

REFERENCE MADE BY THE HON'BLE SHRI B.P. SINGH, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, TO LATE SHRI MUKUNDRAO GOPINATHRAO CHAUDHARI, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON TUESDAY, 16<sup>TH</sup> JANUARY 2001.

My learned brother Justice V.C. Daga, Shri P. Janardhanan, Additional Advocate-General, Shri V.A. Gangal, President of Advocates' Association of Western India and also representing the Bar Council of Maharashtra & Goa, Shri M.S. Sanghvi, President of the Bombay Bar Association, Shri P.A. Jani, Hon. Secretary; on behalf of Bombay Incorporated Law Society, Members of the Bar, Ladies and Gentlemen,

Today we have assembled here to mourn the sad demise of Justice Mukundrao Gopinathrao Chaudhari, who left for his heavenly abode on 19<sup>th</sup> December 2000.

Justice Chaudhari was born on 8<sup>th</sup> March 1932. He had his earlier education in Vivek Vardhini High School, Hyderabad, and graduated from Nizam's College, Hyderabad between 1949 and 1951. He was 1<sup>st</sup> Prize Winner in Economics Senior B.A., was awarded Merit Scholarship at B.A. final Examination for post graduate studies. Thereafter he obtained LL.B. and LL.M. Degrees from Osmania University. Hyderabad.

Justice Chaudhari was as Pleader, 1<sup>st</sup> Grade, of Hyderabad High Court on 19<sup>th</sup> August 1953. He was enrolled as an Advocate of Hyderabad High Court on 20<sup>th</sup> August 1956. After reorganization of States, he shifted to Bombay. He practised in Civil, Criminal and Writ matters in the Bombay High Court and also appeared before Co-operative Tribunal and Revenue Tribunal since 1965.

Justice Chaudhari was part-time Professor of Law at the Government Law College, Bombay, in 1966 and 1971. He was also appointed as part-time Professor of Law at the New Law College, Bombay, in 1972. He was associated with Bombay, Pune and Marathwada Universities as Examiner and Paper-setter in Law. He was Member of the Senate of Bombay University for one year as Professor at Government Law College, Member of Board of Studies in Law of Bombay University in 1984, Co-opted Member of Disciplinary Committee of the Bar Council of Maharashtra between 1972-75.

On 8<sup>th</sup> of January 1975 Justice Chaudhari was appointed Judge of the City Civil & Sessions Court, Greater Bombay and was promoted as 2<sup>nd</sup> Additional Principal Judge of that Court. He was appointed as Judge of the Bombay High Court on 24<sup>th</sup> May 1989 and as Permanent Judge on 26<sup>th</sup> April 1990. Justice Chaudhari retired on 8<sup>th</sup> March 1994.

During his tenure as a Judge, Justice Chaudhari displayed qualities of a good judge, patient, courteous and fair. Justice Chaudhari, a very gentle and affectionate person, always maintained cordial relations with his colleagues and members of the Bar. He will be remembered as a fearless, yet kind-hearted Judge. He was a source of encouragement and inspiration to the younger members of the Bar appearing before him.

After retirement, between 1994 and 1997, Justice Chaudhari, functioned as Vice-Chairman of Central Administrative Tribunal, Guwahati Bench, and thereafter of Hyderabad Bench. He was also a Member of the Advisory Board of the State of Maharashtra under the MPDA and NDPS Acts.

Justice Chaudhari will be remembered, as an outstanding Judge and above all a gentleman par excellence, ready to extend a helping hand to all who needed his help. He is no more with us, but we shall for all times remember him as one who brought glory, admiration and respect to the legal fraternity in general, and the judiciary in particular.

Let us, therefore, pay our respectful homage to the departed soul and pray that his soul may rest in peace.

In this hour of grief, on behalf of my esteemed colleagues, on my own behalf and on behalf of all of you assembled here, I convey our heartfelt condolences to the members of the bereaved family and in particular to his sons Yadunath and Shantanu, out of whom the former is a practising lawyer of this Court, and daughter Maya. May the Almighty give them strength to bear this great loss.

