

**Full Court Reference addressed by Hon'ble the Chief
Justice Shri Dipankar Datta in the memory of
Late Shri K. H. Deshpande, Senior Advocate, on Friday,
22nd April 2022 at 10 a.m. in Court "A", High Court
Building, Nagpur.**

My esteemed sister and brother Judges,
Shri Nandesh Deshpande,
Assistant Solicitor General of India,
Smt. Ketki Joshi,
Government Pleader

Shri Parijat Pande,
Member, Bar Council of Maharashtra & Goa,

Shri Atul Pande,
President, High Court Bar Association,
Esteemed Senior Advocates and other learned members of the
Bar,

Bereaved members of the Deshpande family including brother
Justice Ravi Deshpande,

Members of the Registry and the staff,

Ladies and Gentlemen.

Krishna Harihar Deshpande, a doyen of the Nagpur bar, breathed his last on 25th March, 2022, aged 94. We have assembled this morning to pay homage to the departed soul.

Parting of a near and dear one, irrespective of his age, is always painful; but we can seek comfort by celebrating and drawing inspiration from the life and accomplishments of the departed soul and cherishing the sweet and fond memories associated with him. Krishna Harihar Deshpande, fondly known as 'KH' by people close to him, was born on 27th December, 1928 at Amravati. After obtaining a degree in Bachelor of Commerce in 1950, Deshpandeji graduated in law in the year 1953 from Nagpur University. Having been enrolled as an Advocate, he started his practice as a junior of advocate Shri K.Y. Deshpande of Akola. Deshpandeji started his regular practice at the Nagpur Bench of the Bombay High Court

since June, 1962. A brilliant advocate and legal luminary in his own right, *Deshpandeji* was designated as a Senior Advocate by the High Court of Bombay in 1977.

It is indeed difficult to reflect on the life and works of *Deshpandeji* within such a short span of time. I am certain, whatever I miss, would be made good by the other speakers.

I am told, in a career spanning 65 years of practice from 1953 to 2018, *Deshpandeji* had established flourishing practice in almost all fields of law – civil, criminal, taxation, company, Constitution, labour, etc. and was an advocate par excellence. One of the finest lawyers the Nagpur Bar has ever produced, he conducted several prominent civil, criminal as well as election trials and appeals too before various Courts. Further, he appeared as the lead Counsel in several Public Interest Litigation in the High Court as also the Supreme Court and was successful in majority of such litigation to ensure that justice reaches the poor, the deprived and the marginalised. He was a Senior Standing Counsel for Income Tax Department, National Textile Corporation, MSEB, Agricultural Produce Market Committee, Nagpur Forest Development Corporation of Maharashtra Ltd.

Deshpandeji had also represented many local bodies and authorities like Nagpur Municipal Corporation, Nagpur Improvement Trust, Nagpur University, etc. in the High Court as also the Supreme Court. On many occasions, he argued cases against great legal luminaries and stalwarts in opposition. In one of the famous cases relating to concealment of income, *Deshpandeji* represented the Department before the Income-Tax Appellate Tribunal and opposed eminent jurist and legal luminary Nani Palkhiwala.

I have gathered that *Deshpandeji* had an outstanding and convincing capability while arguing cases. Being a lawyer of very high calibre and reputation, the Hon'ble Judges while *Deshpandeji* presented his case, used to hear him patiently and with keen interest. I have also gathered that in one of the election cases before the Supreme Court, his adversary was Shri V.S. Sirpurkar (who subsequently became an Hon'ble Judge of the Supreme Court). The said case was argued for a week in a packed courtroom. When *Deshpandeji* closed his arguments, the Hon'ble Judges, while rising from the dais, commented that – this was indeed how an election petition should be argued and the Bar would do well to learn from a master like K.H.

Deshpand ji had also represented the High Court and the State Government in several important matters before the Bench at Nagpur. He appeared as a Senior Counsel before many Commissions such as Kudal Commission of Enquiry at New Delhi, Dani Commission inquiring into Gond–Gowari stampede, and Ginwala Commission of enquiry into Police Firing at Indora, Nagpur. Due to his expertise in all branches of law, Deshpand ji was appointed as Amicus Curiae in number of matters and the able assistance that he provided to the Bench ensured justice being administered to the deserving. Law journals bear testimony to the number of reported cases where Deshpand ji had appeared rendering valuable assistance to the Court to lay down the law and also settle vexed issues of law and facts.

Deshpand ji was always looked upon by his juniors as a role model for perfect advocacy and it is well known that many junior and budding lawyers were groomed and mentored by him on the art of advocacy from him. Today, many of them are successfully practicing in the High Court and the Supreme Court.

