

SPEECH OF HON'BLE SHRI JUSTICE ALOK ARADHE, HON'BLE THE CHIEF JUSTICE, BOMBAY HIGH COURT, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

My esteemed colleagues on Bench,

Mr. Justice Riyaz Chagla,

**Dr. Birendra Saraf,
Advocate General for the State of Maharashtra,**

**Mr. V. B. Konde-Deshmukh,
Member, Bar Council of Maharashtra & Goa,**

**Mr. Nitin Thakker,
President, Bombay Bar Association,**

**Mr. Suresh Sabrad,
Secretary, Advocates' Association of Western India,**

**Mrs. Ferzana Behramkamdin,
President, Bombay Incorporated Law Society,**

Learned Senior Advocates and members of the Bar,

Bereaved Members of Chagla family,

Members of the Registry and the staff,

Ladies and Gentlemen.

We have assembled to pay tribute to late Mr. Iqbal M. Chagla, Senior Advocate of this Court, who left us on January 12, 2025.

Late Mr. Iqbal Chagla was born on 7th March, 1939 at Mumbai. He completed his school education from St. Mary's School in Mumbai. Thereafter, he obtained Master's Degree in History and Law at King's College, University of Cambridge. Late Mr. Chagla initially leaned towards Literature but life had other plans for him. Sudden loss of his mother brought Mr. Chagla back to India. On return, he decided to practice law in this Court.

He was required to pass qualifying examination and became the first barrister to have qualified the examination in India. In 1963, he joined the chambers of great K.H. Bhabha and started practice alongside legal legends like Fali Nariman and Soli Sorabjee. Very soon, the legal acumen of late Mr. Chagla was recognised and he prospered in the profession.

Late Mr. Chagla's brilliance in the courtroom and fearless advocacy for civil liberties made him a renowned figure in the field of law. He was known for his integrity and ethical practice. He would return the brief if he found that his client acted unfairly. Late Mr. Chagla was a highly sought-after counsel for Corporate Houses. He was always surrounded by juniors and law interns. The members of the Bar used to listen to his arguments with rapt attention.

He was a relentless crusader against corruption and stood firmly for transparency and accountability in public life. Late Mr. Chagla was impeccably dressed and was articulate in his speech. He demonstrated the highest ideals of the legal profession.

He appeared in high-profile cases including split of Amarchand Mangaldas, Coca-Cola and Pepsi in their fierce advertising battle. He also represented Nestle against Maggi noodles ban and represented Birla Wadia families and the Tata Group.

Late Mr. Chagla practised as an advocate for a long 61 years. He served as the President of the Bombay Bar Association and participated in numerous legal conferences and seminars. He was awarded an Honorary Doctorate in Law by Berhampur University and served as a Trustee for the Chief Justice Chagla Memorial Trust and the Mehli Mehta Music Foundation.

Late Mr. Chagla, besides his love for law, had a passion for literature, music, photography, food, and golf. His humility, grace, and commitment to justice left a lasting impression on all those who knew him. His life serves as a true inspiration to the legal fraternity.

Even though he is no longer with us, late Mr. Chagla will always be remembered for extra ordinary ethical standards he set at the Bar. He will

be missed by the Judges and the Lawyers alike. With demise of Mr. Chagla we have lost a great Lawyer and a great human being.

Late Mr. Chagla is survived by his wife Roshan, his son Justice Riyaz Chagla, an eminent Judge of this Court and his daughter Rohiqa Chagla.

On behalf of all my Sister and Brother Judges, and my own behalf, I extend our heartfelt condolences to the members of the bereaved family. May the Almighty give them the fortitude to bear the irreparable loss. I pray to the Almighty to bestow peace to the departed soul.

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SPEECH OF DR. BIRENDRA SARAF, ADVOCATE GENERAL FOR THE STATE OF MAHARASHTRA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

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Learned Senior Advocates and members of the Bar,

Bereaved Members of Chagla family,

Members of the Registry and the staff,

Ladies and Gentlemen.

We assemble today to pay homage to Mr. Iqbal Chagla, a legendary lawyer and a luminary whose unwavering principles, dedication to fairness and sheer legal brilliance have been instrumental in the development of this Court as a robust, strong and independent institution for delivery of justice.

My Lords, there were legends whose personalities and contributions are so towering that it is difficult to encapsulate them in words. I am encountering the same difficulty today.

