

**ADDRESS BY HON'BLE SHRI V.G. PALSHIKAR, ACTING CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.**

My esteemed Brother and Sister Judges, Mr. Desai, Additional Solicitor General, Mr. Kadam, Advocate General of Maharashtra, Mr. Dada, President of the Bombay Bar Association, Mr. Joshi, President of Advocates' Association of Western India, Mr. Mehta, President of the Bombay Incorporated Law Society, learned Members of the Bar, distinguished Ladies and Gentlemen,

We have assembled here this morning to mourn the sad demise of Shri Arvind Shrinivas Bobde, former Advocate General of Maharashtra, who left for his heavenly abode on 23<sup>rd</sup> November, 2005 after some illness.

Shri Arvind Shrinivas Bobde, son of Shrinivas Ramchandra Bobde, was born on 24<sup>th</sup> August, 1924 at Nagpur. His father was a well-known poet and advocate of his times. Shri Arvind Bobde completed his school education from Patwardhan High School and later did his graduation from Morris College. He completed his post-graduation from Elphinston College, Mumbai and obtained his Law Degree from Nagpur University College of Law.

He was born in the distinguished family of lawyers. He was an accomplished and renowned lawyer. He was a fearless Advocate. Courage and integrity were his hallmark. As a lawyer, he had distinguished qualities. He was popularly known as Bhausahab, had a long and successful career and he took in his stride the Advocate Generalship for the State of Maharashtra twice. His appointment as Advocate General had a significant importance inasmuch as this was the first occasion that an Advocate practicing outside Bombay has been appointed. By his sheer capabilities, he added luster to the office of Advocate General. Shri Bobde assumed the Advocate General's office with a rich experience at the Bar and a fine reputation as a champion of the rights of the lawyers and his defence of juniors at the Bar also extended to preventing unnecessary onslaught of unsavoury words addressed to the juniors.

Bhausahab started his career under the able guidance of his illustrious uncle and doyen of Nagpur Bar Shri M.R. Alias Bhayyasaheb Bobde and appeared in thousands of important cases in his five decade long profession. He had quickness of perception and had a razor-sharp intellect. He had his own charming style of putting the point across. He had a tall and commanding personality and he illuminated the Court by his sheer presence.

Shri Bobde was a distinguished Member of the Bar. He appeared in several important cases. In a murder case involving a beedi worker, he ably assisted Mr. D.N. Pritt, Queen's Counsel who has paid Shri Bobde glowing compliments in his autobiography. In *Hari Kishan's* case, Shri Bobde's contention that the grounds of detention ought to be communicated in the language understood by the detenu was accepted by the Supreme Court. Shri Bobde always associated himself with the main stream of public life and appeared on several occasions in cases involving welfare of the people at a great personal cost.

Shri Arvind Bobde is survived by his widow, Smt. Mukhta Bobde, and two sons, one of whom is with us on the Bench. It is heartening to know that his next generation is carrying the torch further with great ability and integrity. Both his sons have distinguished themselves in the legal profession in their own right.

In this hour of grief, on behalf of all of us assembled here, I convey our heartfelt condolences to the members of the bereaved family. May the Almighty give them strength to bear this great loss.

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**ADDRESS BY SHRI B.A. DESAI, ADDITIONAL SOLICITOR GENERAL, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.**

