

ADDRESS BY HON'BLE THE CHIEF JUSTICE DR.MANJULA  
CHELLUR, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE FULL  
COURT REFERENCE TO LATE MR.S.R.CHITNIS, SENIOR ADVOCATE,  
ON WEDNESDAY, 19TH APRIL 2017 AT 11.00 A.M. IN THE  
CENTRAL COURT.

My esteemed colleagues

Mr.Rohit Deo, Advocate General of Maharashtra

Mr.Anil Singh, Additional Solicitor General of India,  
who also represents Bar Council of Maharashtra & Goa.

Dr.Milind Sathe, President,  
Bombay Bar Association.

Mr. Rajiv Chavan, President,  
Advocates' Association of Western India.

Mr.Kaiwan Kalyaniwalla, President,  
Bombay Incorporated Law Society.

Learned Senior Advocates, respected members of the Bar,  
and members of the bereaved family

Ladies and Gentlemen,

This morning, this gathering is to mourn the sad demise of **Mr. Sharad Ramkrishna Chitnis, Senior Advocate**, who left for his heavenly abode on 6<sup>th</sup> November 2016, at Mumbai at the age of 81 years, after illness.

**Mr. S.R. Chitnis**, who is also known as '**Baba Chitnis**', was born at Alibaug in the district of Raigad, on 5th January 1935. His father, **Mr. Ramkrishna Chitnis**, was popularly known as '**Balasaheb Chitnis**'. He was also an Advocate, who then practised at the District Court in Colaba (now Raigad) at Alibaug. When Mr. Chitnis was about two years old, his family moved to Thane and his father commenced practice as lawyer at the District Court in Thane. His father was a very well-known trial advocate in Thane and Raigad districts. His portrait adorns the Bar Room in the District Court at Thane.

Mr. S.R. Chitnis did his schooling from M. H. High School, Thane, and thereafter joined Elphinstone College, Mumbai. After completing his Inter-Arts, he joined Government Law College, Mumbai, and completed his LL.B. degree. After obtaining his sanad on 25th November 1958, in or around 1961, he joined the chambers of Mr. R.B. Kotwal, a well-known Advocate on the Appellate Side.

Mr. S.R. Chitnis was appointed as **Assistant Government Pleader** in the year 1968 and continued in that post till 1976, when he resigned. After resigning, he continued his private practice and he reached great heights as a defence lawyer and accumulated large

practice on criminal side. He appeared in several high profile matters and was considered as an authority on the Terrorist and Disruptive Activities (Prevention) Act; the Maharashtra Control of Organised Crime Act; and the National Security Act. He had also made a significant contribution to the development of law on the subject of 'externment'. Some of the famous cases in which he appeared are: **Raman Raghavan** case; **Mukesh Mevani's** case; **Billa and Ranga** case; **Usha Badri Poonawala's** case; **Anand Dighe's** arrest under TADA; **Indian Express Group** cases; etc.

In 1996, Mr.S.R.Chitnis was designated as a Senior Advocate by this Court. In November 2008, he completed 50 years in the profession and penned a book '**My 50 Years**'. The book contains his experiences at the Bar and the same is well received by junior members of the Bar.

Mr.Chitnis has to his credit a large number of reported judgments under various provisions of the Indian Penal Code; the TADA Act; the Maharashtra Control of Organised Crime Act; the National Security Act; the Prevention of Corruption Act; the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug Offenders and Dangerous Persons Act; etc. Mr.Chitnis used to prepare in all the matters very well, but was very precise and persuasive in his arguments.

His elder brother **Mr.Hemant** had major influence on his life. Mr.Hemant joined the Air Force and rose to the rank of **Air Marshal**. Incidentally, the road which connects the District Court at Thane to the Police Commissioner's office is named as '**Air Marshal H.R. Chitnis Road**'.

On 22nd December 1962, Mr.S.R.Chitnis married **Dr.Anuradha**, a Gynaecologist. Initially, she worked with the Municipal Corporation of Greater Mumbai and after a brief stint of private practice, she joined and worked with the Family Planning Association of India till she retired.