I consider myself absolutely fortunate that I belong to not just a generation that saw him weave his magic in Court, but that I also had the privilege to work closely with him. As a law student, I was interning at a

law firm for whom Mr. Iqbal Chagla was the counsel. Soon after I joined, I attended a conference with Mr. Chagla. I was awestruck from the moment I entered his conference room. There was this towering and charismatic personality – both in height and stature – who was an epitome of grace. I think I focused less on what was being discussed and more on him and his personality. He spoke in a baritone voice and put everyone at ease. My situation as a law student who had just come from Gauhati was similar to that of a student of English Classical music having met Mozart or that of an aspiring Bollywood actor having seen Amitabh Bachchan.

The next day, his performance in Court was even more mesmerizing. He was style, grace and elegance personified, his oratory spell binding and his arguments absolutely smooth and flawless. I was enthralled. Speaking on Nani Palkhiwala, Mr. Chagla once said that his advocacy was such that it made a person listening to him believe that there is no other point of view. I felt the same when Mr. Chagla argued.

But later, when I worked with him in matters, I came to realise that behind his seamless arguments in Court, were hours of long preparations when he patiently heard even the junior-most person. In one of his interviews, he said that he was never absolutely satisfied in any matter – no amount of research was ever complete and there was always a desire to do more – a feeling that he was not quite ready with the matter. That is the hallmark of a great lawyer – which he was. His advocacy was on the principle that you are first an officer of the Court and then the lawyer of your client.

Though he loved law, that was not his only passion. A person with varied interests including literature, poetry, history, sports in particular cricket and golf, he appreciated all finer things in life. With such a rounded personality, he brought his experience of life into his arguments.

Though he was gentle and soft spoken, but when an occasion arose, he rose fearlessly and fiercely, particularly when it involved civil liberties, freedom of speech and most importantly the integrity of this institution. It is well known that under his leadership as the President, the Bombay Bar

passed resolutions questioning the integrity of certain Judges and as a result, remedial measures were taken, settling things right. When warned by some friends that he may face proceedings for contempt, he said – When posterity asks the question that when your Judiciary was going down, did you just sit back and earn your fees and did nothing at all – What would my answer be then? He was in fact the first person to file a petition which led to the SP Gupta case or the 1st Judges' Transfer case.

He took up various cases relating to freedom of speech and civil liberties even during the times of the Emergency. While he appeared in various public interest petitions, he evaluated the cause and assessed whether it was actually doing good to the public.

Mr. Chagla has left an indelible mark on the legal landscape. He has left footprints which the waves of time cannot erase. As a role model, he has inspired a few generations of lawyers who practice in this Court today and his impact will continue to resonate for generations to come. We will miss him, but his legacy will forever continue to guide and inspire us and will illuminate the path of future generation of lawyers towards practice of law with dedication, principles and ethic.

On behalf of the State of Maharashtra and the entire body of lawyers, I convey my heartfelt condolences to his wife Mrs. Roshan Chagla, his son Mr. Justice Riyaz Chagla, his daughter Rohiqa and the entire family.

May his soul rest in eternal peace.

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SPEECH OF SHRI V. B. KONDE-DESHMUKH, MEMBER, BAR COUNCIL OF MAHARASHTRA & GOA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

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Learned Senior Advocates and members of the Bar,

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Members of the Registry and the staff,

Ladies and Gentlemen.

We have assembled here this morning to pay tribute to late Shri Iqbal Chagla, Senior Advocate, who left for his heavenly abode on 12th January, 2025 at the age of 86 years at Mumbai. Mr. Iqbal Chagla was born in 1939. He was the son of former Hon'ble Justice Mr. M. C. Chagla, who was the First Indian Chief Justice of Bombay High Court.

Shri Iqbal Chagla obtained degree of M.A. in History and Law from Cambridge University. He was then called to the Bar from Gray's Inn and returned to Bombay where he began his practice in law. He refused all inducements to move to Delhi. He preferred to be a leading member of the Bombay Bar. He was designated as a Senior Advocate at the relatively young age of 39. He served as President of the Bombay Bar Association for

three consecutive terms. He also served as a Member of the Executive Committee of the Bar Association of India and a Member of the National Legal Services Authority, Delhi.

Late Shri Iqbal Chagla was offered judgeship of the Supreme Court directly from the Bar which is a rare honour. For his personal reasons, he had to decline the honour. Had he accepted this offer, he would have been the Chief Justice of India.

He had attended and participated in various law conferences and was invited to speak at various Seminars. He appeared in international arbitrations and had advised on proceedings in foreign courts. He was a trustee of the Chief Justice Chagla Memorial Trust, the H. M. Seervai Memorial Trust and the Mehli Mehta Music Foundation.

