narrate this to highlight two things. First, lookout for the silent fellows on the back seats and don't miss or ignore them, and second, all you shy people, get rid of your shyness and take the plunge at the earliest because unless you do that, nothing positive will happen. The legal profession is practiced in courts. Courts are like a theatre. Everyone, particularly the advocates and the judge exhibit their skill for everyone present to see. You must turn out at your best and make an impression, in whichever role you appear. You cannot cut a sorry figure. Be honest and straight forward. Remain grounded. Your humility will always be appreciated. Even more so if you are well prepared with your brief. My advice to the younger members of the bar is to watch the leading Senior Advocates argue their cases in court, whenever

you find time. Don't spend your time simply chatting in the canteen or the corridors. I remember following stalwarts like Mr. Fali Nariman, Mr. Soli Sorabjee, Mr. Ashok Desai, Mr. Ram Jethmalani and many others into the court rooms they entered, just to watch their performance. You will pick up court craft, the manner in which you should address the courts, how to deal with a difficult situation or a difficult judge and, above all, the law. You will learn the meaning of the law being discussed, its interpretations, and how precedents are cited and used in courts. This art cannot be learnt unless you spend time in the court rooms listening to stalwarts at the bar. Mr. Fali Nariman once rightly said, that young advocates learn through the process of osmosis when they observe an advocate argue his case in court.

I joined the profession in the summer of 1986 and initially worked with Shri Mukul Rohatgi, my brother in law, at this court. He was such an inspiration. Extremely confident and knowledgeable. He had the best court craft and salvaged even

the most difficult cases. He was not a designated Senior Advocate then, but was regularly briefed by other advocates and law firms, and could match up to the best in the profession even at that young age. In his office, I learnt never to go to a court to attend a matter without the file, and without reading the file. This meant that even if one had to take an adjournment - or even a passover, one was able to answer some basic questions that the court may pose, or may require a response on account of what the opposite counsel may say in court. This also meant that the court would know that here is a young advocate who works on his/ her cases with sincerity, and that would also ensure that you would not make a wrong statement on facts, in court, even unknowingly. This enhances the credibility of the lawyer in the eyes of the judges, which is so important. We, all the time, rely on statements made by lawyers at the bar, and do not cross-check every statement of fact from the record, because we would like to trust the members of the bar who appear before us. I may mention that we judges make a mental note of the manner in which an advocate conducts

himself or herself in court, and we even talk about it amongst ourselves. That is how the reputation of an advocate gets built over the years. My advice to all the youngsters at the bar is to always keep this in mind. I believe that honesty is the best policy and there are no shortcuts in life, or in this profession. This is what I learnt from my grandfather, my father and even my senior and mentor Shri Mukul Rohatgi.

On the suggestion of late Mr. Arun Jaitley, with whom I shared a very warm relationship and who always looked after me, I joined Mr. Rajinder Dutt, who was one of the four Central Government Standing Counsel at that time. That was a wonderful learning experience, and gave me immense exposure to appear in and argue cases on a variety of subjects.

After working there for about a year I resumed working with Shri Mukul Rohatgi and developed my own practice as well. I have very fond memories of spending time in his office, having lunch everyday with him, late Mr. Arun Jaitley, Mr. Rajeev

Nayyar and my other chamber mates such as Mr. Amrit Pal Singh Gambhir, and later Ms. Maninder Acharya, who is a former ASG and Senior Advocate. There was mutual respect and comradery in the chamber, which has also produced the likes of Mr. Sandeep Sethi Sr. Advocate and Mr. Ravi Gupta, Sr. Advocate.

As my own practice developed, I branched out on my own. Fortunately for me, guidance was always at hand for me from Shri Mukul Rohatgi, my father, and even Justice Avadh Bihari, Retd. Judge of this court and father of Shri Rohatgi, whom I regard as the Lord Denning of India. His judgements, you will find, are short, simple and bring out his clear thought process and reasoning, apart from being very well grounded in law.