Deshpand ji was a multi-talented person. Beyond legal work, he had a keen interest in literature. He authored several books, of which Geetarth-bodh, Dasho-upanishada, Changdev Chalishi, Dakshinamurti Strotra stand out. He was awarded the title of “**Tat-wad-ni-vibhushan**” by Kavi Kalidas Sanskrit Vidyapeeth.

Demise of such a great personality is indeed an irreparable loss for the legal fraternity; however, bearing in mind that Deshpand ji lived a full life and contributed to the welfare of society without end, let us not be saddened but pledge to carry the legacy of this great man forward.

Deshpand ji is survived by his wife Smt.Usha Deshpande, daughter Hema Pangarkar, son, brother Justice Ravi K. Deshpande, who carried on his legacy to the fullest possible extent and made him proud by his elevation and sublime performance as a Judge of this Court. Not many a father is fortunate enough to live through the entire period his son adorned the Bench of the High Court. Deshpand ji is also survived by younger son, Shri Rajeev Deshpande, who is a Chartered Accountant as also a practising lawyer.

On behalf of my esteemed colleagues and on my own behalf, I extend my heartfelt condolences to the members of the bereaved

family. I pray that the Almighty give them enough strength to bear the irreparable loss and also pray that the noble soul of K.H. Deshpandeji attains "sadgati".

Om Shanti ! Shanti !! Shanti !!!

**Full Court Reference addressed by Mr. Nandesh
Deshpande, Assistant Solicitor General of India in the
memory of Late Shri K. H. Deshpande, Senior Advocate,
on Friday, 22nd April 2022 at 10 a.m. in Court "A",
High Court Building, Nagpur.**

My Lord the Chief Justice,

The Hon'ble Judges of this Court,

Mrs. Ketki Joshi,
Government Pleader

Mr. Parijat Pande,
Member, Bar Council of Maharashtra & Goa,

Mr. Atul Pande,
President, High Court Bar Association,
Esteemed Senior Advocates and other learned members of the
Bar,

Bereaved members of the Deshpande family including Justice Ravi
Deshpande,

Members of the Registry and the staff,

Ladies and Gentlemen.

Advocate K. H. Deshpande was a highly respected legal luminary. He started practicing law in 1953 at Akola in the chamber of Advocate K. Y. Deshpande. After a few years, he shifted to Amravati and thereafter to Nagpur and started his practice at Bombay High Court. He was conferred with the designation of a Senior Advocate by the Bombay High Court in 1977. He was the only Advocate to be designated by the High Court without making an application for it.

He argued in several important and landmark cases pertaining to Constitutional law, election law, service law and taxation. He was a Senior Standing Counsel for a number of Government Organisations and Corporations. He was a great social worker and chaired various social organisations. He also authored several books on spirituality titled "**Shri Gitarthbodh**", "**Shri Chandev Chalisi**" and "**Dakshina Murti**" to name a few. He was conferred with "**Tatvadhnya Vibhushan**" title by Kavi Kulguru Kalidas Sanskrit University.

He participated in freedom struggle and was also arrested for distributing literature regarding quit India movement against the British. He was also associated with many social organizations including Shree Hanuman Vyayam

Prasarak Mandal Amravati National Centre for Rural Development Nagpur amongst others. He led one of the oldest chambers of lawyers in Nagpur, producing a number of excellent Advocates. I had an honour of working with him in some matters. He was a leading light always ready to help out his Junior colleagues. On his demise an era has come to an end. We all are lucky enough to witness the “KH Era”. Rarely we see such a multifaceted personality.

In this hour of grief, I share the feelings of all those who have gathered here in expressing our heartfelt condolences to the members of the bereaved family. Lastly, I would only say,

असतोमा सद्रमय ।
तमसोमा ज्योतिर् गमय ।
मृत्योर्मांमृतं गमय ॥
ॐ शान्ति शान्ति शान्तिः ॥

which means,

“From ignorance lead me to the Truth
From darkness lead me into light
From death lead me into immortality”.

**Full Court Reference addressed by Mrs. Ketki Joshi,
In-Charge Government Pleader in the memory of Late
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Ladies and Gentlemen.

My Lords, We have congregated here today to pay homage to the memory of Late Shri K. H. Deshpande, Senior Advocate, whose death on 25th March, 2022, has left a grave sense of loss amongst the members of his family, friends, entire legal fraternity and admirers.