Mr.S.R.Chitnis commuted daily from Thane to the Bombay High Court, for over 50 years. Initially, he travelled by local trains and from 1982 onwards he travelled by car. Though he practised mainly in the Bombay High Court, he was always a Thaneite, at heart. He was one of the ten people who were awarded the 'Thane Bhushan Puraskar' in 2015.

His love for Cricket is well-known. In his student days, he captained the Government Law College Cricket Team. He travelled across India and to several other countries to watch the Indian cricket team play. He also liked to go across to the Oval Maidan and watch youngsters play cricket. He often helped several talented upcoming cricketers by buying cricket kits for them, donating money to them and other assistance.

Mr.Chitnis is survived by his wife **Dr.Anuradha Chitnis**; son **Mr.Rahul**, an Advocate, who after practising on the Original Side of this Court for a good number of years is now practising in the Supreme Court. Mr.Chitnis also has a daughter, **Ashwini**, an Audiologist and Speech Therapist, married and settled in Sydney in Australia.

In the passing away of Mr.Chitnis, the Bombay High Court has lost one of its senior legal luminary.

I and my colleagues share the grief of the bereaved family.

May his soul rest in eternal peace !

.....

ADDRESS BY SHRI ROHIT B. DEO, ADVOCATE GENERAL OF MAHARASHTRA, AT THE FULL COURT REFERENCE TO LATE SHRI SHARAD R. CHITNIS, SENIOR ADVOCATE, ON WEDNESDAY, 19TH APRIL 2017 AT 11.00 A.M. IN THE CENTRAL COURT.

My Lord the Hon'ble the Chief Justice Dr. Manjula Chellur,

Hon'ble Judges of this Hon'ble Court,

Shri Anil C. Singh, Additional Solicitor General of India,

Dr. Milind Sathe, President, Bombay Bar Association,

Shri Rajiv Chavan, President,  
Advocates' Association of Western India,

Shri Kaiwan Kalyaniwalla, President,  
Bombay Incorporated Law Society.

Members of Shri Chitnis' family,

Members of the Bar, and friends.

We are gathered here today to pay our respects and tributes to the late Shri S.R. Chitnis, who left for his heavenly abode on 06<sup>th</sup> November 2016.

Born on 5<sup>th</sup> January 1935, late Shri Chitnis was fondly referred to as “Baba Chitnis” by one and all. He completed his legal education from the Government Law College, Mumbai, and obtained his sanad on 25<sup>th</sup> November 1958. He then joined the chambers of Shri R.B. Kotwal, a prominent lawyer practicing on the Appellate Side of our Court. Shri Chitnis was designated as a Senior Advocate by our Court in 1996.

It was perhaps inevitable that Shri Chitnis would join the legal profession. His father was a prominent lawyer, practicing first in Alibaug and then in Thane, where his portrait adorns the Bar Room of the District Court at Thane.

Shri Chitnis was appointed as an Honorary Assistant Government Pleader in 1965 and later as Assistant Government Pleader, serving till 1976. During his time in the Government Pleader's office, Shri Chitnis handled a number of externment and Prevention of Food Adulteration Act matters. Shri Chitnis wrote in his autobiography that his experience in the Government Pleader's office paid him rich dividends later in his private practice. As a Government Pleader, he appeared in many high profile cases, including the Chunawala murder case, the Ambernath murder case, the Vishnu Krishna Belurka's case under the Prevention of Corruption Act, 1947.

Practicing mainly on the Criminal Side, Shri Chitnis had a flourishing practice after his time in the Government Pleader's Office. An astute criminal defence lawyer, he appeared for the accused and convicts in a number of important matters. Some include Raman Raghavan's case, Pawle's case and Hitendra Thakur trial in Pune.

Apart from law, Shri Chitnis's other passion was cricket. He played cricket at the School and Collegiate level and was an avid follower of our national cricket team. He was always kind and generous, particularly in supporting young talented cricketers by purchasing equipment for them.