After about 20 years of practice, I was elevated to this court as a Judge on the 29<sup>th</sup> of May 2006. I may confess that I had no role to play in this. It was my father, who felt that I have the temperament to be a Judge, which led to my name being recommended by the collegium upon his request.

Unfortunately, he did not live to see my elevation, though my name was recommended during his life time and he was aware of the same.

Soon after I got elevated, I realised how much hard work the Judges of this court have to do. As an advocate, I used to think that come 4.30 pm, the Judges get into their cars and go back home. Only after my elevation, I realised that hours and hours of work is put in by the Judges in their chambers and even at their home office every day, right from correcting and completing orders, dictating orders and judgments, and reading the files for the next day. I would not be exaggerating if I say that a typical working day of a Judge is 12 hours or more. Considering the long hearings that we hold in many complex matters, many reserved judgments take several days to painstakingly pen down after going through several drafts. Judging is not an easy task and it requires time. The general opinion of the members of the public that Judges have it too easy, because they have a 5 day week and also have summer

and other breaks, is a result of their ignorance of the amount of workloads that judges carry, the way they work, and the kind of effort that goes into their business of judging. Practically every vacation or break that I have had ever since I became a judge, has been spent, in substantial part, in writing or completing judgements. That explains why there is a flurry of pronouncements soon after the reopening of courts after the breaks.

I had the good fortune of opening my innings with Justice Madan Lokur. I then got the opportunity to sit with Justice A.K. Sikri- my guru from the law faculty, Justice Manmohan Sarin, Justice Mukul Mudgal, Justice Sanjay Kishan Kaul, Justice Gita Mittal, Justice Anil Kumar and Justice Ravinder Bhat. Each one of them had their distinct style of working, and I learnt a lot from each one of them. I cannot thank them enough for the learning that they imparted to me. They were all very patient with me, gave me full opportunity to participate in the deliberations, and

even respected me for my independent views, even if they did not always agree with me.

The good thing about judgeship is that you learn on the job and the bar is your teacher. I must say that I always found the members of the bar very well prepared, co-operative, considerate and respectful, despite my ignorance in many branches of the law that I had to deal with as a Judge. The members of the bar were very patient with me and kept upgrading my knowledge and broadening my horizons. When I sat on the Single Criminal Bench, I was particularly worried, not having ever practiced as a lawyer on that side. However I got full co-operation from the members of the bar, particularly the public prosecutors assigned to my court, namely, Shri Pawan Sharma and Shri Manoj Ohri, who now adorns the Bench. The only sensible thing I did was that on the first day I sat, I made known my handicap and expressed my willingness to learn from them. I requested the members of the Bar to show me the legal provisions of the Cr.P.C and IPC etc., and the judgments

they wish to rely upon, even if they thought they were elementary. I want to tell my young friends at the Bar that with a little effort it is possible to upgrade your knowledge on any subject. But while doing so, please don't adopt short cuts; don't be in a hurry and take your time to understand the fundamentals as well as the finer nuances of the law which is the subject of your study.

I have also enjoyed heading the Division Benches and while doing so, handling practically all jurisdictions. I had the good fortune of having, as my bench partner, Justice Deepa Sharma, Justice PS Teji, Justice Rekha Palli, Justice Sanjeev Narula, Justice IS Mehta, Justice AK Chawla, Justice Rajnish Bhatnagar, Justice Jasmeet Singh, Justice Dinesh K. Sharma, Justice Naveen Chawla, and Justice Sachin Datta. I also got the opportunity to have several others as my bench partners due to exigencies of work, including Justice Waziri, Justice Jyoti Singh and Justice Prateek Jalan to name a few. I got full co-operation, support and guidance from each one of them and

I shall always remain grateful to them for the same. I relied on each one of them to help write the reserved judgments, and neither of them ever declined or failed me. I want to thank each one of them for their companionship on the bench.

