

SPEECH

My Lords, Hon'ble the Chief Justice of High Court of Delhi, Mr. Justice M.K. Sharma and his Hon'ble Companion Judges, Mrs. Justice Reva Khetrapal, Mr. K.C. Mittal, President of Delhi High Court Bar Association, Central Government Standing Counsels, Ms. Mukta Gupta, Standing Counsel for Delhi Administration [Criminal], Mr. J.R. Midha, Standing Counsel for Delhi Administration [Civil] Additional Standing Counsels and counsels for various other bodies and statutory authorities, Mrs. Savitri Khanna, Mr. Rajiv Khanna, Mrs. Ruchi Sindhvani, Mr. Rajiv Sindhvani, Ms. Anu Goswami, Mr. Justice N. N. Goswami, Retired Judge of this Hon'ble Court, & other family members of Late Mr. P. C. Khanna, my esteemed colleagues, Ladies and Gentlemen.

2. Mr. P. C. Khanna a Senior Advocate of this Hon'ble Court was born at Takht Hazara in West Pakistan on the 24th of June, 1924. He completed his graduation in Commerce from Shri Ram College of Commerce, standing first in the College. He studied for his LLB from Delhi University. He was enrolled as an Advocate with the Bar Council of Delhi in the year 1952 and had almost 55 years of successful practice. He joined Journalism for a short time and thereafter he joined the Bar in Delhi and worked in the Chambers of his father, Shri A. N. Khanna, and uncle Shri Veda Vyas who were very well known and masters in the field of Company Law. After the initial period of training there was no looking back for him as success followed and he rose to be the most sought after Corporate Lawyer. Even though his main area of practice was Corporate Law, at which he was a master, he had also practiced on other fields of law, including, Criminal Law. He had established a unique niche for himself in the legal profession.

3. Mr. P. C. Khanna was brought up and grew in a conducive legal and judicial atmosphere. His father Mr. A. N. Khanna was a renowned Company Lawyer. His paternal uncle Prof. Veda Vyas was the authority not only in Company Law but in other laws as well. His father-in-law Justice K. L. Goswami was judge of Circuit Bench of the then East Punjab High Court and his brother-in-law, Justice N.N. Goswami (Retired) was a Judge of this Hon'ble Court.

4. Even though he was always cool, unruffled, sober, gentle, noble, well-mannered and disciplined Advocate yet he was firm in his belief about his case and always argued his cases with great clarity of thought and mind. He was always polite and respectful to the Hon'ble Bench, his colleagues and opponents and never had any ill-will against his opposing Counsels. He was full of affection towards all. A nature's gift which is inherited by the family.

5. Mr. P. C. Khanna had trained a number of juniors including Late Justice M.K. Chawla, a retired Judge of this Hon'ble Court, Justice S.S. Chadha, a retired Judge of this Court, Mr. P. N. Lekhi a well-known and well-respected Senior Counsel practicing in this Hon'ble Court and the Hon'ble Supreme Court, his daughter Justice Reva Khetrapal, now a sitting Judge of this Hon'ble Court, his brilliant son Mr. Rajiv Khanna who is the President of Indo-US Chamber of Commerce for the past several years, his daughter Mrs. Ruchi Sindhwani, Additional Standing Counsel for the Government of NCT of Delhi, son-in-law Mr. Sanjiv Sindhwani also a practicing lawyer of this Court and his niece Anu Goswamy, is practicing at the District Attorney's Office at Washington DC.

6. He was always a symbol of confidence and coolness. He was highly respected for his honesty, integrity, sincerity and knowledge of law. I had the pleasure and opportunity of working with him in few matters and he was always fully prepared. He had a passion for work. He was part of the profession and he never deviated himself from the ideals of a true lawyer and profession. By his death the profession has lost not only a noble soul but a true professional in the real sense. A man on whom one could depend for his honesty, for his integrity, for his attachment, involvement to the brief and cause of the brief.

7. I remember, even in his last days, when I was doing a case opposing him and when the Hon'ble Judge felt that the matter should be sorted out after obtaining instructions from the client, I gave some proposal for an alternate plot. He stood to his guns and said politely and firmly 'No'. His client was entitled to a place for an Ice factory in Khan Market and he could only press for that. Such was his firm belief in his case and passion for his client.

8. The Law Reports are testimony to his knowledge. He had argued the case of National Conduits (P) Ltd. Vs. S.S. Arora (1968) 1 SCR 430 before a three Judge Bench of the Hon'ble Supreme Court of India opposing his father. The law in regard to the advertisement of a winding up petition was laid down in that case. Similarly, he argued before the Hon'ble Full Bench decision of this Hon'ble Court the case of Print Pak Machinery Ltd. Vs. Jay Kay Papers Conveters AIR (1979) (Delhi) 217 wherein the law in relation to the original side rules was laid down and it was held that the rules will prevail over the Code of Civil Procedure. In Shakuntala Rajpal Vs. Mc.Kenzie Philip (India) Pvt. Ltd. 1988 (64) Comp. Case 585 it was laid down that even the legal

representative of a deceased shareholder had a locus standi to seek winding up of a company. Few of his celebrated cases where Late Mr. P.C. Khanna had argued and law was laid down include the following :-

- (i) Kalra Iron Stores Vs. Faridabad Fabricators Pvt. Ltd. 1992 (73) Comp. Case 337;
- (ii) Suresh Kumar Sanghi Vs. Supreme Motors 1983 (54) Comp. Case 235
- (iii) Saroj Maira Vs. Steelsons Pvt. Ltd. 1974 (2) ILR (Delhi) 190;
- (iv) Moti Films Pvt. Ltd. Vs. Harish Bansal 1982 (21) DLT 150 (DB).

Besides the above, there are large number of other cases which I am not mentioning.

9. I share the grief of his talented family of jurists and lawyers, Mrs. Savitri Khanna, his widow, Justice Reva Khetrapal, his daughter, Mr. Rajiv Khanna, Mrs. Ruchi Sindhwani, his son and daughter, Mr. Rajiv Sindhwani, his son-in-law, Ms. Anu Goswami, his niece and Mr. Justice N. N. Goswami (Retd.) brother-in-law & other members of the family. I feel that the Bench and the Bar have also suffered an irreparable and incalculable loss.

10. I, on behalf of the Government of India, my esteemed colleagues, Central Government Standing Counsels and other Government Counsels request the Hon'ble Chief Justice of the High Court of Delhi to convey our heartfelt condolences to the members of the bereaved family. May his soul rest in peace and may God bestow courage and fortitude on the grieving family to bear this irreparable loss.

(P. P. MALHOTRA)
Additional Solicitor General of India

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