While I did not have the privilege of knowing Shri Chitnis personally or watching him at work, I have had the pleasure of reading his autobiography, “My 50 Years”, where he recounts the first 50 years of his practice at the Bar. His book reveals a multifaceted personality who celebrated life. He dedicated the book to his dear friend Madhu Kotwal, whom he credited with his success in the profession.

Shri Chitnis played an important role in advancing civil liberties of citizens, arguing important cases under the Prevention of Terrorism Act, TADA, the Prevention of Gambling Act, MCOCA, the National Security Act, the Maharashtra Dangerous Activities of Slumlords, Bootleggers and Drug Offenders Act. Shri Chitnis was vocal in his criticism of what he perceived as misuse and abuse of criminal statutes by the Government authorities, which he wrote about extensively in his book.

In the foreword to his autobiography, Hon'ble Justice V.P. Tipnis (Retd.), a retired judge of our Court, recounted Shri Chitnis' unique power of observation and his outstanding memory.

While late Baba Chitnis took his professional assignments very seriously, as is the hallmark of a contented mind, he did not take himself too seriously, and was always able to see the humour in happenings in Court. He has recounted many humorous incidents in his book.

Shri Chitnis occupied a place at the lunch table in the Appellate Side Bar Room, where he enjoyed the lunch hour with some of his friends, most of whom are Senior Advocates of our Court.

With Shri Chitnis's passing away, the Bar has lost one of its most prominent and well liked members, who will be sorely missed.

Shri Chitnis' son, Rahul is a practicing Advocate with a flourishing practice.

On behalf of the Bar and the State of Maharashtra, I extend our deepest condolences to the entire bereaved family.

....

ADDRESS BY SHRI ANIL SINGH, ADDITIONAL SOLICITOR GENERAL OF INDIA AND ON BEHALF OF BAR COUNCIL OF MAHARASHTRA AND GOA, AT THE FULL COURT REFERENCE TO LATE SHRI SHARAD R. CHITNIS, SENIOR ADVOCATE, ON WEDNESDAY, 19TH APRIL 2017 AT 11.00 A.M. IN THE CENTRAL COURT.

My Lord, Hon'ble the Chief Justice,

Other Judges of this Hon'ble High Court,

Shri Rohit Deo, Advocate General of Maharashtra,

Dr. Milind Sathe, President of Bombay Bar Association,

Shri Rajiv Chavan, President,  
Advocates' Association of Western India.

Shri Kaiwan Kalyaniwalla, President of Incorporated Law Society,

Family Members of late Senior Advocate Shri Sharad R. Chitnis,

Members of the Bar,

Ladies and Gentlemen,

It is with a very heavy heart and profound grief we have assembled here to pay homage to Senior Advocate Sharad Chitnis who was popularly known as 'Baba Chitnis'. Shri Sharad Chitnis was born in Alibaug on 5<sup>th</sup> January 1935. His father Shri Ramkrishna Chitnis also known as 'Balasaheb Chitnis' was a well-known trial lawyer and had outstanding practice.

A couple of years after receiving his sanad on 25<sup>th</sup> November 1958, Shri Sharad Chitnis joined the chamber of Shri R.B. Kotwal, a well-known lawyer on the Appellate Side of Bombay High Court. Shri Chitnis had a roaring practice on the criminal side of the Bombay High Court. His book by the name "My 50 Years" which he had written after completing 50 years in the profession is indeed a rich source of information for all the juniors at the Bar.

He was considered as an authority on TADA, MCOCA and National Security Act. He has also played a significant role in the development of the subject of 'externment'.

The moment one used to enter room no.36 of the Advocates' Association of Western India, one used to find the ever graceful and smiling Shri Chitnis at the extreme end of the center table. He used to help juniors at the Bar whenever his help was sought for. Shri Chitnis also encouraged his juniors to argue matters themselves and it is only under the able guidance of Shri Chitnis, the Bar has very good lawyers like Manoj Mohite, Sarang Kotwal amongst many others. Shri Chitnis's love for cricket and his distinct affection for Sachin Tendulkar is known to all.

