

**FAREWELL REFERENCE ADDRESS BY HON'BLE MR. JUSTICE  
MANMOHAN, CHIEF JUSTICE, HIGH COURT OF DELHI ON HIS  
ELEVATION AS JUDGE, SUPREME COURT OF INDIA**

My esteemed sister and brother Judges at the High Court,  
Shri Chetan Sharma, Additional Solicitor General of India,  
Shri Surya Prakash Khatri, 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 Sandeep Sharma, Secretary, Delhi High Court Bar Association,  
Shri Amol Singh, Additional Standing Counsel (Criminal), Govt. of NCT of Delhi,  
Shri Santosh Tripathi, 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,  
Judicial Officers,  
Officers of the Registry,  
Members of the Bar,  
Members of Print and Electronic Media,  
Distinguished Ladies and Gentlemen,  
A very good afternoon to all of you.

1. I thank all the speakers for the kind words that they have spoken about me. I am delighted and heartened to see so many of you gathered here. In the present times, often the biggest gesture is when you make time for occasions that matter to others.
2. During the last one year, as the Acting Chief Justice and Chief Justice of this Court, I have had the occasion to address multiple gatherings of this nature, but it is probably the first time that words are not easy to find. When you are about to part with an institution where you have spent more than three decades of your professional career, it is quite hard to find a starting point. As I sit here today, I cannot help but look back my journey in this great profession.
3. I must say it has been a very challenging and a very interesting journey. I am a first-generation lawyer. In fact, the first in my family to join the legal profession.
4. Initially I worked in J.B. Dadachandji and Co., a law firm, primarily with Mr. O.C. Mathur and Mr. J.B. Dadachandji. Both were great mentors and very caring. Mr. O.C. Mathur made me prepare fifteen drafts for the first Special Leave Petition that I drafted. At the end, he asked his clients to pay a special fee to me for drafting.

5. Mr. J.B. Dadachandji taught me to draft a Special Leave Petition in ‘reverse gear’ in case of an emergency by just adding two identical grounds and questions of law namely, the impugned judgment is contrary to facts and untenable in law and to give liberty to raise additional grounds, contentions and submissions during the course of hearing. He also taught me importance of wit, humour and humility.
6. Mr. Kapil Sibal, Sr.Advocate whose chamber I joined later on, taught me the importance of *‘not how much one reads but what one understands and how much one can convey to the Court’*.
7. More than anything else all the three taught me how to enjoy the profession and how not to get stressed about matters.
8. As a practitioner, I got the opportunity to handle various important matters in diverse fields of law which helped me evolve as a lawyer like Dabhol Power Company, General Electric Jack Welsh Research Centre, Claridges Hotel Dispute, Modi family dispute amongst others.
9. I received my first recognition from this Court when I was designated as a senior advocate in the year 2003. It was not in my anticipation that after five years, I would get an opportunity to serve on the bench of this Court.

10. Ever since I joined the bench on 13<sup>th</sup> March, 2008, I was acutely aware of the immense responsibility the post represented. The law is not just a set of rules but a living, breathing entity that guides our society, protects our rights and ensures justice. Each day on the Bench was a testament to my commitment to these ideals.
11. Over the years, I have had the privilege to decide many significant cases. Some of these cases have had far-reaching implications, impacting not just the parties involved but the entire society. In *Jaipur Golden Gas Victims Association Vs. Union of India, 2009 SCC OnLine Del 3357*, sitting with Chief Justice Shah, I incorporated and applied “EGG-SHELL SKULL” Rule which means that if it was reasonable to foresee some injury, however slight, to the claimant, then the infringing party is answerable for the full extent of the injury which the claimant had sustained owing to some peculiar susceptibility i.e. ‘a weak skull’.
12. In the case of *Mohd. Ahmed (Minor) Vs. Union of India & Ors., 2014 SCC OnLine Del 1508*, I held that Government must at the bare minimum ensure that individuals have access to essential medicines even for rare diseases like enzyme replacement. I further held that Government cannot cite financial crunch as a reason not to fulfil its obligation in treatment of rare diseases.

13. I was happy to read ten years later in Indian Express dated 18<sup>th</sup> October, 2024 that Mohammad Ahmed has not only survived the rare disease but plans to become a Doctor.
14. In *Justice for All Vs. Govt. of NCT of Delhi and Others*, 2020 SCC OnLine Del 1217, the Court held that every child has the right to access digital education during Covid-19 Pandemic. In this judgment, a number of directions were given to bridge the digital divide and to end digital apartheid.
15. To promote online access to law, a number of directions were issued to the Ministry of Law and Justice to add more content to the India Code website. I am happy to note that the India Code website is today one of the most go to website for youngsters searching for statutory provisions.
16. In *Shalu Nigam & Anr. Vs. The Regional Passport Officer & Anr.*, 2016 SCC OnLine Del 3023, it was held that for issuance of passport, mother's name is sufficient in most cases. It was further held that single woman can be a natural guardian as well as a parent.
17. In *Nokia Technologies Vs. Oppo Mobile*, 2023 SCC OnLine Del 3841 and *Intex Vs. Ericsson*, 2023 SCC OnLine Del 1845, in a Division Bench, I held that Standard Essential Patent (SEP) owners can pray for interim and final injunctive relief if an infringer is an unwilling licensee and Court can even

pass 'Pro-tem Security' order when implementer fails to make payments over use of SEP holder's technology.