We have seen the number of Judges in this court rise and fall over the years. The disposals of the court, as a whole, greatly depend on the working strength of the court. Low judge strength not only puts strain on the judicial system, but results in putting the serving judges through tremendous amount of work pressure. The entire burden, which ideally should be shared by the full complement of judges, falls of the reduced numbers in office. That slows down the disposals as the boards of all the Judges get chocked. It also has an impact on the quality of judgments that the judges deliver as there is dearth of time to carry out research and work on reserved judgments. It actually robs the judges of the joy of judging.

The process of appointment of judges, over the years, has become more time consuming and more uncertain. This has

dissuaded many truly meritorious Senior Advocates and other advocates from giving their consent to be considered by the collegium of the High Court for recommending their names for judgeship. In my humble view, this aspect needs to be urgently addressed, if we wish to attract the best talent to the bench.

Quite a few years ago, there was a time, when we had a reasonable bench strength and the entire court worked full steam. During those days this court actually saw a reduction in the pendency of cases. Unfortunately, the appointments did not keep pace with the retirements/ transfers/elevations and the tragic and untimely demise of Justice Valmiki Mehta. We saw our numbers slowly going down. Resultantly, we also saw the disposals fall, and the pendencies again started to creep up. The ongoing pandemic also put a spanner in the works, though, I can proudly say that thanks to our already digitized records and functional e-courts, and the dedicated computer committee headed by Justice Rajeev Shakhder and our computer branch, we quickly started virtual Courts and kept functioning very

efficiently. The courts were also able to take up final disposal cases which required urgent disposal.

We were reduced to 29 judges in the recent past, when we saw a quick recovery and now we are 47 in number. Looking to the caliber and enthusiasm of the new appointees, many of whom I had the privilege of swearing in, I am confident that the disposals will soon overtake the fresh filings, and we will again start seeing the pendency reduce. I wish to request all members of the Bar and all my colleagues to seize this opportunity and work in mission mode to dig deep and dispose off the oldest cases pending in the court, with special attention to the criminal matters where the accused are in custody.

The district judiciary is the backbone and the face of the judicial system in any state. Our district courts handle bulk of the litigation in the NCT of Delhi. The first introduction and interaction of the consumers of justice is invariably with the district judiciary. It is, therefore, important that our district judiciary functions efficiently, honestly, competently and

independently. On account of Delhi being virtually a City State, and the better conditions of service here, Delhi has emerged as the court of choice for those aspiring to join the judicial service. We have seen some extremely brilliant people join our judicial services at both the rungs. I am certain that the judicial officers will keep in mind the huge responsibility that lies on their shoulders and shall deal with the litigants with compassion. I would like to emphasize that to earn respect, one has to give respect. I appeal to the members of the Delhi Judicial Service and the Delhi Higher Judicial Service to give their best to achieve the objective of justice dispensation with honesty, integrity, independence and efficiency, all with a human face.

At this stage, I wish to share a realisation which dawned on me on assuming this office, and I was particularly reminded of the same while functioning as a senior judge of this court. I realised that we all hold this position as a public trust. It is that public trust that we have to discharge, and that can be done only with complete honesty. There is no room for any biases for or

against anyone or anything, either in court or outside it. We cannot have, much less pursue, an agenda. Whatever functions we discharge - judicial or administrative, have to be discharged objectively, on merit, and merit alone. In my view, if the institution of judiciary has to achieve its intended goal of dispensing justice without fear or favour, and in accordance with the Constitution and the laws, we have to function with complete integrity, honesty, independence and competence.

