

SPEECH OF HON'BLE MR. JUSTICE M.S. SONAK, JUDGE, BOMBAY HIGH COURT, AT THE FULL COURT REFERENCE, IN MEMORY OF LATE MR. EURICO DA SILVA, FORMER JUDGE, BOMBAY HIGH COURT, ON 17TH JULY, 2025, AT 10.15 A.M., AT HIGH COURT OF BOMBAY AT GOA, PORVORIM-GOA.

1. The Hon'ble the Chief Justice, my esteemed Sisters and Brothers at Bombay, Nagpur, Aurangabad and Goa, Mr. Devidas Pangam, Advocate General of Goa; Mr. Pravin Faldesai, Deputy Solicitor General of India; Mr. Jilman Coelho Pereira, President of the Goa High Court Bar Association; Senior Advocates and other distinguished members of the Bar; esteemed officers of the Registry and staff; Ladies and Gentlemen; and most importantly, the respected members of Dr. Silva's family.

2. We gather here with mixed emotions. We mourn the loss of one of our most esteemed judges, Justice Dr. Eurico Santana Da Silva. Nonetheless, we also come together to honour Dr. Silva's exceptional life, which lasted over 90 years and his distinguished judicial career, which began in 1957 and lasted nearly forty years.

3. Much of Dr. Silva's education in law and legal procedures was from the University of Coimbra in Portugal. It is one of the most prestigious and the second oldest universities in Europe. After completing his education, Dr. Silva returned to Goa and was appointed as a Judge in 1957. Through a series of promotions that could have been and should have been accelerated, Dr. Silva was elevated to the High Court in 1990. He retired after serving with greatest distinction as a Judge of this Court in 1995.

4. Though Dr. Silva shuffled off his mortal coil on 28th March 2025, I can visualise him gracing the judicial seat. Dr Silva had a splendid personality and a kindly demeanour. He was a soul of courtesy, a very embodiment of dignity, courteous alike to the lawyers and litigants, to the juniors and seniors, to witnesses and companion judges, to the court officers and the support staff, to just everybody without any invidious distinction.

5. Dr. Silva had a perfect judicial temperament and a thorough consciousness. His suavity of temper, urbanity of manners, and gentility of behaviour left an indelible mark on the Courts that he presided over.

6. Dr. Silva was born into and lived by the highest traditions of honesty, integrity, impartiality, scholarship, grace, and hard work. He could and did administer justice without fear or favour, affection or ill will. Dr. Silva was a man of conscience who believed that the law should be an instrument for delivering justice. He firmly believed that law and justice were joined by God and did his utmost to ensure that they were not put asunder.

7. Dr Silva's judgments attest to his unwavering passion for delivering genuine justice. No wonder he earned the respect of his peers and the trust of the people, thanks to his dedication to administering fair and impartial justice.

8. No system of justice can ever rise above the ethics of those who administer it. Dr. Silva was ethical to the core. Ethical behaviour is like the air we breathe. We hardly notice the air we breathe unless it becomes scarce or polluted. Similarly, we tend to ignore ethical behaviour until we someday fall victim to it.

9. Dr. Silva was a man of character, great courage, conviction, and integrity. He had the courage to practise and speak the plain truth, and to stand up for his principles, disregarding any prospects of advancement. His courage stemmed from his deeply ingrained principles of morality, ethics, and righteousness. I believe it was **Walter Scott** who said that "*Without courage there can be no truth and without truth there can be no virtue*".

10. From an aesthetic perspective, the courtrooms presided over by Dr. Silva had to be seen to be believed. The impeccably restored, well-polished furniture gleamed in the bright yet subtle illumination of the exquisite chandeliers that adorned his courtrooms. Cleanliness and orderliness in the Courts were not some obsessions but a natural part of

his lifestyle. Mind you, none of this was driven by personal vanity or pomp. All of it was solely to uphold and enhance the dignity and majesty of the law and the courts.

11. On the domestic front, too, Dr. Silva excelled. His life partner, Mrs. Silva, an incredibly kind and cultured lady, died in a very tragic road accident in December 2008. The loss was devastating to the entire family. Dr. Silva, for several years, never missed his visits to her sacred grave, spending time with her cherished memory. However, what was remarkable was that this private and intense grief never interfered with his public duties or family responsibilities.

12. Dr. Silva was an excellent father to his four excellent sons and a loving and doting grandfather to his grandchildren. Dr. Savita, his daughter-in-law, was the daughter Dr. Silva never had. My wife, Sangeeta, and I have witnessed and experienced the meticulous and loving care that Dr. Savita provided to Dr. Silva during the numerous health-related challenges he faced in his life.

13. The grandchildren were the joy of Dr. Silva's life. We are pleased that young Carlos and Antonio are here today as we honour their renowned grandfather. Carlo is a judicial officer. His eulogy at Dr. Silva's funeral was touching and offered insight into the personality of his parents. His brothers and their families live abroad but were deeply attached to Dr. Silva. The whole family lives by the morals and principles that their parents instilled in them since childhood. Our collective thoughts and prayers are with the entire family.