My Lords, it is an onerous duty for me to speak about a highly distinguished personality of the stature of Late Shri K. H. Deshpande, under whose Majestic Aura, may of us gathered their legal bearings and grew as Advocates. We were always in awe of him and he continues to be an inspiration for us, even today.

Always Dressed in Khadi and a wearing a gentle smile, Late Shri K. H. Deshpande, fondly addressed as K. H. or K H Sir in legal fraternity, was a Doyen of Nagpur Bar and an Institution in Himself. He bore a strong personality and commanded a powerful presence in Courts and outside of it. He was an Advocate Par Excellence, with great intellect, original thinking and tremendous knowledge of law and of many other subjects. Though, in initial years of his career, he practiced in Courts at Akola and at Amravati, today he is highly respected and remembered for his impeccable knowledge and understanding of Constitution, Administrative law,

Service jurisprudence, Election laws. The list is unending. He was one of the greatest lawyers of Nagpur, who inspired Hon'ble Judges and Advocates, equally.

My Lords, I and many of us, were fortunate to have seen him in action before the Courts. Each of his argument used to be a Master's Class, which we hardly missed. We jostled in this very Court Room to attend to these Masterly Classes. There was so much to learn and imbibe from his arguments and presentations. His arguments were straight and sharp as a sphere and absolutely perfect in their Dazzling Logic and in exposition of law and I personally, was very fortunate to have witnessed this from close quarters as a Junior member of a legal team, of which, late Shri K. H. Sir was the lead Counsel. This was a highly contested election petition relating to Parliamentary seat of Nagpur and K. H. Sir was the Lead Counsel for the Petitioner. An arduous position by all means and specially, when the client approached the Counsel with few papers in hand. But within limited period of 45 days, K. H. Sir built a very strong case, on the touchstone of Sub Section 6 of Section 123 of the Representation of Peoples Act, which prescribed 'incurring and authorizing of expenditure in contravention of Section 77', as a corrupt electoral practice, incurring disqualification of the returned candidate. Such a case was probably put up for the first time in any election petition. Hearing his arguments, his fine eloquence of law and witnessing his legal craftsmanship, in that case, could be any lawyer's dream. Though, the returned candidate was not disqualified ultimately, but this election petition resulted in an authoritative and a land mark judgment of the Hon'ble Supreme Court on the provisions of Sections 123(6), 77 and 78 of the R. P. Act. This case is recorded as, Gajanan Krishnaji Bapat ..Versus.. Dattaji Raghobaji Meghe, in the annals of Courts. My Lords, K. H. Sir was undoubtedly an original thinker. This and many other such cases would highlight this exceptional trait in him. His contribution to development of law is immeasurable and discernible.

Today's Junior legal fraternity, which has an advantage of legal search engines, was always advised by K. H. Sir to be original thinker and I quote, 'getting things readily, affects original thinking and rather than just using an observation in a judgment, lawyers must find the crux of the case by thinking comprehensively'. Unquote.

This trait of original thinking probably came from the fact that K. H. Sir was an inherent Philosopher and a deep thinker. A person who was always in search of knowledge, truth and understanding of the world and it's structure. As already pointed out, he authored many books on this subject. To name a few, he authored, Geetabodh, Dashopanishad, Changdev Chalisi and Dakshinimurti Stotr. Recognition of this invaluable trait visited him in the nature of conferment of title 'Tatvadnya Vibhushan' by Kavi Kulguru kalidas Sanskrit Vidyapeeth, Ramtek.

My Lords, K. H. Sir was an epitome of Courage and Confidence. He himself dared to charter his own path, with supreme confidence and never shied from speaking forthrightly. At times, without mincing any words and standing his own ground, even in face of adversity. He was a Thunderous Lion, when needed. These trait

came naturally to him. He was born to a freedom fighter, Late Shri Harihar Waman Deshpande. He himself had participated in Quit India Movement in 1942. He was arrested during this period, for distributing literature relating to this movement. He carried this strong personality trait throughout his life. He belonged to that School of men, who were strict, disciplinarian, forthright and courageous but responsible and caring.

K. H. Sir, inspired generations of lawyers through his career. He nurtured and developed a long line of Advocates, who are now eminent Advocates in their own rights. Hon'ble Justice R. K. Deshpande is an alumni of the same institution.

My Lords, K. H. Sir was associated with many social, cultural and Non Governmental Organizations. He guided these organizations with a sense of duty towards society.

My Lords, in his departure, his family has lost its affectionate and adorable kith and kin, the legal fraternity lost its Bhishm Pitamah, the legally injured lost their defender, the philosophical world lost a Guru and the Society lost a true friend, philosopher and Guide.