I am a firm believer in the existence of the supreme spirit. I can see how that Supreme spirit has throughout guided me throughout my existence. Whenever I have found myself at crossroads, that spirit has shown me the way and salvaged my situation. I spend some time everyday in prayer. I pray to express my sense of gratitude for all that the Lord has given me. I know that I did not deserve what I have been blessed with. It puts all my anxieties, stresses, angers and all other negative emotions to rest. It is like the process of letting all those negative energies getting earthed. The youngsters of

today carry a lot more stress than what we had to deal with when we were young. I strongly recommend to everyone, particularly to the younger members of the Bar, to try out this technique to relieve yourself of your stresses and to keep yourself steadfastly on the righteous path. However, don't think God will come to do your bidding without you doing anything except praying. You must do your duty to the best of your ability, and leave the rest to the almighty. I know I have been sermonizing all this while, but what else can you expect from a 60 year old man.

I have spent 5872 days in this court as a Judge till today. This, I consider as my great fortune. The only other judge who has had a longer tenure in this court was Justice Prakash Narain, who went on to become the Chief Justice of this court and served in that capacity for nearly 4 years and 7 months, as there was no policy then to appoint the Chief Justice from another State. While undertaking this journey on the Delhi High Court Express, I have seen 102 Judges and Chief Justices

board this train. At the same time, 73 Honble judges have de-boarded this train during this period for reasons of retirement, transfer, resignation, elevation and demise in office. Today it is my turn to get off this train. It would not be easy for me, having got so used to this court, first as an advocate and then as a judge. But I have to move on. And the good part is that I have been chosen to head the judiciary in one of the most beautiful States of India. It is considered as *Dev Bhoomi*. It has the most revered shrines and mother Ganges beckons me there. I look forward to be with my new set of brothers soon, who are leaving no stone unturned to welcome me. Uttarakhand is a new State. Being in the Himalayas, many parts of the State are remote. There is so much scope to do good work for the people there. I have had a connection with the state for over 20 years now.

I am also happy for this court, as Chief Justice Satish Sharma would take charge here as the Chief Justice of this Court. He comes across as a very gentle and decent human being apart

from being a great Judge. He carries the experience of a Chief Justice. I am sure he will receive your fullest support and cooperation to keep the flag of the Delhi High Court flying high.

Before I say goodbye, I must acknowledge those who have made me what I am. My grandparents late Shri Vishnu Kumar Sanghi taught me what *dharma* is, not as in a religion, but as in Rule of Law. He told me stories from the *Ramayan* and *Mahabharat*, and the lessons they carried. My grandmother was pure love incarnate. She would play with her grandchildren like a child herself, and pampered me and my siblings. My father was the oldest of the 9 surviving siblings and carried himself fully aware of his role and responsibility as the *bhaisahab* to all his siblings. I learnt from him how to be generous, patient, loving, caring, tolerant and forgiving. I learnt the techniques of legal reading and interpretation of law from him. His manner of analysing the law was very rigorous. But all that is a miniscule part of what he taught me by displaying his aforesaid qualities everyday. My mother taught me how to work

hard for others, even when you are tired and exhausted, and how to look after family and friends. Each of my uncles and aunts and my cousins have showered their love and affection on me and given me a great deal of confidence and sense of pride.

My sister Vasudha and my brother in law Sh Mukul Rohatgi have taught me how to be smart, professional, and well turned out. I can't thank Sh Mukul Rohatgi enough for being such an inspiration. I really miss seeing him in action, as he cannot appear in my court.

My second sister and my brother in law late Dr. K.K. Aggarwal have looked after me and the entire family whenever the need arose. After we lost Dr. Aggarwal to covid last year, we find ourselves completely lost whenever need for any medical assistance arises.

My younger brother Vivek, who is settled in USA and his family are a huge support to me and my family. He is the one I can, and do confide in.

My wife Gunjan and my parents in law have stood by my side and have always appreciated my convictions and principles. She has been my companion in happiness and sorrow, and she has given me two beautiful and loving daughters – Devangi and Chandrika. They are both married and my sons-in-law Utkarsh and Vivek are loving, caring and fully supportive of them.