14. Dr. Silva's passing, inevitable at some point though it may have been, does create a deep void. Such gentlemen judges are rare and precious. **Josiah Gilbert Holland's** poem would best describe Dr. Silva and our sentiments and prayers at such times; I quote :

GOD, give us men!

A time like this demands

Strong minds, great hearts, true faith and ready hands;

*Men whom lust of office does not kill;
Men whom the spoils of office can not buy;
Men who possess opinions and a will;
Men who have honour; men who will not lie;
Tall men, sun-crowned, who live above the fog
In public duty, and private thinking.*

15. Dr. Silva always lived above the fog, always in public duty and private thought. On behalf of my esteemed Chief Justice, Sister and Brother Judges, we record our collective and profound gratitude to Dr Silva and pay our tributes to the departed soul.

16. May his divine soul rest in eternal peace.

SPEECH OF MR. DEVIDAS J. PANGAM, ADVOCATE GENERAL, STATE OF GOA, AT THE FULL COURT REFERENCE, IN MEMORY OF LATE MR. EURICO DA SILVA, FORMER JUDGE, BOMBAY HIGH COURT, ON 17TH JULY, 2025, AT 10.15 A.M., AT HIGH COURT OF BOMBAY AT GOA, PORVORIM-GOA.

Hon'ble Chief Justice, Hon'ble Judges, esteemed members of the Bar, and respected guests.

We gather here today to pay homage to a truly distinguished son of Goa, Justice Eurico Santana da Silva. His passing earlier this year marked the end of a remarkable chapter in Goa's judicial history.

Justice da Silva embodied the finest ideals of public service; discipline, humility, integrity, and above all, humanity. His was a life dedicated not just to interpreting the law, but to delivering justice with empathy.

Born on 10 May 1933 in Margao, he began his legal journey in the midst of colonial Goa, graduating in Law and completing a post-graduate degree in Historical and Juridical Sciences from the prestigious University of Coimbra, Portugal. His entry into the judiciary came early, when on 6 December 1957, he was appointed as Julgado Municipal Especial at Ponda. Over the next four decades, he rose steadily through the ranks from; Civil Judge to Chief Judicial Magistrate to Sessions Judge, culminating in his elevation as a Judge of the High Court of Bombay at Goa in 1990. He retired in 1995 after a legal career spanning over 38 years.

But to merely list his titles would be to understate his contribution. Justice da Silva was a benevolent judge, known for understanding the realities of those who came before him. In claim petitions, he consistently awarded just and compassionate compensation. Guided not only by legal precedent, but by his keen sense of fairness and his concern for the struggles of the common man.

Even after retirement, he continued to serve as Chairperson of the State Police Complaints Authority. His service also extended to commissions of inquiry, the Goa University Court, and the Consumer Disputes Redressal Commission.

His judgments were thoughtful, his demeanour always courteous. Justice da Silva was not just a jurist; he was a devoted family man and a pillar of the legal community. His legacy continues in the values he lived by, in the judgments he delivered, and in those he inspired, including within his own family.

We honour him today not just with words, but with a deep sense of gratitude for a life lived with purpose, dignity and compassion.

May his memory remain a guiding light to all of us in the pursuit of justice.

May his soul rest in peace.

Thank you.

SPEECH OF MR. PRAVIN FALDESSAI, DEPUTY SOLICITOR GENERAL OF INDIA, AT THE FULL COURT REFERENCE, IN MEMORY OF LATE MR. EURICO DA SILVA, FORMER JUDGE, BOMBAY HIGH COURT, ON 17TH JULY, 2025, AT 10.15 A.M., AT HIGH COURT OF BOMBAY AT GOA, PORVORIM-GOA.

Today we have gathered in this Court Hall for this Reference in the Memory of Late. Shree Justice; Eurico Santana Da Silva, His Soul departed for Heavenly Abode on 28th March 2025. We were blessed to have a Joyful, Smiling and well-organized Him at the age of 91 until his sad demise.

We have lost; An Insightful Jurist,

A Cerebral legal luminary;

A Justice Oriented Judge;

A Guardian of Human Rights and Fairness;

Another Splendid Son of the Soil; Goa,

On behalf of Bharat Sarkar, and on behalf of the fraternity, I am here today to emphasize Profound respect and reverence that we have in our hearts; and with all Gratitude and humility today, the Legal Community unites to pay profound tribute to the Late Shree Justice Eurico Santana Da Silva, whose passing away early this year, Marks the End of An Era.

Born in Madgao town of South Goa, to Goan Parents, under Outrageous Portuguese rule, on 10th May 1933. His formative legal education was undertaken at the esteemed university of Coimbra in Portugal, where he graduated law and post-graduated Juridical sciences.

Justice Uric da Silva's Judicial career commenced in 1957 with his appointment as Julgado Municipal Especial at Ponda Goa followed by his progression, After Goa Liberation, as Civil Judge Senior Division and JMFC

in 1964, Chief Judicial Magistrate in 1974, Additional District and Sessions Judge in 1980 and as a District and Sessions Judge for Goa Daman and Diu in 1981, and ultimately elevated as High Court Judge in in 1990. His 38 years long Judicial career came to be accomplished with his retirement on May 10th 1995.

