

ADDRESS BY THE HON'BLE THE CHIEF JUSTICE SHRI DIPANKAR DATTA AT THE COURT REFERENCE TO LATE SHRI JUSTICE B.N. DESHMUKH HELD AT AURANGABAD ON FRIDAY - 18th SEPTEMBER, 2020

My esteemed colleagues,

Mr. A.G. Talhar,
Assistant Solicitor General of India
at High Court Bench at Aurangabad,

Mr. D.R. Kale,
Government Pleader,
High Court Bench at Aurangabad,

Miss.Surekha Mahajan,
President,
Advocates' Association of Bombay High Court at Aurangabad,

Senior Advocates,

Members of the Bar,

Members of the Bereaved family,

Ladies and Gentlemen,

We have gathered here to pay tributes to late Mr.Justice Balbhimrao Narsingrao Deshmukh, former Judge of this Court, who left for his heavenly abode on 29th May, 2020 at Aurangabad. Born on 19th January, 1935, Justice Deshmukh graduated in Science and

Law. Justice Deshmukh enrolled as an Advocate and joined to Bar of Bombay High Court in 1963. Simultaneously with legal practice, he alongwith his colleagues initiated efforts for establishment of the High Court Bench at Aurangabad and ultimately became successful in 1982. Thereafter, he shifted to Aurangabad Bench for practice. Besides being a Member of Maharashtra State Bar Council from 1972 to 1976, Justice Deshmukh was also the President of the High Court Bar Association at Aurangabad during 1984-85. Justice Deshmukh was elevated as an Additional Judge of Bombay High Court on 21.11.1986 and was made permanent on 12.6.1987. He retired on 19.1.1997. Even after retirement, he continued his contribution for the well being of society apart from practising as a Senior Advocate in the Supreme Court.

If we look at the life history of Justice Deshmukh starting from an active worker of Peasants' and Workers' Party, becoming a Member of Legislative Assembly and thereafter as an Advocate especially representing the public causes and issues relating to farmers and economically weaker sections of the society, his concern over the problems of down trodden people is well-known to all who were associated with him. Professional fees was never a consideration for him to represent the cause of litigants. In a true sense, he practised legal profession as if it were a service to the

society. His hard work and devotion to legal fraternity and the society at large will be remembered for ever. Though Justice Deshmukh represented the causes of various institutions, societies and Corporations, the remarkable causes espoused and thoroughly dealt with by him during legal practice and handled as a Judge of the High Court were noteworthy relating to reasonable price to sugarcane and lifting of restrictions to sell sugarcane within the zone, receipt of compensation by farmers towards acquisition of their land and taking cognizance of grievance received from general public even by way of sending a small post-card. The love and affection expressed by Bar members through their responses still reflect his reputation and respect amongst the legal fraternity.

On behalf of my Brother and Sister Judges as well as my own behalf, I pay homage to the memory of Justice Deshmukh and pray to Almighty to give strength and courage to the members of his family to bear this irreparable loss.

May the departed soul attain Sadgati.

ADV. SUREKHA MAHAJAN

1. My lord, the Chief Justice Mr. Dipankar Datta, the Hon'ble Justice Mr. S.S. Shinde, Hon'ble Justice Mr. P.B.Warale, Hon'ble Justice S. V. Gangapurwala, Hon'ble Justice Mr. T.V. Nalawade, Learned Assistant Solicitor General of India, Adv Ajay Talhar, Learned Govt. Pleader Adv. D.R. Kale, Learned members of Bar Counsel of Maharashtra & Goa Adv. V.D. Salunke & Adv. Amol Sawant, Sr. council, my Colleagues, members of HCBA & the Family members of Hon'ble Justice Mr. B. N. Deshmukh who are present here today.

2. We have assembled here this morning to mourn the sad demise of Late Shri. Balbhimrao Narsingrao Deshmukh, former Judge of Bombay High Court, who left for his heavenly abode on 29th Aug 2020 at the age of 85 years. He was born on 11th Jan 1935 in Dist. Osmanabad. He completed his graduation from science stream i.e. Bsc & further obtained the LLB degree. He was enrolled as an advocate Bombay High Court on the year 1963. He was elected as a member of Maharashtra State Bar Council from 1972 to 1976 also presided as a chairman in the year 1976.

3. He was member of Maharashtra Legislative Council from year 1978-1984. He started his practice as lawyer in the Chamber of Sr. counsel late Mr. Ram Rao Aadik at High Court of Bombay. Since the establishment of the Bombay High Court Bench at Aurangabad in 1982, he started his practice at High Court Aurangabad. He was honored as a president of HCBA Aurangabad in the year 1984-1985.