Late K. H. Sir is survived by his life partner, Smt. Ushaji, his two sons- Respected Justice Ravi Deshpande and Advocate Shri Rajeev Deshpande and daughter, Smt. Hema Pangarkar and many grandchildren. Legacy of K. H. Sir survives in the legal field in the form of his Junior Colleagues, his sons and grandchildren, namely, Ashwin, Anshu, Ila and Akshay Sudame, his grand son in law.

My Lords, I, alongwith my Colleagues and Staff of Government Pleaders Office, join your Lordships in extending our deep condolences to the members of his family, relatives, friends and admirers and host of other grieving associates. May his loving memories bring peace to them and be an inspiration to the legal fraternity. May the Divine Soul Rest in Eternal Peace.

**Full Court Reference addressed by Mr. Parijat Pande,
Member, Bar Council of Maharashtra and Goa in the
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Mr. Atul Pande,
President, High Court Bar Association,
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Bar,

Bereaved members of the Deshpande family including Justice Ravi
Deshpande,

Members of the Registry and the staff,

Ladies and Gentlemen.

We all have assembled here to pay our last respects, to express our sentiments and emotions about a fruitful and contended personality who left for his heavenly abode. We all have seen and admired his style of practice and it was always a beautiful learning experience for all of us. Late Shri K. H. Deshpande Sir was an Institution in himself where we have learnt from his experience. I am sure everyone present here would agree that the cases in which he argued, became a milestone. He represented various institutions, departments, private individuals which also includes the Bar Council of Maharashtra and Goa.

Late Shri K. H. Deshpande Sir truly was a man of principles who showed how one can lead a successful life by upholding good values, ethics and principles in totality. In this competitive world when there is no shortcut to success, his exemplary life will always be a source of strength for all of us.

After completing a Grateful Life, as we say in Marathi "कृतार्थ जीवन", this pious soul has set for his onward journey, leaving a great legacy behind him for us to cherish and follow.

On behalf of the Bar Council of Maharashtra and Goa, I express my heartfelt condolences for the departed soul. We all are with his family in this hour of grief and sorrow.

त्यांच्या मोक्षप्राप्तीसाठी ईश्वरचरणी प्रार्थना ।

ॐ शान्तिः

**Full Court Reference addressed by Mr. Atul Pande,
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Deshpande,

Members of the Registry and the staff,

Ladies and Gentlemen.

We have assembled today to make a reference to the sad demise of Senior
Advocate Shri K. H. Deshpande.

It is very difficult to encompass in a few words the distinguished carrier of an
eminent lawyer.

His life span symbolized significant achievement at each important stage,
bringing honor and glory not only to himself but also to the legal fraternity in
particular.

Born in a family of freedom activist Shri Hariharrao Deshpande, K. H. Sir
graduated in Commerce from G S College Wardha and actively led "Chale Jao
movement in 1942 and was imprisoned. Thereafter, determined, he led student
union at college till the nation attained independence and to recognize his services,
his native village know as "Shahid Ashti" in Wardha District honored him with
privileged of hoisting first Tricolor Flag on 15th August, 1947, at his age of only 19

years. At heart, he was a true family man and very well attended all the responsibilities as eldest son after early demise of his father.

After practicing law at Akola and then at Amravati, in 1962, he moved to Nagpur.

Having successfully conducted trials including murder trials at Amravati, Balapur and Chandur Railway Courts in his initial stint and sharpened his acumen in Evidence and Criminal Procedure laws, he practiced as an Advocate in Bombay High Court at Nagpur with clarity on basic principles of law.

Late Shri K. H. Deshpande was designated as Senior Counsel by the Bombay High Court in the year 1977 and was Senior Standing Counsel of Income Tax Department for over 12 years.

Gandhian he was, K. H. Sir was influenced by works and writings of Acharya Vinoba Bhave. This gave him distinct way of thinking spiritually and culminated in producing marvellous books on Geeta, Upanishada and Vedas.

Some of his authored books are reprinted by Kavi Kulguru Sanskrit University for which he was awarded "Tatwabhusan" Puraskar by the University. By his demise, we have lost a legal eagle, a social worker, an organizer and above all a gem of a person.

On behalf of High Court Bar Association, Nagpur and the Executive Committee, I extend to Mrs. Deshpande to his son Shri Justice R. K. Deshpande, Former Judge of Bombay High Court and Advocate Rajeev Deshpande, to his daughter Mrs. Hema Pangarkar and all other members of his Family, our heartfelt condolence in their hour of sorrow.

May the divine soul rest in peace.

Thank you.