I must also acknowledge the influence that Mr. Arun Jaitley had on me. He was instrumental in conditioning my mind to think of judgeship. Justice Avadh Behari and Justice Sikri not only taught me nuances of law, but also of life. Justice Sikri is my go to man for resolving all my dilemmas concerning ethical conduct. Justice Sanjay Kishan Kaul taught me how to deal with cases swiftly, and has always voiced his support for what he considers right concerning me, and others.

Judgeship meant that I could not meet my old friends at the Bar as frequently and as freely. But it also provided me with an opportunity to know and make friends with other Judges. We were five who were appointed simultaneously. Justice Kailash

Gambhir, Justice G.S. Sistani, Justice Muralidhar, Justice Hima Kohli and myself. We enjoyed a special bond amongst us. I found in Justice Sistani a true friend and guide. The two of us, with Justice Endlaw and Justice Manmohan, met practically every day after a hectic day in court, to have a cup of coffee together and to unwind, before again plunging into work. I have sorely missed their company ever since Justice Sistani and Justice Endlaw retired.

Without our support staff, we cannot discharge our functions effectively and efficiently. I have been fortunate to have received very able assistance from the staff throughout. Ms. Ambika Sharma, Mr. Suniel Lakhina, Mr. Bhupinder Singh Rohella and Mr. Sreeram have very ably served me as my private secretaries. Mr. Atul Sharma, Mr. Satish Gosain, Mr. Rakesh Sharma, and Mr. Lokpal have very efficiently acted as my Court Masters. Mr. Surender Singh and Mr. Narrotam have helped me find all the relevant law books as my ACM and Restorer. Mr. Nitin Khanna and Ms. Komal Dhawan served me

very efficiently as competent stenographers. My usher Prem is the cutest usher in the High Court and very dedicated towards me. Ganesh, Puran, Rafiq, Harish, Narayan and Ram have made life so much easier and made it possible to carry this load thus far. My drivers Govardhan and Jai Prakash are very responsible and careful drivers, and are ever ready to serve. Mr. Naresh Garg, Registrar, and my PPS ever since I took charge as acting Chief Justice, has rendered very good service even at late hours, to make it possible for me to discharge my responsibilities as the Acting Chief Justice.

My legal researchers have served me very well all along. I acknowledge the hard work put in by them, including by Abhipriya, Apoorva and Kriti, particularly in the last three months.

I must also acknowledge the assistance rendered by Mr. Ravinder Dudeja, the Registrar General and Ms. Aditi Chaudhry, the Registrar Vigilance in the discharge of my duties as the Acting Chief Justice.

Mr. Kanwaljeet Arora, who was serving as the Member Secretary of the DSLSA till recently, did all the hard work there, and gave all credit to me. I am certain he will continue to discharge his duties in the administration of this court equally efficiently and diligently.

I take this opportunity to thank the Registry for facilitating e-filing of cases, holding of virtual courts during the peak of the pandemic and overall smooth functioning of this Court on the Administrative side, which allow us, the Judges, to discharge our duties hassle-free. I express my gratitude to the filing and listing branches, who are always available, whenever required. I also thank all Branches of this Court and its staff members for their excellent support in my journey.

Let me also take this opportunity to thank the officers posted in three pivotal branches of our Court – the Protocol, Medical and P&P branches. These three branches work tirelessly and painstakingly all throughout the year, 24x7 – rendering all kinds of assistance to the Judges, so that they do not face any

inconvenience in their personal spheres of life. They are readily available on call - day and night, and always give the best. They did a tremendous job, especially during Covid times. The Medical Branch worked tirelessly, and performed all their duties during Covid times, even at the risk of putting their lives at stake.

Congratulations and accolades are also due to the Officers working in the General Administration and BMCC branches for the good work they have been performing.

I also owe apologies to each and everyone I may have hurt by my words or action. I am human, and to err is human. I would only say in my defence that my intention was never to cause any injury out of anger or malice. I leave this court with no regrets or complaints. I wish you all well. God bless you all. I sign off with the words ... *ab tumhare hawale delhi high court saathiyon.* Namashkar.