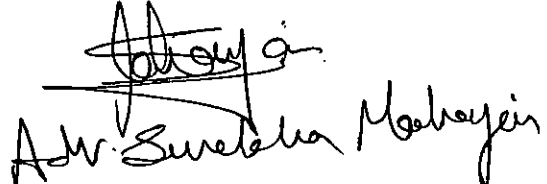
4. As lawyer he had a lucrative practice in civil & criminal side. In a very short period, he proved himself to be an outstanding & accomplished lawyer. In recognition of his rare qualities he was elevated as an Additional Judge of the Bombay High Court on 21st Nov. 1986 & as a permanent judge of the Bombay High court on 12th June 1987.

5. This achievements of his life was the outcome of his honest, upright & humane approach to the various problems he efficiently resolved the complex problem arose due to the administrative flaws, there by immediately directing the concerned authority, for the instant relief by molding the prayers by invoking Art 226 of Constitution Of India, which can be seen in his judgments in respect of students admission to various professional courses. So also for the farmers including the sugarcane cultivators and the needy poor people. While discharging the constitutional duties & functions of a judge of the High Court, he had earned the reputation of his own. He has intimate knowledge of working of the judicial system from the subordinate court to the high Court. He was fearless & outspoken judge. But, he was also known for genial temperament.

6. He had dogmatic faith in democracy & rule of law. He contemplated his concern for the welfare of the legal fraternity. He used the tool of administration of justice effectively & vigorously to render social justice to the people at large.

7. The passing away of the Hon'ble Justice Shri B.N. Deshmukh the legal fraternity has lost a "great judge & guide". In this moment of grief, I on behalf of HCBA Aurangabad convey our heartfelt condolence to the members of the family of Hon'ble Justice B.N. Deshmukh May almighty give them strength to bear the great loss.

May the departed soul rest in eternal peace. Om shanti


Adv. Surekha Mahajan

My Lord, The Hon'ble Chief Justice of Bombay High Court and the Hon'ble Justice Shri S. S. Shinde, Hon'ble Justice Shri P. V. Varale and the Hon'ble Justice Shri S.V.Gangapurwala and Hon'ble Justice Shri T. V. Nalawade and the Hon'ble Judges of Bombay High Court. The President of High Court Advocate's Bar Association, Members of the Bar Council of Maharashtra and Goa, Standing counsels for Government of India and Government of Maharashtra, my esteemed colleagues at the Bar, Family members of Late Justice B. N. Deshmukh, Brothers and Sisters.

We are assembled here to mourn the separation of Justice B.N Deshmukh from our lives. Too prodigious were his contributions and too imponderable was his nature. Too vivid were his talents, and too phenomenal his strength. He was a man without boundaries who lived as the God himself had needed of him his life to live. And so, in truth, he did.

It is rather very challenging to encompass in a few words the glory of this eminent Judge and former member of Maharashtra Legislative Council. Justice B.N Deshmukh was born on 19th January 1935 and had studied International Law in England and after his return to India enrolled as an Advocate of the Bombay High Court in 1963. Since the establishment of the Bench at Aurangabad in 1982 he practised here. He was also the President of the High Court Bar Association at Aurangabad and became a Judge of the Bombay High Court in 1986. Apart from his variegated career in law, he was also a member of the Maharashtra Legislative Council during 1972-76, representing the Peasants and Workers Party in the Upper House and was known in this region of Marathwada for keeping the common man's interests above everything else while pronouncing his landmark verdicts. He was revered because of his beautiful eloquence, his sincere love for justice.

Even though he had a political background, never his judgments or his work had an iota of its reflection. He was a man of honour who continues to teach us the importance and significance of independence at the level of mind.

Justice B.N Deshmukh's inalienable drive for social welfare and upliftment always reflected from his flamboyant judgments. He was loved by his friends, family and all those people who surrounded him. Particularly I would mention his unconditional support to the junior lawyers. In his own natural way, he used to build confidence in them and make them feel at home.

I think a man is not dead if his name is still spoken because to live in hearts is not to die. When a legendary jurist like B. N. Deshmukh passes away, he became the judgments, the teachings to this court, the wisdom and his ideas, therefore he continues to live with us. He lives with us as strong and majestic as a banyan tree.

On behalf of the office of the Assistant Solicitor General of India and on my personal behalf I pay my tribute and salute Justice B.N Deshmukh. With great reverence I convey my deep sorrow and grief to his family members. May they find strength to overcome this sadness. May his godly soul rest in eternal peace.



Ajay Talhar
Assistant Solicitor General of India
High Court of Bombay
Bench at Aurangabad

REFERENCE:

Date: 18.09.2020

Hon'ble The Chief Justice, Hon'ble Judges, Senior Advocates, President of Bar Association, Standing Counsel for Union of India, Members of the Bar, my colleagues at the office of the Government Pleader, Friends, Ladies and Gentlemen.

Today with heavy heart we gather here to pay homage to one of the towering personalities of our Bar - Hon'ble Justice B.N. Deshmukh [Tatyasaheb], Former Judge of the Bombay High Court, who left us on 29.05.2020.

