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[Obituary reference of Justice TPS  
Chawla, former CJ of Delhi High Court  
on 19.10.2006 at Delhi HC premises]

Hon'ble Chief Justice, Justice Vijender Jain, and the Hon'ble Judges of this Court, my colleague Shri P.P. Malhotra, Shri Amarjit Singh Chandhiok, President of the High Court Bar Association, my friends at the Delhi Bar, ladies and gentlemen,

I came uninvited to attend this function for which I seek the leave of the Hon'ble Chief Justice and his brother Judges to say just a few words about one of my dearest friends in the 1980s, former Chief Justice T.P.S. Chawla. This was at a time when I was new to Delhi in the early eighties and was living at 8, Krishna Menon Marg, just a few steps away from the residence of the then Judge and later Chief Justice Chawla. We soon became good friends perhaps because of our common academic background at Cambridge University and Inns of Court in London. We used to meet quite often over a small glass of sherry having picked up during our under-graduation time. As my friend Shri Malhotra will confirm, I have not been persuaded to take harder drinks. Sometimes a third person, former Chief Justice of Calcutta High Court and Rajya Sabha Member, Justice S.P. Mitra who joined us and each three of us had a marvelous time.

Unfortunately, I could not appear more than 2 or 3 times during Justice Chawla's long tenure in the Delhi High Court since much of my period I was the only Additional Solicitor General and there were not

more than two Additional Solicitors General in India. Even after I became the Solicitor General, there were only three Law Officers.

I do remember one case where I was opposed by the formidable Ashok Sen mostly because it reminds me one of the most uncomfortable moments of my life. It was an admission matter and the court heard the arguments of the petitioner's counsel to well after Lunch. Then, it was nearly 3 o'clock, I was squirming in my seat, I had the appointment at 4 o'clock with the Prime Minister, Smt. Indira Gandhi. Justice Chawla must have noticed this and after the arguments of Sen finished, he said: Mr. Solicitor you have nothing to add. I need not mention that the petition was dismissed.

I come here not merely to record my praise for an outstanding Judge and human being, impeccable in all respects, independence in every sense of the term and outstanding in his legal knowledge.

One reference will establish how highly he was regarded for his knowledge. One has to turn to the 19<sup>th</sup> edn. of *Russell on Arbitration*, bible of arbitration law in the Commonwealth countries. Justice Chawla had the most rare privilege of being mentioned in the 3-page preface of the book by the author praising for his learned and exhaustive judgment in the case of *Union of India v. Bharat Engineering Corporation*, ILR Delhi series, 1977, Vol. II, Part I, p. 57, where the author must henceforth form the basis for all discussions of the question whether arbitrations must be mutual. His independence were no better illustrated than his famous judgment in the case of *Smt. Indira Gandhi & Anr. v. J.C. Shah, Commission of Inquiry, Patiala House*, ILR (1980) I Delhi at 552, where in an exhaustive judgment, he

quashed the proceedings before the court of the Chief Metropolitan Magistrate, Delhi. The political considerations never weighed with him.

His popularity is evident by the fact that the entire Delhi Bar stood by him when the question of who would be appointed the Chief Justice of this High Court was raised.

My condolences to the family of Justice Chawla and particularly his wife who is the sister of one of my dear friends in Cambridge.

May soul of Justice Chawla rest in eternal peace.

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