Advocate Arvind Srinivas Bobde, popularly known as BHAUSAHEB, was born on 24<sup>th</sup> August, 1924 at Nagpur in the distinguished family of lawyers. He was son of Shri Srinivas Ramchandra Bobde, well-known poet and Advocate of his times, completed his school education from Patwardhan High School and later did his graduation from Morris College. He completed his Post-Graduation from Elphinstone College, Mumbai and obtained his Law Degree from Nagpur University College of Law. Shri Bobde had been at the Bar for the last about 30 years. Advocate Bobde started his career under the able guidance of his illustrious uncle Late Shri M.R. Bhayyasaheb Bobde, the then Doyen of the Bar. Advocate Bobde distinguished himself at the Bar in several important cases. In a murder case, involving a Beedi worker, he ably assisted Mr. D.N. Pritt, Queen's Counsel, who has paid Shri Bobde glowing complements in his autobiography. In Hari Kishan's case, Advocate Bobde's contention that the grounds of detention ought to be communicated in the language understood by the detenu was accepted by the Supreme Court. Advocate Bobde always associated himself with the main stream of public life and appeared on several occasions in cases involving welfare of the people at a great personal cost. As a Lawyer he has distinguished qualities. He had quickness of perception and had razor-sharp intellect. He had his own charming style of putting the point across. He was appointed as Advocate General of Maharashtra. His appointment was a significant importance inasmuch as this was the first occasion that an Advocate practicing outside Bombay had been appointed. Not only this, he was the only person who had been appointed twice for the said post by his sheer capabilities, he added luster to the office of Advocate General.

The passing away of Advocate Bobde, the legal profession has lost a legend, who illuminated the legal circles for over the decades.

MAY THE DEPARTED SOUL REST IN ETERNAL PEACE.

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**ADDRESS BY SHRI R.M. KADAM, ADVOCATE GENERAL OF MAHARASHTRA, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.**

My Lord the Chief Justice and My Lords, Judges of this Hon'ble Court, Mr. Desai, Additional Solicitor General of India, Mr. Dada, President, Bombay Bar Association, Mr. Balakrishna Joshi, President, Advocates' Association of Western India, Mr. Rajiv Patil, Member, Bar Council of Maharashtra & Goa, Mr. Prakash Mehta, President, Incorporated Law Society and my learned friends,

1. We are assembled here today to mourn the passing away of Shri Arvind Bobde, a former Advocate-General of the State and an eminent Senior Advocate at Nagpur, on Wednesday, November 23, 2005.

2. Shri Arvind Bobde was the son of Shrinivas R. Bobde, a well-known poet and advocate of Vidarbha. After completing his education he joined the bar in Nagpur and after a brief waiting period, quickly gained prominence as a lawyer of great skill and ability. He distinguished himself initially in Criminal Law but his innate cleverness and industrious nature enabled him to gain mastery over other branches of the law. In stark contrast to the super specialization of lawyers today, the pages of the law reports stand as a testimony to his amazing range as an advocate. He was a fearless and courageous advocate.

3. He had a quick and razor sharp intellect and a disarmingly charming style of presenting his case and making his point. He was indeed a giant personality in every conceivable way and all those who saw him in court were awed by his sheer presence. The hallmark of his arguments was his precision. Judicial notice of this was taken by Justice A.P. Sen of the Supreme Court in *Baliram's* case in which matter the question as to whether a Commission of Inquiry is a "Court" was decided who said of him that his arguments were marked with "great clarity, precision, learning and research." He appeared in a large number of cases and contributed to the development of different branches of law. In *Hari Kishan's* case the Supreme Court accepted his contention that the grounds of detention should be communicated to a detenu in a language known to him so as to meet the test of Article 22 of the Constitution. In another landmark case of *Gokak Patel Volkart*, his argument that retaining of residential premises by a Company's officer after the termination of his services amounts to trespass and a continuing offence, was accepted by the Supreme Court.

4. The stories and tales of his forensic skill are legend. More than two decades ago, a petition was filed to challenge the constitution of a bench of this High Court at Aurangabad. I had the privilege of seeing him appear for the Government in Court Room No.3 on the ground floor of this building. Arrayed as he was, against several leading luminaries of the Original Side of the Bombay High Court, Shri Arvind Bobde gave a masterly display of his legal skills and acumen. We who heard his arguments were struck by the sheer brilliance of his presentation. Needless to state, he succeeded and the challenge to the constitution of the Aurangabad Bench was repelled.

5. He adorned the office of the Advocate-General on 2 occasions in the 1980s and was the first lawyer from outside Mumbai to do so. Indeed, his appointment was an honour to the office of Advocate General. He added luster to the office. A few weeks ago during the Diwali vacation I was going through some files of my predecessors when I came across an opinion file containing his advice to Government. Each opinion was, though extremely brief, so structured that even complicated legal questions on taxation and constitutional law were lucidly answered.

