

**FULL COURT REFERENCE HELD ON 16<sup>TH</sup> JANUARY, 2020**  
**AT 3 P.M. ON THE SAD DEMISE OF LATE JUSTICE SURJIT**  
**SINGH CHADHA, FORMER JUDGE, HIGH COURT OF DELHI**

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**JUSTICE D. N. PATEL**  
**CHIEF JUSTICE**

My esteemed brother and sister Judges,  
Smt. Maninder Acharya, Additional Solicitor General,  
Shri K.C. Mittal, Chairman, Bar Council of Delhi,  
Shri Mohit Mathur, President, Delhi High Court Bar Association,  
Shri Jatan Singh, Vice-President, Delhi High Court Bar  
Association,  
Shri Abhijat, Secretary, Delhi High Court Bar Association,  
Shri Ramesh Singh, Standing Counsel (Civil) Govt. of NCT of  
Delhi,  
Standing Counsels of the Central and State Government,  
Executive Members of the Delhi High Court Bar Association,  
Office Bearers of Bar Council of Delhi and other District Bar  
Associations,  
Senior Advocates,  
Members of the Bar,  
Family members of Justice Surjit Singh Chadha,  
Ladies and Gentlemen,

We have assembled here today to express our profound sense of sorrow on the sad demise of Justice, Surjit Singh Chadha the former Judge, High Court of Delhi. Justice Chadha breathed his last on 9<sup>th</sup> December, 2017.

Justice Chadha was born on 2<sup>nd</sup> June 1927. He did his graduation in Bachelors of Arts and thereafter completed his Law degree.

Justice Chadha started his legal career as a Pleader on 16<sup>th</sup> January, 1956 in the Punjab High Court and as an Advocate in the same High Court on 31<sup>st</sup> May 1957.

Justice Chadha practised on the Original and Appellate sides of Civil and Criminal in the District and Sessions Court. He enrolled as an Advocate in the Supreme Court of India on 21<sup>st</sup> September, 1959. He shifted his practice to Circuit Bench of the Punjab High Court at Delhi. He also conducted and handled Criminal cases on behalf of the state from 1965 to 1967.

In 1967 Justice Chadha was on the panel of Central Government standing counsel and since January 1972 till the elevation he worked as First Central Government Standing Counsel in this High Court. He was also on the senior panel of Advocates, for the Northern Railway administration, state of Punjab and Haryana.

Justice Chadha was appointed as additional judge of this court from 18<sup>th</sup> December 1974 to 14<sup>th</sup> March 1977 and he became permanent judge of this Court on 15<sup>th</sup> March 1977. He demitted his office on 1<sup>st</sup> June 1989.

Throughout his distinguished career as a Judge, Justice Chadha has delivered many landmark judgements, few of which deserve special mention. In the case of **Wimco Limited v. Meena Match Industries**, Justice Chadha observed that "Publication" meant the opposite of being kept secret. While interpreting the word publication within the meaning of the Designs Act, 1911. He further observed that a publication is considered published if, a design is no longer a secret. There is publication, if the design has been disclosed, to the public or the public has been put, in possession of the design.

In the case of **Raj Kumari Sharma v. Rajinder Nath Dewan and Ors.**, While ascertaining the intention of a testator in his will, Justice Chadha observed that, in construing the Will the Court has to endeavor to ascertain the testator's intention which is the sovereign guide. He further observed that the intention of the testator is primarily to be collected from the Words used by the testator himself. If there is no ambiguity in the terms of the Will, then no extrinsic factors are admissible in construing the Will.

In the case of **Banarsi Dass v. Smt. Shakuntala**, the moot Question before the Court was, whether the contract of subletting entered into by the tenant without obtaining the

written consent of the landlord was void ab initio and not enforceable by the tenant against his sub-tenant. Justice Chadha observed that subletting is not absolutely prohibited under the Act but merely regulated and held that a contract of subletting entered into without the written consent of the landlord is not void or unenforceable.

In the case of ***Sardari Lal v. Ram Rakha***, the Question of Law before the Court was, whether the undertaking, if any, given by a party in Court is the same as an undertaking given by the party to the Court. Justice Chadha observed that the expression a party "undertakes" or "gives a solemn promise" used in the statements of the parties or their counsel, or in the orders and decrees of the Court, unless the context otherwise suggests, means an implied undertaking to the court.

After retirement from this Court in 1989, He was appointed as a Member of the National Consumer Disputes Redressal Commission (NCDRC) and also served as a Chairman, High Level Settlement Committee for NPA accounts of Punjab and Sind Bank.

Justice Chadha set a very high standards of integrity earning him a name, as the judiciary's conscience keeper. He maintained absolute integrity, punctuality and promptness throughout his career.

Justice Chadha is survived by his wife Mrs. Tej Chadha and two daughters Mrs. Ishi Sistani, Mrs. Sumit Mamak Chadha and one son Mr. A. S. Chadha, who is a Senior Advocate of this High Court and daughter-in-law Mrs. Reema Chadha Anand.

I, on behalf of my brother and sister Judges, and on my own behalf convey our heartfelt condolences to the members of the bereaved family and pray to god to give them strength to bear this irrecoverable loss. May almighty bestow peace to the departed soul.

**(AFTER REFERENCE BY LAWYERS IS OVER)**

As a mark of respect to the departed soul, we shall now observe silence for two minutes.

(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 soul, the working in the Court is adjourned for the rest of the day."