In a way Justice Silva experienced and witnessed a Significant Political Transition of Goa from the Bench itself.

Justice Silva has been Judge in two distinct legal systems. The Portuguese Colonial System and the Independent Indian System and delivered a few remarkable Judgments. People of My generation were not so fortunate to get a chance to practice in the court presided over by him, but his lordship's Judgments continue to be guiding light for all of us.

What we have heard from our Seniors is that Justice Silva was an exceptional legal intellect and was known for, rather feared for his Strict Sense of Discipline.

Apart from all his well-known and celebrated endowment to law, His urge to get Law to the aid of common man and his justice oriented approach also needs to be highlighted. He is also known for his Social Contributions.

I pray that, Justice Eurico Sntana Da Silva's Remarkable life, his Values, his Discipline and his Commitment to Justice may resume within us.

Om Shanti.

SPEECH OF MR. J.E. COELHO PEREIRA, SENIOR ADVOCATE AND PRESIDENT, HIGH COURT BAR ASSOCIATION, GOA, AT THE FULL COURT REFERENCE, IN MEMORY OF LATE MR. EURICO DA SILVA, FORMER JUDGE, BOMBAY HIGH COURT, ON 17TH JULY, 2025, AT 10.15 A.M., AT HIGH COURT OF BOMBAY AT GOA, PORVORIM-GOA.

My lord the Chief Justice, respected Hon'ble judges of the High Court of Bombay and Goa present for this reference. My senior and junior colleagues at the bar.

We are gathered here to pay homage to one of the distinguished members of the judiciary **Mr. Justice Dr. Eurico Santana Da Silva.**

Mr. Justice Dr. Eurico Santana da Silva started his judicial career before the liberation of Goa if I am not mistaken, in the year 1957. He graduated in law from the University of Coimbra in Portugal where he excelled as a student in law and thought of serving his birth place i.e state of Goa and opted to begin his judicial career in Goa.

After the liberation of Goa, Justice Dr. Silva, as a son of the soil decided to continue to serve the liberated Goa, conscious of the fact that he would have to adapt to a different legal system and switch of from Portuguese language and would have to be acquainted to a new language i.e English. Notwithstanding the fact that all throughout his vehicle of education was in Portuguese language and notwithstanding the fact that his legal training was under the French system of jurisprudence where he would have to shift over to an Anglo Saxon regime of jurisprudence. Justice Dr. Silva keeping in mind his patriotic sentiments decided to continue to serve Goa and India.

When I began my career as a lawyer in Goa in 1973, I had the occasion and privilege to appear before Justice Dr. Eurico da Silva, who was then serving as a Civil Judge (Senior Division) at Panaji. My experience-both

within the courtroom and outside was that-Justice Dr. Silva was a strict disciplinarian and an able administrator. Wherever he was posted as an administrative judge, he ensured that discipline was maintained among the staff, and that the court environment remained conducive and the staff accessible to litigants.

I have known closely Justice Dr. Silva since 1973, from the time I started my practice, as a Civil Judge (Senior Division), as Principal District Judge thereafter as a judge of this Hon'ble Court where he served for 5 years. My experience of him right from the inception till justice Dr. Silva retired was that Justice Dr. Silva while dispensing justice was equitable, just and a true follower of the rule of law. In him, inhabited the qualities of. **INTEGRITY, HUMILITY, EQUITY AND CONSCIENCE.** Justice Dr. Silva above all was a good human being therefore I would say that in him inhaled all the qualities of a good judge.

I had the occasion to assess the judicial calibre of Mr justice Dr. Silva when he was appointed as a judge of this High Court in the year 1990 where I had the occasion to appear before him quiet often, in fact, in the year 1994, I was the Advocate General of the state and I had the privilege of appearing before him in many matters where he presided over the Division bench where constitutional issues were involved. As a fact, Justice Dr. Silva, through his judgments both reported and unreported rendered as the judge of this Hon'ble Court, consistently demonstrated his judicial caliber. Despite being educated in Portuguese, the judgments authored by him reflect the remarkable proficiency and command he had acquired over the English language, as well as his deep understanding of constitutional, civil, and criminal law of the country in the touchstone of Anglo Saxon Jurisprudence.

As a judge of this Hon'ble court, he earned the distinction of being one of the respected judges of the Bombay High court and earned the confidence and affection of the members of the Bar. Justice Dr. Silva lived a full life as a dignified citizen of this country and an hon'ble member of the judiciary.

Although the death of the Justice Dr. Silva occurred over 3 months ago, he continues to be remembered by members of the Bar for the enduring legacy he left behind. His contribution to the judicial system of the Country is evident from the many judgments he rendered as a Judge of this Hon'ble Court laying down the law as precedents.

I join today with all, here present, in this court reference, to celebrate the life and contribution to the society of this great man of Goa and a great judge of this Hon'ble Court. I extend my condolences to the bereaved family- his four sons, Dr. Roy, Paulo, Savio and Carlo and their respective families. I wish that his son Carlo, who is presently a serving judge in the State, will continue to uphold the values and legacy of his late father.

Thank you.