6. After he stepped down from the office of the Advocate-General and started practicing on the Appellate Side, he easily picked up a large and successful practice. Junior members of the Bar flocked to him for advice, help and counsel. He never failed them and helped many a promising junior by placing them as standing counsel on government panel or by recommending their names for appointment as High Court Advocates for local bodies and municipalities. He never refused a brief from the Government irrespective of the invariably low fees in such cases. After the 1992 Securities Scam broke out, he accepted the brief on behalf of the Income Tax Department at a very nominal fee as he considered his duty to serve the nation. He was a voracious reader and enjoyed books on every conceivable topic. His juniors tell us that ever whilst busy in major litigations he would always find time to read new books.

7. He enjoyed the good life and lived the life to the full. In his passing away, the Bar has lost a titan. There will never be another lawyer, quite like him. On behalf of the entire Bar of the State of Maharashtra I join your Lordships in mourning the passing away of this stalwart.

May his soul rest in peace.

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**ADDRESS BY SHRI R.A. DADA, PRESIDENT, BOMBAY BAR ASSOCIATION, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005**

My Lord the Chief Justice Palshikar , My Lords, the Judges of this Honorable Court, Mr. Desai Additional Solicitor General of India (western region), Mr. Ravi Kadam , Advocate General of Maharashtra Mr. Joshi, President Western India Advocates Association, Mr. Patil, Member, Bar Council of Maharashtra & Goa, my colleagues at the Bar, Ladies and Gentlemen.

We meet here today to mourn the sad passing away of Mr. Arvind Bobde, Senior Advocate , one of the most distinguished advocates of this court. My Lord the Chief Justice, Mr. Desai and Mr. Ravi Kadam have recounted the great qualities of Mr. Arvind Bobde. I sincerely endorse the sentiments expressed by them.

Mr. Arvind Bobde was one of the great advocates produced by the city of Nagpur which has given many great luminaries to the legal world. He was born in the land of Mr. Justice Vivian Bose, Mr. Justice Hidayatullah and Mr. Justice Mudholkar.

Mr. Arvind Bobde followed the tradition set by his illustrious uncle and soon carved a name for himself in the legal profession. In his early years, he appeared in many important cases in the field of mining law and constitutional law. In 1980, he became the first Advocate General of Maharashtra who was from outside the Bombay Bar. From the first day of his arrival in Mumbai, he endeared himself to all the members of the bar.

His chamber on the first floor of his building was accessible to all advocates. His patience and courtesy was well known. He walked the corridors of this court ramrod straight and with his head held high. He became for all of us the epitome of integrity and uprightness. His advocacy was as fearless as it was persuasive.

To my mind, there were many glorious moments in his tenure as an Advocate General. One of them was in a celebrated case when the head of the Government was involved. He produced all the files requested by the court. He acted in the highest traditions of the Bar. In a classic judgment, the Judge paid rich tributes to Mr. Bobde. As a fall out of the judgment, the head of the government had to resign.

Mr. Bobde also submitted his resignation as the Advocate General. The examples set by him was followed in two subsequent cases where heads of Government were involved. These cases have gone down in the history of this court and will be remembered as examples of how an advocate must perform his duty to the court.

Mr. Bobde appeared in many important cases. One of them was the case relating to Sakal Newspapers where he appeared for the widow of its founder Mr. Parulekar. Just a few months back, the Supreme Court of India vindicated the stand taken by Mr. Arvind Bobde in the Trial Court. He took up many Public causes. One of them related to the GATT Agreement signed by India.

One of his most endearing qualities was the great respect and courtesy he showed to his opponents. I once opposed him in a case in the Aurangabad Bench of this honorable court. After the day's hearing, he met me and asked me if I had access to the books I required. At the end of the hearing, he helped me to get air reservations to get back.

He loved the Bar. He loved to come to the bar and sit with his friends exchanging pleasantries. A few years back, he stopped coming but we were secure in the fact that he was there. But alas, death which spares no mortal snatched him away on that fateful morning in November.