He was one of the 10 people who were awarded 'Thane Bhushan Puraskar' in 2015. Shri Chitnis used to travel all the way from Thane to Bombay High Court. However, there would barely be any day when Shri Chitnis was not present in the Court.

He worked with quite dedication and has left behind a legacy of judgments. Rahul Chitnis carries his torch forward. I, on behalf of myself and the Bar Council of Maharashtra and Goa, express my deepest condolence for the family of the departed soul.

May his soul rest in peace !

.....

ADDRESS BY DR.MILIND SATHE, PRESIDENT, BOMBAY BAR ASSOCIATION, AT THE FULL COURT REFERENCE TO LATE SHRI S.R. @ BABA CHITNIS, SENIOR ADVOCATE, ON WEDNESDAY, 19TH APRIL 2017 AT 11.00 A.M. IN THE CENTRAL COURT.

Hon'ble Chief Justice Dr. Manjula Chellur,

Other Hon'ble Judges of this Court,

Advocate General of Maharashtra Shri Rohit Deo,

Additional Solicitor General Shri Anil Singh,

President of Advocates' Association of Western India, Shri Rajiv Chavan,

President, Bombay Incorporated Law Society, Shri Kaiwan Kalyaniwalla,

Senior Advocates,

Members of the Bar,

And family members of late Shri S.R.Chitnis,

Ladies and Gentlemen,

We assemble this morning to mourn the sad demise of Mr. S.R. Chitnis who left for his heavenly abode on 6<sup>th</sup> November, 2016.

Late Mr.S.R. Chitnis or “Baba Chitnis”, as he popularly was known, was jovial, smiling personality whom you would come across, throughout the High Court, in the Bar Room, Law Library and Courts and he would exuberate his smiley greeting to everyone.

Late Mr.S.R. Chitnis practised in virtually all branches of law, but criminal law was his love and specialization. Litigants not only from the State but also from other States would call on him for consultation in large number of criminal cases.

There is a special bond between lawyers from Thane practising in this Court and commuting daily from Thane. That commuting Bar from Thane has produced several greats of this Court. For several years he commuted between Thane and Mumbai. For his invaluable services to the Thane City and Thane Municipal Corporation, he was conferred with 'Thane Bhushan Award' in October 2015.

In passing away of late Baba Chitnis, a vacuum has been created in criminal law which is difficult to fill. His son, who is practicing Advocate of this Court and Supreme Court of India is our member and has been our past Honorary Secretary.

On behalf of all of us assembled this morning and the entire Bombay Bar Association, I convey my heartfelt condolences to the bereaved family and particularly Rahul Chitnis who is our colleague now practicing in Delhi and pray Almighty to give them courage to bear the loss. Let the departed soul rest in eternal peace!

....

ADDRESS BY SHRI RAJIV CHAVAN, SENIOR ADVOCATE & PRESIDENT, ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE FULL COURT REFERENCE TO LATE SHRI S.R. CHITNIS, SENIOR ADVOCATE ON WEDNESDAY, 19TH APRIL 2017  
AT 11.00 A.M. IN THE CENTRAL COURT.

My Lady the Hon'ble Chief Justice Dr.Manjula Chellur,  
Hon'ble Judges of High Court,  
Learned Advocate General Shri Rohit Deo,  
Learned Additional Solicitor General Shri Anil Singh,  
President of Bombay Bar Association Dr. Milind Sathe,  
President of Incorporated Law Society Shri Kaiwan Kalyaniwalla,  
Members of late Shri S.R. Chitnis's family,  
Senior Advocates, Members of Bar,  
Ladies & Gentlemen,

Senior Advocate Shri S.R.Chitnis fondly known as “Baba” passed away on 6<sup>th</sup> November, 2016. This is our humble tribute to Baba Chitnis.

