

FAREWELL SPEECH - JUSTICE A. K. CHAWLA

Ms. Justice Hima Kohli- the puisne J-1,

My esteemed Brother & Sister Judges

Sh. Chetan Sharma , Ld. Addl. Solicitor General of India

Sh. Rahul Mehra, Standing Counsel (Criminal) , Govt. of NCT Of Delhi

Sh. Ramesh Gupta, Chairman, Bar Council of Delhi

Sh. Mohit Mathur, President, Delhi High Court Bar Association

Office bearers of Delhi High Court Bar Association

President, Secretaries of the District Court Bar Associations

Senior Advocates,

Members of the Bar

Ladies & Gentlemen

At the onset, I must say that I am eternally grateful for the kind words spoken about me, which I shall ever cherish.

Today, as I demit office having spent over 23 years on the Bench- with little contribution I could make with an endeavour to give my best, my career - I would say, is an attribute to some extraordinary people having come in my life who helped me to get on & navigate the difficult terrain but the noble task of justice dispensation.

I graduated law from Kurukshetra University in the Year 1982 having done schooling up to Higher Secondary with

Kendriya Vidyalaya No. 1 and Graduation in B.Sc. (Non- Medical) in the year 1978, at Ambala Cantt. (Haryana).

My life got into turbulence when my father expired & I was 17. My father was in service with Railways and my mother - a homemaker. The four siblings & our mother did not have much to fall back upon financially but for the family pension. One of my brothers actually left the studies and went away to stay with my maternal uncles, who were in business. I however continued with my studies with the support my family members. When I completed graduation I was desperate to get some employment but would not come the way early. Thus, I decided to join law course from Kurukshetra University at Kurukshetra commuting up & down by Rail or the bus on daily basis. By the time, I had completed the 1st year of the 3 year course - I got an offer to join an industry located at Parwanoo (Himachal Pradesh) as Quality Control Inspector. Desperate to go financially independent, I went away and joined there. I worked there for about one year but quit it, as I felt that this path may not fulfill the ambitions I aspire for. Thus, I came back to complete my law course and did so with full support from all my elder brothers Sh. Avinash Chawla, Sh. Kavinder Chawla and Sh. Ashwani Chawla. Here, I may only recall, during the foregoing period one of my elder brothers having done law had gone to stay with another Mamaji (Late Sh. Kartar Nath Gambhir ji) - who was an illustrious Advocate in Punjab and thereafter, started a struggling phase of his own practice at Ambala. I however, chose to shift to Delhi.

Coming to Delhi , I got the opportunity to join the Law Firm of Mr. H. L. Tikku , Senior Advocate . At that time Mr. K. S. Katari, Advocate was his partner. Ms. Suman Bagga, Advocate was already working there. On my joining this office, I would generally assist Mr. Tikku for the High Court and Supreme Court matters and in the process, was a regular visitor to this Court for almost 3 years. For about 6 months thereafter, I attended Tis Hazari Courts with Mr. Katari. This first

brush of a professional life in Mr. Tiku's office- which was healthy & reposed confidence in me, set the ball rolling for my future. Mr. Tiku gave me several opportunities to address the court in his matters having inquired as to what issues I was going to agitate and the law involved, at times, watching my performance in the court sitting in the rear. It was Mr. Tiku, who never introduced we young Advocates to anyone (either in the court or when we went for a conference or to any of the clients), as juniors but for referring to us as his younger colleagues. Hat's off to you Tiku Sir. I have always remained indebted to you & shall ever remain so for the guidance and the love & affection you showered upon me and made me stand on my own legs. I also thank Sumanji for her unstinted support she always extended to me.

I decided to start my own independent practice having spent almost 3-1/2 years. At this point of time, Justice G. P. Mittal- who at that point of time, was a part of the District judiciary and had been a colleague & a friend of my elder brother, extended moral support and on ad-hoc basis with Justice Mittal's younger brother, I started working from a chamber at Tis Hazari & and a make-shift office space at Madarsa Road. With the passage of time we got on the panels of Canara Bank & PNB respectively and as the work grew, we shifted to a regular office space at Filmistan. It was all happening as within the family, with Justice Mittal being always available for guidance and support as an elder Brother. During this period , I came in touch with an exceptional personality- who always treats me as his own younger brother - Sh. Rakesh Kapoorji- the Ex. Registrar General of this Court and who demitted office as the District & Sessions Judge (Hqrs.). Both Justice Mittal and Kapoor Sahab have always showered their blessings on me and I beseech their blessings in future as well.

At some later point of time I came back to Madarsa Road to restart my separate regular office and got married in the year 1986. All this while however I remained associated with Mr. Tiku and almost a

regular visitor to his office and that brought me in touch with Mr. B. L. Wali , Advocate besides a few other Advocates working for Mr. Tiku. My joining judiciary, I somewhat owe to Mr. Wali. It was Mr. Wali who prompted me to apply for DHJS and got me the application form. Thank You, Wali.

I got appointed to DHJS on 21.04.1997 and worked in diverse jurisdictions and capacities. During this course, I got several opportunities to interact with Justice A. K. Sikri, Justice Madan B. Lokur and Justice Manmohan Sarin. Every interaction with them encouraged me to perform better than before.