In 2012, Chagla was conferred an Honorary Degree of Doctor of Laws by Berhampur University, Odisha "for attaining eminence in public affairs". He was not only a tall legal luminary but devoted humanist whose contribution to uphold the rule of law will be echoed in the corridors of this Court for a long time to come.

In his death, we have lost a Jurist par excellence, a lawyer with human heart and a great human being. In this hour of grief, I share my heartfelt condolence with Shri Iqbal Chagla's family on behalf of Bar Council of Maharashtra & Goa. I sincerely convey my deep condolences to his wife and son Hon'ble Justice Mr. Riyaz Chagla, a sitting Judge of this Hon'ble Court and entire Chagla family. I am sure the memories of Mr. Iqbal Chagla shall show us a path for better civilized society.

May his soul rest in peace.

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SPEECH OF SHRI NITIN THAKKER, PRESIDENT, BOMBAY BAR ASSOCIATION, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

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Members of the Registry and the staff,

Ladies and Gentlemen.

We have assembled today to recognize and pay our respects and tribute to and celebrate life of one of the doyens of bar, a leading lawyer, a lover of music and sports, a great family man, a leader of the Bar, our former president and above all, a great human being, Iqbal Chagla, who we fondly called Mickey.

It is impossible to do justice to Mr.Chagla's accomplishments in few minutes.

I started understanding who Mr. Chagla was during the times when there was emergency. He actively took part in drafting resolution which was moved in Association to condemn emergency. He was also in forefront when

a writ was moved before the court of Chief Justice Kantawalla and Justice V. D. Tulzapurkar for quashing order of Police Commissioner refusing to grant permission to hold a public meeting at Sunderabai Hall which was to be addressed by amongst others former Chief Justices J. C. Shah and M. C. Chagla.

From those days I was in his awe. Respect and admiration for him grew every time I saw him and heard him in court arguing matters. There was hardly any important matter in High Court where Mr. Chagla was not briefed.

He believed in what Mahatma Gandhi said, 'There is higher court than courts of justice and that is the Court of conscience. It supersedes all other courts.' What he believed he would put in practice. He would always ask his conscious whether he was doing right thing by representing a client. If the client was not truthful to him he would say I will not represent you. He would always say that law is not a business but law is profession. There is difference between profession and business. Just like a Doctor is expected to serve the society, a Lawyer must similarly remember that he is officer of the court and he is not merely a mouthpiece of his client. Money is a byproduct of the profession. Money is not the important consideration for appearing in court.

He always took pride in lauding Bombay High Court as he considered himself a product of this court though he was a Barrister.

He wrote in the book published by High Court when this building completed 125 years, "The true worth of a Court must be judged, in my view, not by its record of cases, commercial or testamentary, constitutional or corporate, but in uncharted sea of litigation in public interest. By this token, the record of Bombay High Court is exemplary."

The reputation of Bombay High Court, he jealously guarded.

As a President of Bombay Bar Association from 1990-1999, his tenure was challenging. His courage, his desire to maintain purity in judiciary and upholding the highest standards set by judiciary to maintain its

independence were evident when both associations independently decided to pass resolutions against some erring judges. The resolutions were opposed but were carried by majority. It could have led to adaptation of contempt proceedings. Justice Chittatosh Mukerjee, the then Chief Justice at Bombay, asked, do you intend to do this again? when the reply was 'Good heavens no.' The Chief Justice said, 'Then may I congratulate you? Our own enquiries revealed that all the concerned judges were guilty as charged.' Mr. Chagla has narrated this in his article in the book 'Legacy of law'. He would always say that 'When the future questions what you did when corruption was destroying our judiciary can I be heard to say I did nothing except continue to charge my fees and appear in court?'

Mr. Chagla believed that the relationship between the judge and counsel is at the heart of the Court. Just as the Judge trusts counsel, the Counsel must also trust the judge - he must trust the judge's intention and judge's wisdom. Therefore, he would prepare meticulously for all the matters with great precision. In a matter, his junior prepared 40 pages note which he reduced to mere 10 pages. When the matter was taken up and his opponents tendered 50 pages note, the court asked does the note tendered by Mr. Chagla contains all material facts. No one disagreed. The court said that then I don't want the 50 pages note. I will go by the note given by Mr. Chagla. The Court trusted Mr. Chagla and Mr. Chagla trusted the Court.

Mr. Chagla was a go-to person for all juniors. I had lost a matter before a learned single judge where the notices prior to suit were not replied by my client and even affidavit in reply was not filed but otherwise my client had a good case to defend the case of oral agreement set up by the other side. I requested attorney to consult and brief Mr. Chagla in the matter in appeal court. He was excellent in reading the mind of the court and therefore, preparation in each matter would be as required by the court. Just before we entered the court room he whispered in my ear that the court will tell us to settle the matter. As predicted, after brief hearing, Justice Pendse suggested 'Mr. Chagla why don't you settle the matter?' By afternoon, the matter was settled.