*May his soul rest in eternal peace.*

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**REFERENCE MADE BY SHRI P. JANARDHANAN, ADDITIONAL  
ADVOCATE-GENERAL OF MAHARASHTRA, TO LATE SHRI  
MUKUNDRAO GOPINATHRAO CHAUDHARI, FORMER JUDGE OF  
THE BOMBAY HIGH COURT, ON TUESDAY, 16<sup>TH</sup> JANUARY 2001.**

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**My Lord the Chief Justice,**

Every human being is a casualty of circumstances and as such we are not only trained to hear good news, but to hear bad news once in a while. This time it is unfortunate. One of the eminent former Judge of this High Court, Shri Justice M.G. Chaudhari, expired on 19<sup>th</sup> December 2000 at Pune.

Shri Justice Chaudhari was born on 8<sup>th</sup> March 1932 at District Jalna, Maharashtra. Matriculated from Vivek Vardhini High School, Hyderabad, graduated from Nizam's College, Hyderabad, during the period 1949 to 1951. He was the first prize winner in Economics, Senior B.A. Merit Scholarship was awarded to him at B.A. Final Examination for Post Graduate studies. He did his M.A. in Political Science in the year 1956 and LL.M. in the year 1955.

Enrolled as Pleader 1~ Grade of Hyderabad High Court on 19<sup>th</sup> August 1953. Enrolled as an Advocate of Hyderabad High Court on 20<sup>th</sup> August 1956. Practised at the Bombay High Court in Civil, Criminal and Writ matters as also appeared before Co-operative Tribunal, Revenue Tribunal, since 1965. He was appointed as a Judge of the City Civil & Sessions Court, Greater Bombay on 8<sup>th</sup> January 1975. Appointed as a Judge of the Bombay High Court in 1989 and retired on 8<sup>th</sup> March 1994.

Justice Chaudhari was appointed as Vice-Chairman of Central Administrative Tribunal in the year 1994. He was a Member of the Advisory Board of the State of Maharashtra in the year 2000 for MPDA & NDPS matters.

He was a part-time Professor of Law at the Government Law College, Bombay, from 1966 to 1971. He taught Equity, Special Contract and other subjects.

Appointed as a part-time Professor of Law at the New College, Bombay, in 1972 and resigned after becoming Judge. He taught Hindu Law, Law of Crimes, Constitution of India and other subjects.

Associated with Bombay, Pune and Marathwada Universities as Examiner and Paper Setter in Law.

Was Member of Senate of Bombay University for one year as Professor at Government Law College, Member of Board of Studies in Law of Bombay University in 1984, co-opted Member of Disciplinary Committee of Bar Council of Maharashtra between 1972-75. Was Languages Committee for translation of laws from English into Marathi for two terms and was connected

with Guild of Law Students, Bombay. He was invited to deliver lecture at Bar Council of Maharashtra series for junior lawyers in Civil and Criminal topics. The lecture in Civil series is published by Bar Council of Maharashtra in its journal and also in journal of Bar Council of India, He had special interest in Marathi literature, social and legal problems.

I had, in my capacity as an Officer of the Court, to appear before Justice Chaudhari not only in the City Civil & Sessions Court, but also in the High Court. The lawyers who left his Court after completion of arguments always used to go with a smiling face. Justice Chaudhari was very warm and used to hear the cases with patience. No member of the Bar ever had an opportunity to make a grievance against Justice Chaudhari. Patient hearing, irrespective of the fact that the lawyers were junior or senior, was the specialty of Justice Chaudhari.

His family is survived by his sons Yadunath and Shantanu, the former a practising Advocate, and daughter Maya Oeolaekar.

On behalf of the entire Bar of the State of Maharashtra, I join Your Lordships in offering condolences to his family members.

May his soul rest in peace.

