

FAREWELL SPEECH OF  
HMJ M.L.MEHTA,  
JUDGE, HIGH COURT OF DELHI

- My Lord Hon'ble the Chief Justice, my Brothers and Sisters Judges,
- Mr. A.S.Chandhiok, learned Addl. Solicitor General & the President, Delhi High Court Bar Association,
- Mr. Rajiv Mehra, learned Addl. Solicitor General,
- Mr. Surya Prakash Khatri, Chairman, Bar Council of Delhi,
- Mr. J.P.Sengh, Vice-President,
- Mr. Mohit Mathur, Hony. Secretary of Delhi High Court Bar Association,
- Mr. Pawan Sharma, Standmg Counsel (Crl.),
- Ms. Zubeda Begum, Standmg Counsel (Civil),
- Executive Members of Delhi High Court Bar Association, Office Bearers of other District Bar Associations,
- Senior & Junior Advocates,
- Disuict & Sessions Judges,
- Principal Secretary (Law & Justice),
- Law Researchers,
- My family members,
- Ladies and Gentlemen.

I am highly grateful for the kind words spoken about me, which have indeed touched me. Kindly accept my gratitude for the same.

It is often said that demitting an office is a sorrowful event. No doubt departing from the near and dear ones, and from those with whom one has worked closely and shared views and expressions, do contain elements of sorrow. But in my case, when I look back, I really do not find there to be any cause of sorrow. Rather for me, it is a feeling of having performed satisfactory the task assigned to me by the almighty with sincerity.

This day of my retirement takes me back to the day when I joined judicial hierarchy as Civil Judge on 20<sup>th</sup> May, 1977. From that day till today when I retire as a judge of the High Court of Delhi, I have got exposure in various jurisdictions at the District level as well as in the High Court. The guiding force throughout has been the will to

learn and grow That guiding force did not keep me limited to law but also exposed me to facets of psychology, philosophy, sociology, science etc.

Our High Court, in addition to the quality and transparent judicial system, is also a leader in the country of innovative ideas of expeditious and economical dispensation of justice. It was the first in the country to do the computerization of the District Courts. Then, it was again the first in the country to initiate a pilot project in Mediation in the District Courts, which has not only grown but expanded in due course of time to the other District Courts across the country. Further, ~~within~~ the premises of the High Court, a novel and unique model of mediation was started and which again was the first of its kind in the country. This center attained its uniqueness and is still incomparable. The other leading achievement of this court has been the Arbitration Centre, which again is credited as the first of its kind in the country as a conceptual

framework of the Constitution. Both Mediation and Arbitration Centers are functional in full-fledged manners. The credit for both these institutions' success certainly goes to the bench and bar of this court.

The Chief Justice of a High Court is the Head of the Institution and a lot depends upon him for the growth and development of the members of the Institution. This High Court has been very fortunate to have excellent Chief Justices for the last several years. Words fall to express my appreciation and regards for the then Chief Justice and his collegium, who brought me to this Court. Each new Chief Justice has been seen to be possessing some exceptional and extraordinary qualities. The legacy continued with the person presently occupying the position of Chief Justice. Hon'ble Chief Justice Ramana is a symbol and role model of humility, compassion, firmness and wisdom. I express my heartfelt gratitude to Chief Justice Mr. Ramana, who within a short span of time has left a mark of these

remarkable virtues. Sir, the entire High Court, the officials of the Registry, Bar and the District Judiciary has been fortunate to have you as a Chief Justice. You are indeed a role model for all of us.

Our High Court consists of outstanding Judges, who have not only excelled in their judicial work, but have become the leaders in the country in achieving new heights in various fields related to law such as IPR, IT Laws, Mediation, Arbitration, E-Courts etc. It is not that I being a judge of this court that I am saying these words of appreciation. I am saying it with conviction since it is the talk of legal fraternity across the country of the contribution of the Judges of this court towards the growth and development of law. It is a matter of pride for this High Court that all the brothers and sister judges have kept up the reputation of integrity, knowledge and wisdom, and are meeting the high expectations of the society. I am

glad to be a part of this Institution and pray that this reputation is well maintained for all the times to come.