He lived a full life. In his lifetime, he saw his two sons acquire a great distinction in the legal profession. Both were designated as senior advocates. One of them is a judge of this honorable court. Even his grand son is at the Bar. A few months ago, another granddaughter of Mr. Arvind Bobde joined the legal profession. Today the legacy of law of Mr. Arvind Bobde is in their safe hands.

On behalf of the Bombay Bar, I extend my condolence to Mrs. Bobde, Mr. Vinod Bobde Senior Advocate, Mr. Justice Sharad Bobde and the entire Bobde family.

Mr. Arvind Bobde has crossed into eternity. He joins the distinguished advocates of this court who have passed into history. Amongst them, his place is secure.

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**ADDRESS BY SHRI BALAKRISHNA JOSHI, PRESIDENT OF ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.**

The Hon'ble the Acting Chief Justice Shri V.G. Palshikar of the High Court of Judicature at Bombay and other Hon'ble Judges of High Court, Shri B.A. Desai, Additional Solicitor General, Shri Ravi Kadam, Advocate General, Maharashtra State, Shri Rafiq Dada, the President of Bombay Bar Association, Shri Rajeev Patil of Bar Council of Maharashtra, Shri Prakash Mehta, President of Incorporated Law Society and friends.

Sirs, I associate myself with the sentiments expressed by my Lord the Acting Chief Justice and by the learned Additional Solicitor General and by the learned Advocate General and my colleague and I beg to add few words.

Sirs, our former Advocate General of Maharashtra State and eminent legal luminary Shri Arvind Shrinivas Bobde alias Shri Bhausahab Bobde passed away on 23<sup>rd</sup> November, 2005, after a prolonged illness. Popularly known as Bhausahab, late Shri Arvind Bobde was Advocate General of Maharashtra State for eight and half years and was the first Advocate General from outside Mumbai to grace this august office. Shri Bobde was Advocate General from 1984 to 1986 and again from 1987 to 1992.

Shri Bhausahab Bobde was born on 24<sup>th</sup> August, 1926. Shri Bhausahab, son of Shri Shrinivas Ramchandra Bobde, a well-known poet and Advocate of his times, completed his school education from Patwardhan High School and later did his graduation from Morris College. He completed his Post Graduation from Elphinstone College of Mumbai and obtained his Law Degree from Nagpur University College of Law.

Shri Bhausahab Bobde started his career under the able guidance of his illustrious uncle of Nagpur Bar. M.R. Alias Bhayyasaheb Bobde and appeared in thousands of important cases in his five decades long distinguished legal career. Right from the beginning he was actively associated with separate Vidharbha movement along with his close Associate Shri T.G. Deshmukh.

Shri Bhausahab Bobde was believer in freedom and liberty and fought several cases against infringement of citizens' right and freedom. Shri Bhausahab Bobde had represented Journalist and detenu and was instrumental in obtaining right of effective representation for a detenu which greatly restrained the authorities from arbitrarily detaining the citizens. Shri Bhausahab Bobde appeared in murder case involving a Beedi worker where he ably assisted Mr. D.N. Pritt, Queen's Counsel who has paid Shri Bobde

glowing compliments in his autobiography. In Hari Kishan's case Shri Bhausaheb Bobde's contention that grounds of detention ought to be communicated in the language understood by the detenu was accepted by the Supreme Court.

Shri Bhausaheb Bobde had advised the Government in many important matters. He also represented Maharashtra State in the Supreme Court of India in famous Kutch Territory matter. Shri Bobde always associated himself with the main stream of public life and appeared on several occasions in cases involving welfare of the people at a great personal cost. Shri Bobde had rich experience at the Bar and a fine reputation as a champion of the rights of the Bar and defender of the rights of the have-nots and oppressed.

Shri Bhau Saheb Bobde was a wonderful speaker and he had many memories of Law, Lawyers, Courts and Judges which he freely shared with others. He was one of the most accessible of seniors and even the most juniors of lawyer was welcome to and often did ask for help and guidance and received it freely. Shri Bhausaheb Bobde was an upright person and he never hesitated to give reasonable concessions during his tenure as an Advocate General.