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REFERENCE MADE BY SHRI V.A. GANGAL, PRESIDENT, ADVOCATES' ASSOCIATION OF WESTERN INDIA AND ON BEHALF OF THE BAR COUNCIL OF MAHARASHTRA & GOA TO LATE SHRI MIKUNDRAO GOPINATHRAO CHAUDHARI, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON TUESDAY, 16<sup>th</sup> JANUARY 2001.

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My Lord, the Chief Justice,

I fully associate with the sentiments expressed in very appropriate words by Hon'ble the Chief Justice and the learned Additional Advocate-General.

Shri Mukundrao Gopinathrao Chaudhari, very fondly known as Balasaheb to his friends and near and dear ones, he was a man of short stretches but with a very big heart.

By circumstances, he was almost a nomadic. After his initial education in the saintly lands of Marathwada, he migrated to Hyderabad for his education. He passed throughout with flying colours and along with the education he also imbibed the "Khandani" culture of the Hyderabad State. He loved all innocent good things in life, including good food and good literature.

After the reorganisation of States, he again migrated from Hyderabad and came to practice in the High Court of Bombay. He joined the Chambers of a very illustrious member of the AAWI, Shri R.G. Nandapurkar, who was a very eminent lawyer and a freedom fighter. He soon adjusted his lifestyle with a very busy commercial life of Bombay City, so much so that as soon as he started practicing independently, he took his office in Fort in Commerce House.

My friendship with Balasaheb goes back to 1968 when I joined the Government Law College as Part-time Law Professor. Both of us stayed at Mahim at that time and had opted for the first lecture at 7.30 a.m. in the Government Law College. I fondly remember those days when we used to travel together by train from Mahim to Government Law College. He had a tremendous stock of anecdotes and we invariably used to exchange the notes of law and literature. Most of the times I was the listener.

Shri M.G. Chaudhari accepted the call of duty and joined as the Judge of the Bombay City Civil & Sessions Court on 8<sup>th</sup> January 1975. Before that he had a very strong file of large number of varied matters, mostly in civil law.

He was elevated as a Judge of the Bombay High Court in the year 1989 and soon became a very popular Judge. He was very quiet but firm. He heard Advocates and gave them fullest opportunity to make out the points for admission. When he felt that the arguments were enough and the matter was required to be rejected or dismissed, he would give a disarming smile and say a few soothing words. No Advocate who left his Court went dissatisfied or in a sulky mood.

Justice Chaudhari's nomadic elements did not stop even after his retirement. He was appointed as a Vice-Chairman of the Central Administrative Tribunal and migrated to preside over the Bench at Guwahati. Soon thereafter the circle was complete. He came back to Hyderabad and retired as the Chairman of the Central Administrative Tribunal at Hyderabad.

He had a distinguished career as a Scholar, as a very good Judge as Academician, as a Professor and was associated with large number of educational and non-educational bodies. With his characteristic enthusiasm to work, everybody with which he associated himself, he gave a new dimension to that body. By his research and hard work he left his mark by his special contribution. He was also an office-bearer of the AAWI and readily delivered lectures on different topics in the lecture series organised by the Bar Council of Maharashtra and Goa,

In the first week of December, 2000 we met in another social function where we agreed to meet over a dinner with our families before the end of 2000, preferably in the first week of the Christmas Vacation. This was not to happen; on 19<sup>th</sup> December 2000 we heard a sad, shocking news of his sudden demise. The news was all the more saddening because only a few months before his wife also had expired in a very sudden and shocking manner. His son, Shri Yadunath, is a practising lawyer in the High Court and in the Bombay City Civil & Sessions Court,

In the death of Justice M.G. Chaudhari, the Bar has lost a very kind and a good Judge and I have personally lost a very close friend,

May his soul rest in peace,

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REFERENCE MADE BY SHRI SANGHVI, PRESIDENT OF THE BOMBAY BAR ASSOCIATION, TO LATE SHRJ MUKUNDRAO GOPINATHRAO CHAJDHARI, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON TUESDAY, 16<sup>TH</sup> JANUARY 200t.