An unquestionably irrepressible and intelligent Advocate, Baba Chitnis was admired as a mentor by his juniors and his vast circle of friends in the legal community. Today, while we pay our fond condolences to him, we also acclaim his sharpness of mind, his ever cheerful disposition and his spirited persona.

Baba Chitnis must have undoubtedly inherited his legal prowess and accomplishment from his late father Shri Ramkrishna also known as Balasaheb Chitnis who was an acclaimed trial lawyer in Thane district which extended through Kurla and Bandra then. However, as the saying famously goes, “behind every self made man there is sweat, blood and tears, Baba's resounding success in his legal practice was greatly due to his own making. For, although his father was of some assistance to him in his nascent years of apprenticeship he unfortunately could not contribute much in terms of setting up Baba's practice in the Bombay High Court, as he passed away in 1960, whilst Baba completed his LL.B. in 1958. So Baba took up a job initially with the Reserve Bank of India. Thereafter, he joined the chambers of Mr. R.B.Kotwal.

It all began for Baba with the punctilious journey by the 9.46 a.m. local fast train from Thane to Mumbai daily. He was perhaps one of the first lawyer residing in Thane in those years who made this journey alone initially but was subsequently joined by Mr. Justice Vijay Tipnis who was a practising lawyer then and few others later on. They came to be known as the quintessential “train group”.

As legal practice grew successfully over the years the group decided to give themselves the luxury of traveling by car together. So Baba, Mr.Vijay Tipnis and Mr.Suresh Karnik [then legal Manager of MSFC] did not tarry but travelled on and were perhaps the first of their kind, the “Thane to Mumbai car pool lawyers”. Sometimes, they were also joined by Mr.Justice Abhay Oka who was the one time junior of Mr. Tipnis.

The shared experiences and fulfilling times of the “car pool lawyers” ended when Mr. Vijay Tipnis became a Judge of the Bombay High Court.

May I now acquaint you with some shared memories that some of the Advocates of our Bar had with Baba Chitnis.

Senior Advocate Mr. Shirish Gupte recollects the time when both he and Baba shared a mutual admiration for Baba's senior Shri R. B. Kotwal, a very distinguished lawyer of his time. He adds that Baba was also greatly influenced by well-known criminal trial lawyer of Pune Mr. Vasant Rao Deshmukh and under their tutelage and guidance Baba soon acquired the skills of advocacy. He was appointed Assistant Government Pleader and Assistant Public Prosecutor in High Court and appeared in large number of criminal cases on behalf of the Government. After resigning as a Government Pleader, Baba acquired a large private practice over a period of time beginning from the seventies. He appeared in a variety of criminal cases ranging from criminal appeals against conviction, externment matters, preventive detention matters.

Senior Advocate Mr. Vijay Thorat recalls that “Baba was a live wire package, ready to laugh, argue and on occasions ready to concede. His enthusiasm was admirable. He was an astute and innovative lawyer who helped and nurtured many juniors. Baba's analytical power helped him unravel mysteries of law”, said Mr. Thorat.

Senior Advocate Mr. Ram Apte, reflects that “Baba” was a fountain of energy flowing freely and distributing it to all those who came in his contact. I have not seen such energy at the age of 80 plus barring a few”.

Senior Advocate Mr. Rajiv Patil recalls that Baba traveled all over the world to watch cricket matches whenever and wherever the Indian team played and more so when Sunil Gavaskar and later Sachin Tendulkar were on the crease. He disliked criticism of any kind of Sunil Gavaskar or Sachin Tendulkar and if someone even innocuously dared to do that then Baba's diary that person was deemed as anti national.

Mr. Patil experienced his kind guidance when he was in the office of the Public Prosecutor. He was always keen to guide young prosecutors. He religiously taught them how to open confirmation matters of death sentences or defend sanctions in prevention of corruption cases. He taught us how to read eye witnesses, how to present prosecution case before the High Court. In detention matters or habeas corpus petitions, he always cautioned the prosecutors of the pitfalls. He made us read all the relevant authorities on the point of approvals and representations.