The members of the Association share the grief of the members of Bobde family and we sincerely hope that the family of Shri Bhausaheb Bobde will find courage to bear this loss. May God rest his soul in peace.

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**ADDRESS BY SHRI RAJIV PATIL, ADVOCATE, REPRESENTING BAR COUNCIL OF MAHARASHTRA AND GOA, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.**

My Lord, the Chief Justice, Honourable Judges of the Bombay High Court, Learned Advocate General Mr. Ravi Kadam, Learned Additional Solicitor General Mr. Desai, President of A.A.W.I. Mr. Balkrisha Joshi, President of Bombay Bar Association Mr. Rafiq Dada, President Incorporated Law Society, Mr. Mehta, Ladies and Gentlemen,

A great soul has parted from us and has created major cavity in the field of law. ARVIND SHRINIVAS BOBDE, whom we fondly called as 'Bhausahab', a towering personality in the legal fraternity, is no more. He left for the heavenly abode on 23<sup>rd</sup> November 2005, leaving behind memories and pioneering moments in the field of law.

A man from family of Lawyers, enrolled as an advocate on 6<sup>th</sup> August 1952. Bhausahab joined the chambers of his uncle late Mr. M.R. Bobde the then doyen of the Bar. He made his own footprints as a Lawyer in arguing number of cases, which enhanced the chronicles of case law of High Courts and Supreme Court.

As a Law student, I first saw him the year 1980 when he was the Advocate General of Maharashtra. It is said that he was the first Advocate General who was not from Mumbai. After 1982, when I joined the Bar, it took 7 years for me to introduce myself to the late Mr. Bobde. He was real mentor for the younger members of the Bar. I had the great fortune to work with him and assist him in many *causa celebre*, for instance the challenge to the GATT Agreements, Enron Power Project, Interpretation of Articles 53, 73 and 163 of the Constitution of India and many more. He was the person who moulded law of detention. I was really fortunate to learn, from such a legal luminary, who was an institution in himself. Tremendous memory, vast knowledge and forthrightness were the real assets of Bhausahab. He was a powerful instrument in upholding the rule of law. Late Mr. Justice Vivian Bose was a idol and role model for him who made great impact on Bhausahab in his career as a lawyer. He was the Chairman of Bar Council of Maharashtra and Goa from 18<sup>th</sup> June 1988 till 23<sup>rd</sup> June 1989. His contribution to the legal system is unforgettable and the Bar Council Maharashtra and Goa will remember him in every endeavour to uphold the rule of law and justice.

On behalf of the Bar Council of Maharashtra and Goa, I convey my deep condolences to bereaved family and pray that the great soul rests in peace.

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ADDRESS BY SHRI PRAKASH MEHTA PRESIDENT, BOMBAY INCORPORATED LAW SOCIETY, AT THE FULL COURT REFERENCE TO LATE SHRI ARVIND SHRINIVAS BOBDE, FORMER ADVOCATE GENERAL OF MAHARASHTRA, ON FRIDAY, THE 16<sup>TH</sup> DECEMBER, 2005.

My Lord the W Chief Justice, the Hon'ble Judges of the Bombay High Court, Mr. B. A. Desai, Additional Solicitor General of India, Mr. Ravindra Kadam, Advocate General of Maharashtra, Mr. Rafiq Dada, President of the Bombay Bar Association and Mr. Balkrishna Joshi, President of the Advocates Association of Western India, Mr. Patil, representative of the Bar Council of India, colleagues :

With respect, I concur with what My Lord the Chief Justice, the Learned Additional Solicitor General, the Learned Advocate General, the President of the Bombay Bar Association and the President of the Advocates Association of Western India have submitted at your Lordships' Bar.

In the passing away of Mr. Arvind Bobde, the legal fraternity has lost not only a leading member of the Bar but also a lawyer who had at his heart the welfare of the people at large.

On behalf of the Bombay Incorporated Law Society, I wish to convey to the members of his family our heartfelt condolences.

May his soul rest in peace.

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