He was encouraging all juniors at the bar and he would go out of his way to help them build their career in profession.

Iqbal Chagla's life was not limited to the courtroom. He was a trustee of the Chief Justice Chagla Memorial Trust - the trust holds memorial lectures in memory of late Mr. Chagla. He was a passionate golfer, had keen interest in Cricket - he was instrumental in establishing Chagla Cup for cricket for the winners of matches between Hon'ble Judges and Senior Advocates. He was an avid photographer. I understand that he had ordered latest Hasselblad camera which was delivered a few days prior to his demise. He was a connoisseur of music and literature. He loved jazz music. He was a foodie and would not miss a chance to eat Paanipuri at roadside stall at Bengali market at Delhi. He was a man of many talents whose contributions extended far beyond the legal profession. His multifaceted personality enriched the lives of those who knew him, making him not just a great lawyer but a remarkable human being.

When he attended the condolence meeting for Mr. Fali Nariman last year, the manner in which the judges and lawyers greeted him is the barometer of his popularity - the love and respect which he commanded from one and all.

Today, as we remember him, let us honour his memory by upholding the values he cherished—integrity, courage, and an unyielding commitment to justice. His life was a beacon of what it means to be not just a great lawyer but a great human being.

The Bombay High Court has lost a true luminary, but his principles, his dedication, and his towering legacy will continue to guide us. Let us carry forward his ideals, ensuring that his vision for justice and fairness lives on in every courtroom, every case, and every lawyer who walks these hallowed halls.

Bombay Bar Association join his family Mrs. Roshan Chagla, Mrs. Rohiqa Mistry - his daughter, and Justice Chagla, his son and other family members in celebrating his life.

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May his soul rest in eternal peace.

Lastly, I will end with the quote of an American playwright which aptly applies to Mr Chagla.

'Our legacy is really the lives we touch, the inspiration we give, altering someone's plan- if even for a moment-and getting them to think, cry, laugh, argue. More than anything, we are remembered for our smiles; the ones we share with our closest and dearest, and the ones we bestow on a total stranger, who needed it right then, and God put you there to deliver.'

Om Shanti

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SPEECH OF SHRI SURESH SABRAD, SECRETARY, ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

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Ladies and Gentlemen.

We have assembled here to offer condolences to a great personality, Late Shri Iqbal Chagla Sir.

Born on 7th March 1939, respected Chagla was the great son of a great father, Hon'ble Justice M. C. Chagla, the first permanent Indian Chief Justice of the Bombay High Court, for a period of one decade i.e. from the year 1948 to 1958.

Chagla Sir, after having completed Masters in History and Law from Cambridge University, returned to Bombay to practice in this Hon'ble Court. At an early age of 39, Chagla Sir was designated as senior advocate. Later on, was called by the Hon'ble Chief Justice, seeking his consent for being elevated as a judge of this Hon'ble Court, which he refused. Later on, the

offer of being elevated to the Hon'ble Supreme Court, was also declined by him. Had Chagla Sir accepted the said offer would have been elevated to the position of the Chief Justice of India.

Chagla Sir having refused both the aforesaid offers, preferred to be a leading member of the Bar. Chagla Sir was the life member of our Association, which is one of the oldest Advocates Association. During the period from 1990 to 1999, Chagla Sir completed three terms as President of the Bombay Bar Association. He also served as a Member of the Executive Committee of the Bar Council of India and as a Member of the National Legal Services Authority, Delhi.

For nearly six decades, i.e. 60 years, Chagla Sir was a prominent figure in civil litigation, company law, constitutional law, both national and international law. His profound legal insights, persuasive advocacy and command over legal principles made him one of the busiest Counsel not only of this Court but also in all courts of our Country.

Chagla Sir attended and participated in various law conferences and was invited as speaker to speak at various Seminars. He appeared in various international arbitrations and also gave his advice in several proceedings in foreign courts. He had given expert evidence on Indian Law in the Southern District Court of New York and in the Isle of Man Court.

In the year 2012, Chagla Sir was conferred as Honorary Degree of Doctor of Laws by Behrampur University in Odisha "for attaining eminence in public affairs".

Chagla Sir was a trustee of the Chief Justice Chagla Memorial Trust, the H. M. Seervai Memorial Trust and the Mehli Mehta Music Foundation.

Chagla Sir played golf with great passion and photography was one of his favourite hobby. Reading and love for music were his companions.