“Baba” was a sportsman to the core, recalls his one time junior Adv Mr. Manoj Mohite. He remembers that day when he lost the AAWI's election for the post of President by a single vote. His friends insisted on a recount of votes. Baba promptly turned it down. Instead ever so sportingly he took everybody out for a drink. That

was Baba reminisces Adv. Mohite. He was a multifaceted personality and it is difficult to typecast him in a few words. His tall and imposing personality was in sharp contrast with the childlike innocence that he occasionally displayed says he. What lawyers admired about Baba was his commitment to friendship. He stood by his friends even in the most adverse circumstances. He was always there for any junior who sought his help, even if it entailed going to the library to locate a judgment or a trip to the Judge's chamber to smoothen ruffled feathers.

Adv Mr.Shantanu Phanse who happened to be Baba's last junior considers him rather unfortunate that he could not spend more than a year and half with him. One of the thing that quickly caught his attention was when he observed that Baba never read any newspaper in the morning. His morning tea and breakfast every single day was accompanied by the latest monthly edition of ALL MR (criminal) digest. His urge to learn something new everyday coupled with his enthusiasm and excitement for it at the age of 82 was unmatched and something that Adv. Shantanu Phanse had never seen before. For 10 months that he travelled along with Baba from Thane to the High Court their daily conversations would be on case laws. But case laws took a complete back seat on days when India was playing any Test match. Practising on the criminal side for over 50 years, Baba's brain was a storehouse of Supreme Court judgments ranging from the year 1950 to 2016 which at times he would refer precisely with the paragraph and page numbers while arguing even without having them in his hand.

Adv. Sarang Kotwal, was a one time junior of Baba says, I quote,” he was very different.... different as a senior. He always encouraged his juniors to actually work out the matters. He took full responsibility. He convinced his clients to allow his juniors to argue and his juniors could argue matters fearlessly. That's how Baba developed his juniors.

He never had any ego problems in discussing law with any junior of his. His juniors could emphatically tell their point and if it found his approval, he would argue it and give full credit to his juniors. He derived energy from arguing matters. In April 2016 just before his fall, he argued a matter for full day without tiring. He was always optimistic about all his matters. He never said a case was bad and after rejection he always moved on. His memory was elephantine. He could not cite judgments in his field at will. His contribution in the field of externment and detention is specially noteworthy. Cricket was his great passion and never missed a match. If India was in a bad position it was best to avoid him that day. He would remember matches as he would remember cases.

My Lady, Shri S.R. Chitnis, an astute lawyer with a razor sharp wit and a warm grandfatherly persona, who ceaselessly helped and moulded scores of juniors in their legal practice besides aiding several other Advocates tide through their personal travails, an ajatashatru, is no more among us. My lady, I, on behalf of the Advocates' Association of Western India, pay my humble respects to him and offer our heartfelt condolences to the bereaved family and fully associate with the sentiments that have been expressed here by Your Ladyship.

....

ADDRESS BY MR. KAIWAN KALYANIWALLA, PRESIDENT, THE BOMBAY INCORPORATED LAW SOCIETY, AT THE FULL COURT REFERENCE TO LATE SHRI S.R. CHITNIS, SENIOR ADVOCATE ON WEDNESDAY, 19TH APRIL 2017 AT 11.00 A.M. IN THE CENTRAL COURT.

My Lady the Hon'ble Chief Justice,

The Hon'ble Judges of the Bombay High Court,

Mr. Advocate General,

Mr. Additional Solicitor General,

Presidents of the Bombay Bar Association and the Advocates' Association of Western India.

With respect, I concur with what has been stated by My Ladyship and my brethren at the Bar today.

Baba Chitnis, as he was affectionately known, was the epitome of geniality towards one and all. He was a larger than life figure and his contributions to the field of criminal law will always be remembered.

He believed in living a fuller life beyond the confines of the profession, and he lived by that principle.

In the passing away of Mr.Chitnis, we have lost, not only a very Senior Lawyer, but also a fine gentleman.

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

May his soul rest in peace !

....