His Lordship was born on 19.01.1935. He had completed his education at Solapur, Pune and in United Kingdom. He has completed LLB and enrolled as an Advocate and started practice at Bombay High Court in 1963. Since the establishment of the Bench at Aurangabad in 1982, he started practice here. He was a Member of the Maharashtra State Bar Council from 1972 to 1976 and had its Chairman in the year 1976. He was also the President of the High Court Bar Association at Aurangabad in the year 1984-1985. His Lordship while an Advocate always represented oppressed and depressed class of society and tough for the cause of justice to them. His Lordship never insisted for any particular amount of fees to clients.

His Lordship was appointed as Additional Judge of the Bombay High Court on 21.11.1986 and appointed as permanent Judge of the Bombay High Court from 12.06.1987 and retired on 19.01.1997. After retirement he had started practice in Hon'ble Supreme Court of India upto completion of his 75 years.

His Lordship had a unique, fast and justice oriented approach which he derived because he had political experience of functioning of Government and scheme of Government, having been elected as Member of Legislative Council for 6 years term. His Lordship was finely communicative and had compassion oppressed and depressed class of society. His Lordship had punctually followed law of precedence though he belong to left ideology in his political life. Many judgments delivered by His Lordship expresses inclination and alienation towards compassion of weaker section of society and farmers.

His Lordship was a great man, a wonderful intellect and a great soul of matchless courage, We meet to pay a tribute of love and respect to His Lordship because he devoted His Excellency in the legal fraternity. A death is not the extinguishing of a light, but the putting out of the lamp because the dawn has come.

His Lordship had that compassion towards the sufferings of the litigants. His love for reading and learning was immense.

A great soul serves very one all the time. A great soul never dies. It brings us together again and again.

I pray Almighty of God that the departed soul may rest in peace.

On behalf of the State of Maharashtra and my colleagues at the office of the Government Pleader, I pay homage to Hon'ble Justice B.N. Deshmukh, Former Judge of Bombay High Court.



[Dnyaneshwar R. Kale]
Incharge Government Pleader
High Court Bench at Aurangabad

Date: 18.09.2020

My Lord The Hon'ble Justice Deepankar Datta, the Chief Justice High Court Bombay , Hon'ble Justice S.S Shinde, Hon'ble Justice P.B. Varale, , Hon'ble Justice S.V.Gangapurwala, Hon'ble Justice T.V. Nalavade,

Other Hon'ble Judges of Bombay High Court, President Bar Association , Ld. ASG, Ld. Govt. pleader HC, Member of Bar Council, Ld. Senior Counsels, Family members of Late. Hon'ble Justice B.N. Deshmukh.

All the dignitaries present here and all the respected members of Legal Fraternity.

We have assembled today to make reference to the sad demise of Hon'ble Justice B.N.Deshmukh, Former Judge of Bombay High Court.

Late Hon'ble Justice Balbhim Narsingrao Deshmukh, popularly known as B.N. alias Tatyasaheb, was born on 19 Jan 1935 at village Kati Tq. Tuljapur, in the family of freedom fighter. Father of his lordship was a popular leading lawyer at Osmanabad and member of Rajya Sabha in 1952.

His Lordship completed primary and secondary education at Osmanabad and Solapur.

He completed Law graduation at Pune in 1958 and Diploma in International Law from London University in 1961.

He was active participant of Peasant and workers Political party, then SKP. He was the Chairman of Bar Council of Maharashtra and Goa in 1975. He was elected as a member of Maharashtra Legislative council in 1978.

He was the Man of extraordinary prudence. His devotion in social and political activity is known for his integrity, principles and ethics.

His Lordship initially started practice at High Court Bombay under the guidance of Br. Ramrao Adik in 1962. After establishment of HC bench at Aurangabad , he shifted at Aurangabad in 1982. He was president of Bar Association in 1985. He was eminent Lawyer, maintained and cultivated rich traditions in the Bar.

His Lordship was elevated as a judge Bombay High Court in 1986. Because of his devotion, this bench and bar is flourished. He was eminent Jurist and known for his dedication to impart justice to downtrodden and students.

His Lordship was the pioneer of PIL at this bench, who had treated Post-cards sent by a school boy as PIL and gave justice. His Lordship delivered several milestone judgments.

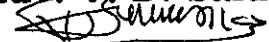
His Lordship has expanded the scope of writ jurisdiction, so far as issues relating to agriculture among others. He came to be retired in 1997.

We have lost this great Son of Soil on 29 May 2020.

I personally and on behalf of the Bar council of Maharashtra and Goa, extend to all the members of the family of Late Hon'ble Justice B.N.Deshmukh, our Heartfelt Condolence in their hour of sorrow.

May his soul rest in peace.

Adv. V. D. Salunke



Member Bar Council
of Maharashtra and
Goa.