18. Recently, I was a party to a number of orders and judgments whose intent was to improve Delhi's infrastructure. For instance, to infuse transparency, the Court directed that the Yamuna river water quality indexes must be displayed prominently at the point where sewage treatment nallas release treated water into the river. In the health infrastructure, the Court directed that the emergency wards of government and MCD hospitals must be guided by AIIMS teams as per the protocols of the All India Institute of Medical Sciences. In the dairy infrastructure matter, the Court directed that the health and welfare of animals must be looked after in order to look after the health and welfare of ordinary citizens. I was also a party to a Division Bench order that directed cleaning up of properties defaced during Delhi University elections prior to counting of votes.

19. But beyond these landmark judgments are countless other cases – each unique, each challenging – that have made this journey so enriching. I have witnessed the transformative power of the law, seen it heal wounds, right wrongs, and restore faith. Administering justice is not just about delivering

verdicts; it is about understanding the human stories behind each case, about empathy and compassion.

20. Justice has been, and continues to be, a constant endeavor and while serving on the bench, I have always tried to ensure that public faith in the judicial system is increased. After all, the real efficacy and credibility of a judicial system is measured by the public faith that it enjoys. I cannot say whether I have succeeded in achieving the same and honestly, that judgment never lies with the Judge. But I can say with certainty that I have felt a great sense of satisfaction in serving the cause of justice to the best of my ability.

21. In the life of a Judge, the most memorable days are those when he manages to bring a smile on the face of a litigant and this Court has given me plenty of those days to cherish for a lifetime.

22. To ensure under trials get a second chance at life, Delhi State Legal Services Authority commenced Project 'Saksham' under which jobs were offered to under trials.

23. In addition to judicial work, this Court has enriched me with immense experience on the administrative side. During the last one year, construction of three additional Court complexes have commenced in Karkardooma, Shastri Park and Rohini. Additional Court Complex at Rouse Avenue is

likely to commence shortly. During the last one year, I was also required to handle some extremely sensitive issues concerning the administration of this Court and the district judiciary of Delhi. I am thankful to my colleagues who gave me immense support in handling such issues. As a Chief Justice, it is of utmost importance to have the trust of your colleagues and I have been fortunate to have colleagues who have valued and respected my views on various issues of critical importance. We have always worked in a cordial environment and it is this cordiality amongst the colleagues that helps us get through the tough times. I thank all my brother and sister Judges in this Court for the cooperation extended by them from time to time.

24. As I am filled with a deep sense of gratitude, Delhi High Court has been home, a place where I have found purpose, passion and a sense of belonging. Thank you for being a part of my journey.

25. As I proceed to the Supreme Court of India, I can confidently say that this Court shall always hold a special place in my life. The experiences and learnings of this Court shall continue to guide me in the journey that lies ahead.

26. I am equally thankful to the members of the bar who have rendered great cooperation in my functioning as a Judge, sometimes at their own peril



because not all decisions are treated as favorable outcomes for the client. But what is important is that the dignity of the Court must be maintained at all costs and the bar of this Court has always maintained so. The bar and the bench are committed towards the common goal of Justice in the larger constitutional scheme and no Judge could claim to have found the path of justice without the cooperation of the bar. In the life of a Judge, a moment often comes when he is not familiar with the roster assigned to him and in such moments, the only true guide is the bar. In such moments, the patience of the members of the bar enables a Judge to perform at his optimum potential. The bar of the Delhi High Court is known for its independence, ethical standards and intellectual potential and with the brilliant infusion of young talent in the system, I am confident that the standards shall not be compromised in the future. I thank the Bar for its commitment and perseverance.

27. I want to express my heartfelt thanks to the Registry and my administrative staff. Your behind-the-scenes efforts often go unnoticed, but your role is crucial. The smooth functioning of our Courts depends on your hard work and dedication. I am thankful to the officials of the Registry, who not only carried forward my decisions in a systemic manner but also guided me on the

right path at various points of my career. I thank Mr.Kanwaljeet Arora, Registrar General and Mr.Pawan Jain, Registrar (Vigilance), the members of my Secretariat, my Private Secretary, my Court Master, my Stenographers and my law clerks for assisting me in the discharge of my duties.

28. I shall be failing in this address if I do not mention about the support and love of my family members including my mother, my wife and my daughter. One of the biggest human failings is our inability to express our emotions to those who are actually the closest to us. The life of a Judge is very demanding and despite efforts, one tends to compromise on innumerable occasions when it comes to family. I am truly grateful to each one of you for being my pillars of support and for understanding my commitments. There has never been a day when I have not missed my Father. My Mother, my wife Nutan and my Daughter Devika have been eye witnesses of my entire journey. They believed in me when I was in doubt, they lifted me up when I was down and they filled me with optimism when I needed positivity to look at the brighter side of life. I am truly thankful to them.

29. I apologise for “the times I have fallen short”, but I assure you that it was not for lack of trying.

30. In the end, I cannot help but feel that it is going to be my last address in this courtroom. I may not be a Chief Justice or Judge of this Court effective tomorrow, but I would always be a former Chief Justice of this Court and that position is mine for all times to come. Let me conclude by quoting the words of Gulzar Sahab in a song sung by legendary singer Kishore Kumar:

*“Aane wala pal, jane wala hai  
Ho sakey to ismain, zindagi bita do  
Thoda sa hasake, thoda sa rula ke  
Pal ye bhi jaane wala hai”*

Thank you everyone for the kind words and fond memories. Until we meet again!