Chagla Sir apart from leaving behind a great legacy, also left behind his wife, son, Hon'ble Justice Riyaz Chagla, who is one amongst the best Judges of this Hon'ble Court and a kind-hearted daughter Rohiqa Mistry.

The Advocates' Association of Western India and all its members mourn the loss and sad demise of a great human being and legal luminary, whose contributions will always be remembered by us and all generations to come. On behalf of the Advocates' Association of Western India and all its members, we extend our deepest condolences to his bereaved family and loved ones.

May his soul rest in eternal peace Om Shanti.

Om Shanti.

SPEECH OF MRS. FERZANA BEHRAMKAMDIN, PRESIDENT, BOMBAY INCORPORATED LAW SOCIETY, AT THE FULL COURT REFERENCE IN MEMORY OF LATE SHRI IQBAL M. CHAGLA, SENIOR ADVOCATE, ON 6TH FEBRUARY, 2025 AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.

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Ladies and Gentlemen.

I associate myself with all that has been stated by the Hon'ble Chief Justice and my co-speakers with regard to Mr. Iqbal Chagla.

We have gathered here today to pay homage to Mr. Iqbal Chagla who was more fondly known by all of us at the bar as Mickey. It is very difficult to encapsulate in words what Mr. Chagla was, and what he represented to all of us and the legacy he leaves behind.

Mr. Chagla as we have heard from the earlier speakers, was educated in history and law from Kings College in Cambridge. He returned to India and joined the chambers of the doyen of our Bar, Mr. Khurshedji Bhabha and had amongst his colleagues Fali Nariman, Mr. Soli Sorabjee and various

other luminaries. Mr. Chagla was conferred seniority at the early age of 39 years.

Mr. Chagla was a towering personality not only because he was tall but also in stature. His impressive presence accompanied with his deep baritone voice made him a force to reckon with and a pleasure to watch in action. But that was not all. Every matter that Mr. Chagla was briefed in was prepared with meticulousness both in his own reading and in conferences. I remember briefing him in matters where the Solicitor, as also all juniors were questioned on every aspect of the matter in great detail and information collated in a methodical manner. Once Mr. Chagla accepted a brief, he would always remain present in the matter, regardless of whether he was arguing the matter or waiting for his turn to do so. A Solicitor would be able to rest easy knowing that Mr. Chagla would not leave the matter.

Mr. Chagla was a highly sought-after counsel, briefed in several high-profile corporate litigations. He, however, always adhered to high ethical principles. Mr. Chagla appeared pro bono in various public interest litigations, but would do so only once he was satisfied that such litigation was in furtherance of a public cause. Once I am told that he had been briefed by the Petitioners who were challenging the construction of the Worli Bandra Sea link. However, he gave up the matter midway as he came to the conclusion that the petition would not serve the larger interest of the public. Similarly, I have heard that he did not accept the brief of Nestlé when Maggi was banned till he was personally satisfied that Maggi was not a product that affected safety and the health of children.

Mr. Chagla was a master strategist, had a mastery of the facts and the law, the oratory skills and the skill of using the same to persuade judges to accept his point of view in a matter. He was always a gracious opponent and never lost his cool.

He was the President of the Bombay Bar Association of India, for a period of nine successive years. Mr. Chagla always advocated against corruption in the judiciary and during his presidency the Bombay Bar Association passed resolutions against six judges, leading to the resignation of some.

Despite Mr. Chagla being a leader of the Bar and having achieved fabulous success at an early age, he always wore his greatness and his heritage lightly. I am told that his chambers, namely chamber No.1, which was in the Annex building at that time, was an open chamber, in the sense that all juniors were allowed to speak freely and express different viewpoints, even if such views were directly opposed to the views of Mr. Chagla himself. The fact that Mr. Chagla was a great senior is evident from the juniors that have come out of his chambers, including Senior Counsel Mr. Janak Dwarkadas, Senior Counsel Mr. Darius Khambatta, and many others.

Despite the fact that Mr. Chagla was a heavily briefed counsel, he always maintained a work life balance. He was a well-rounded personality. Interested in not only the law but also in photography, music, especially Jazz, golf, good food and a good life. His values and his work life balance are something which all of us must try and emulate in this fast-paced world of ours. Mr. Chagla leaves behind a void and will be missed by all of us at the bar, but his legacy will live on.

On behalf of The Bombay Incorporated Law Society and myself, I extend my heartfelt condolences to Mrs. Roshan Chagla, his son, Mr. Justice Riyaz Chagla, his daughter Rohiqa and all the members of Mr. Chagla's family and pray that his soul rests in eternal peace.

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