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My Lords,

On behalf of Bombay Bar Association and on my own behalf, I fully share the sentiments expressed by Your Lordship and my colleagues.

Justice Chaudhari, after graduating in law, practised law as well as taught law. He was appointed as a Judge of the Bombay City Civil Court and in 1989 he was elevated as a Judge of this Hon'ble Court. During his tenure as a Judge, both of City Civil Court first and later on as a High Court Judge. he proved himself an able and competent Judge. By his friendly attitude, he endeared himself to the bar. Though he was friendly, yet he was firm. Even after his retirement, the Government used his abilities by entrusting him with important assignments in Assam and elsewhere.

He was practising on the Appellate Side and I was practising on the Original Side. However, just before his appointment as a City Civil Court Judge, we happened to be appearing against each other in one matter and since then we became quite friendly with each other. I had occasions to appear before him both in the City Civil Court and in this Hon'ble Court. I always found him friendly and courteous without favouritism,

After his retirement, I did not meet him till last December at the function to celebrate Chief Justice Chagla's birth centenary. I was very happy to find him present at the function. He was his usual cheerful self. Little did one know that within a few days he would be taken away from us.

Justice Chaudhari is survived by two sons and a daughter. One of his sons is an Advocate practising in this Hon'ble Court, My sincere and heartfelt sympathies and condolences go to the bereaved family. May his soul rest in peace,

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REFERENCE MADE BY SHRI P.A. JANI, HON. SECRETARY OF THE BOMBAY INCORPORATED LAW SOCIETY, TO LATE SHRI MUKUNDRAO GOPINATHRAO CHAUDHARI, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON TUESDAY, 16<sup>TH</sup> JANUARY 2001.

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My Lords, the Hon'ble the Chief Justice,

It is with deep sorrow that I, on behalf of the members of the Bombay Incorporated Law Society, associate myself with the sentiments which have been expressed here.

It is really a sad occasion but we can only take consolation in the fact that -

*For to the one that is born, death is certain and certain is birth for the one that has died Therefore for what is unavoidable, thou !ihould not grieve.*

I pay tribute to the departed soul on behalf of the Members of the Bombay Incorporated Law Society and on my own behalf. In passing away of Shri Mukundrao Gopinathrao Chaudhari we who knew him closely have lost a warm friend and able Advisor.

When for the first time I appeared before Justice Mukundrao Gopinathrao Chaudhari, I had just begun my practice. After my appearance on that day I felt that I met someone who made me feel good, who understood me in a way no one could and encouraged me as a junior.. I found that there was someone who was always there to listen to us juniors. When Justice Chaudhari saw a junior appearing before him he knew that a junior is there for a reason and he never got angry on them.

Success of Justice Chaudhari as a Judge was on account of his belief that :

Success is doing. not wishing and the secret of success is working with the things, as they are, not with the way you wish they were or thing they ought to be.

Justice Mukundrao Gopinathrao Chaudhari enjoyed the life. He would say that:

Life is full of wonders and joys  
I will enjoy my share  
Whatever trials and sorrows I meet  
I am ready to dare  
Nor willi be concerned a bit  
If you are not there.

Justice Chaudhari believed that:

All things are possible until they are proved impossible and even the impossible may only be so as of now.

To the family members of Justice Mukundrao Gopinathrao Chaudhari, I quote the words of S. Radhakrishnan :

Our human dignity requires us to accept pain and suffering for the sake of the right. All men are bound to die. All life ends in death, all progress is perishable, and nothing is permanent in the temporal sense of the term.

On the subject of death, Sri Raman Maharshi has said that -

Why mourn the dead? They are free of bondage. Mourning is the chain forged by the mind. to bind itself to the dead.

Therefore, think of him still as the same, and say that he is not dead. He is just away.

I respectfully join my Lords and my colleagues in the prayer that the soul of Justice Mukundrao Gopinathrao Chaudhari may rest in eternal peace and his abiding memories may live for long. I extend on behalf of the Bombay Incorporated Law Society condolences to the members of his family.

May his soul rest in eternal peace.

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