My elevation as a Judge of this Court on 08.11.2016 was however mired in difficulties- for a fault, which I owe to myself and none else. I know for myself that sometimes my heart over reaches the mind or over-reacts and it creates some frictions and the difficulties, which are otherwise avoidable. In the process, any hurt I caused, I would seek to be excused by one and all.

Justice Sikri and Justice Sarin, I troubled a lot during the period preceding my elevation to this Court . The magnanimity of Justice Sikri and Justice Sarin has no bounds. They always listened to me with much patience and guided me in the right perspective as 'Gurus'. I shall remain indebted to both Justice Sikri and Justice Sarin for all times and place on record my deep sense of gratitude for both of them and that, I do so with humility at my command.

On the Bench of this Court I have spent about 4 years. During this short period however, this court granted me the opportunity to be a part of the regular Benches headed by Senior Hon'ble Judges - Justice Indira Banerjee, Justice S. Ravindra Bhat, Justice Sanjiv Khanna - who are now the judges of the Supreme Court, Justice Hima Kohli , Justice Vipin Sanghi and on a few

occasions, the Division Benches headed by Justice Gita Mittal, Justice G.S.Sistani, Justice S. Muralidhar, Justice Siddharth Mridul, Justice Sanjeev Sachdeva & Justice Sunil Gaur- who has since demitted the office. I had one thing or the other to learn from them and I place on record my deepest gratitude for each one of them. The Division Bench- Justice Navin Chawla and I shared for a few days of a week during summer vacations- was an experience, which I enjoyed thoroughly.

I revere, all my Seniors and my other Brother and Sister colleagues without any exception. I may not name them specifically, as everyone knows it well. All are dear to me and I hold them in high esteem.

I take this opportunity to place on record my expression of gratitude for Justice N. V. Ramana, Justice G. Rohini, Justice Pradeep Nandrajog and Justice B. D. Ahmed for their contributions in my judicial career.

Justice T. S. Thakur, Justice Sanjay Kishan Kaul, Justice Anil Kumar, Justice R. C. Chopra, Justice V. B. Gupta, Justice V. K. Jain and Justice Ajit Bharihoke- who have been inspirational to achieve my goal, command a special mention and I shall ever remain grateful to them for their contributions.

Our Chief Justice - Sh. Justice D. N. Patel is leading this court steadfastly and with his experience, carries forward the interest of the institution and everyone part of it, without inviting any dissent from any corner. His lordship carries an aura- which is full of warmth and exceptionally positive. Thanks indeed Sir for all the kindness extended .

Judges' job is to impart justice and I am demitting the office today with the fullest satisfaction of having well discharged my

such pious responsibility as per the Constitutional framework - be it the District Courts or this Court. Here, I may only recall that throughout my judicial career I never experienced any confrontation with any Bar. This achievement of mine was made possible by the Learned members of the Bar and I acknowledge their contribution wholeheartedly and with folded hands. Thank You, all the Bar members, their respective Bar Associations and the office bearers of the past and the present.

My Law researchers *especially* Ms. Nikita Capoor, Ms. Khushboo Mittal and Ms. Pooja significantly contributed in my judicial work with their full dedication and I place on record my appreciation for each of the law researchers.

My journey as a lawyer and as a Judge could not be successful without the unstinted support of my better half - my Wife Aarti. She has always been a pillar of strength for me and has always supported me - even in those decisions of mine, she had some reservations with. She has really enriched my life. My eldest daughter Aditi -who did law, is married to Mr. Paritosh Chauhan -an Advocate working with a Law firm at Gurgaon and doing corporate work. I am proud of both of them for their achievements and having learnt to live independently. My younger daughter Divya is married to Mr. Lakshay Anand, who is in business. They are also growing well and this January only blessed with a son- Aviraaj. My son Jayant has completed law and joined as a law researcher. He listens to us when convenient to him and has many lessons to teach us. To recall as an instance, as I am not computer savvy, it is him only who enabled me to hold virtual court effectively. I am confident, he will be successful in life treading the right path.

I must not forget to remember and thank the officers and the staff attached with my Court who worked relentlessly to enable me to perform my duty seamlessly. Mr. Deepak Masand, my PS, Ms.

Babita Haritash, Ms. Neetu Nair, PS, Mr. Awanish Chandra Mishra, Sr. P.A., Mr. Manmohan Mehra, Asst. Court Master, Mr. Rajender Kumar, Restorer, Mr. Amit Singh, Restorer, my personal staff- Dhirender Singh Negi, Rakesh Kumar, Manoj Kumar, Kamal, Kamlesh Patel, Sher Singh , my Chauffeur Baljeet, my PSOs Sandeep & Gayur Ali have always been available to me and extended their full support . Thank you all.

I am also thankful to the Officers and the staff of the registry for the support extended to me and my family members on the personal front besides the assistance for effective functioning of the court. Mr. G. R. Grover, Registrar(Protocol) and Mr. Desh Raj Chaudhry, Deputy Registrar (Medical) require a special mention in that regard as they attended to most of my subjects very efficiently without any demur. Ms. Anju Chhabra Khurana, Registrar(P&P) on her part well looks after the residence related affairs quite silently. Thank you all for your support in enabling me to concentrate on my judicial work and discharge my duty more effectively.

In the end I seek to be excused by one and all for any hurt or harm got caused on account of any act attributable to me during the discharge of my judicial functions or on the personal front. I won't do any harm to anyone consciously or with ill will.

Thank You