Coming to our bar, its quality can be assessed from the fact that most of the lawyers of this Bar are in dominance in the Supreme Court and regularly appear in the other High Courts as lead counsel. It is primarily because of their professional acumen that the High Court has achieved the level of legal maturity desirous of the leading High Court of the world's largest democracy. I am thankful to Mr. Chandhiok, President, Mr. Sengh, Vice-president and Mr. Mathur, Honorary Secretary, Delhi High Court Bar Association and all the Members of his team as also all the seniors and junior lawyers.

It is not only the efficiency of the judges and the vibrant bar that has brought prominence to our High Court as a premier institution, but the Administrative Department of our High Court is equally recognized for its efficiency and

superior management. All the credit goes to the officers and officials of our Registry. *All* the lawyers having got experience of appearing in other High Courts would acknowledge and recognize this fact with one voice that our Registry excels all others in efficiency and management. I would request our learned Registrar General to convey to the officers and officials of the Registry my regards and appreciation of their work. I am extremely thankful to my personal staff i.e. my Private Secretary-Sanjeev, Stenographers-Ad and Awanish, Court Master-Kamal and Restorer-Rajender and last, but not the least, the law researchers-Kishore and Rachel. You all have worked hard for me and I am highly indebted to you. The number of judgments and orders which I have been able to deliver in my tenure, would not have been possible without all your hard work, dedication and perseverance.

The efficiency of an institution, to my mind depends upon how efficiently it addresses its tasks. That applies to our

institution as well. The efficiency would not be measured by the decrease of docket, or disposal numbers; but by the increase of docket and its efficient as well as quality disposal. Thus, in addition to strengthening our infrastructure, we need to address the issues from the perspective of the Litigants and the public at large. As it is said that there comes huge responsibility with the chair, it applies with more seriousness to the chair of a judge. It is not only that people look towards us for a decision of their dispute, but they expect high standards of moral responsibility from us. That makes the task more difficult and onerous. The person getting the turn of his case at the end of the day, expects at least similar treatment from us as in the case heard at the beginning or during the course of the day. He is only concerned with his case, unmindful of the fact that we are exhausted or tired. That is the real testing and trying time for us to demonstrate fair treatment to him with the matching enthusiasm and energy, despite of our being tired or exhausted.



To provide each and every citizen their meaningful right of access to justice, we need to devise more and more models of addressing their grievances at different levels. Mediation and Arbitration are universally recognized modes of resolution of disputes. We certainly need to encourage and further promote these programmes. The lamp of the Mediation, which was lit sometimes back and has been burning till date. I am confident that this will continue to burn to its full flame.

What I have been able to contribute on the judicial and administrative side of this Court, seems to be a tip of the ice-berg, as I am of the view that still much more could be done. For all that I have done, I am fortunate to have the guidance and advice of my senior colleagues and also the Chairmen and Members of different committees. I am extremely thankful to all of them for having given their proper guidance and advice and for valuing my views.

In the last, I must say that being a human being, and having regard to the nature of work, I might have committed mistakes and discomforted many in my 36 years' service. So far as mistakes are concerned, these are natural for any human being, but, yes, I always tried to learn from mistakes not only of self, but of others as well. I tried to follow Khalil Gibran, who said somewhat like this:

*“I learnt silence from the talkative; tolerance from the intolerant; and kindness from the cruel”.*

So far as my having discomforted anyone in the Court or outside, I may say with all seriousness that it was not intentional and certainly, not with any malice. It was temporary and in the interest of this Institution. At the end, I would say that with the grace of God, I am going with the unblemished long career and a sense of satisfactory performance of destined roles. This is all due to the love and affection and well-wishes of all of you.

I am highly indebted to my parents, who fulfilled all my needed requirements not only during studies, but even thereafter. I am also thankful to my wife Asha and my children Prachi-Puneet and Prashant & Shreya, who have often remained ignored from my side, but have been constant source of inspiration and my reason to perform better and better. I am equally thankful to my siblings and my other family members for being with me. I am also extremely thankful to M/s. JAMS Foundation, particularly, Judge Mr. Daniel Weinstein and Ms. Rebecca Westerfield, who have enlightened me on various facets of Mediation and are the source behind my motivation in Mediation. And last, but not the least, I thank each and every one of you present here for having spared your time for being with me at this full court.

Wish you all a Merry Christmas and Happy New Year, 2014. Thank you.