

ADDRESS BY HON'BLE THE CHIEF JUSTICE SHRI D.H.
WAGHELA, HIGH COURT OF JUDICATURE AT BOMBAY,
AT THE FULL COURT REFERENCE
TO LATE MR.SALEH HOOSEINI DOCTOR,
SENIOR ADVOCATE, ON FRIDAY 10 JUNE 2016.

My esteemed colleagues

Mr.Anil Singh, Additional Solicitor General of India &
on behalf of Bar Council of Maharashtra & Goa.

Dr.Milind Sathe, President of Bombay Bar Association.

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

Mr.Nilesh Modi, Secretary,
Bombay Incorporated Law Society.

Senior Advocates

Advocates

Members of the family of Mr.Saleh Hooseini Doctor

Ladies and Gentlemen

We have assembled here this morning to mourn the sad demise of late **Mr.Saleh Hooseini Doctor, Senior Advocate** and distinguished senior member of Bombay Bar Association, who left for his heavenly abode on 17th May 2016, at the age of 73.

Mr.Saleh Doctor was born into a family of lawyers. His late father and uncle were both Advocates and Solicitors, and Partners in the firm of solicitors known as Hooseini Doctor & Co.

Mr.Doctor, after completing his education at Cathedral & John Connon School, Mumbai; St. Pauls School, Darjeeling and St. Xavier's College, Mumbai, chose to pursue law as a career and joined Government Law College, Mumbai. After graduating in Law from Government Law College, Mr. Doctor enrolled as an Advocate with the Bar Council of Maharashtra & Goa on 13th January 1966.

After a brief stint in his father's solicitor's firm, Mr. Doctor decided that his interest lay in practicing as Counsel. He began his career as a Counsel in the chamber of late Mr.Mukund Mody, Senior Advocate. On Mr. Mukund Mody's untimely demise in the year 1971, Mr. Doctor joined the chamber of Mr.Suresh Parekh, Senior Advocate. Mr. Doctor was himself designated as a Senior Advocate on 15th June, 1987.

Mr. Doctor's practice was mainly in the field of commercial law. In his early days, Mr. Doctor had a large practice in civil suits and acquired an expertise in conducting trials and in the art of cross-examination. The Code of Civil Procedure and the Evidence Act were second nature to him. Over the years, Mr. Doctor argued many matters before the Bombay High Court and various other Courts and Tribunals. Mr. Doctor also conducted several important trials before the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, and had an arbitration practice both as arguing Counsel and Arbitrator. He had also appeared in a number of public interest litigations with respect to matters pertaining to illegal development. Mr. Doctor has a large number of reported judgments to his credit in respect of matters pertaining to diverse aspects of commercial law. In January 2016, he had completed 50 years of practice.

Outside of his legal practice, Mr. Doctor was a passionate photographer, an enthusiastic traveller and a keen Freemason. His love for Freemasonry was in great measure, inspired by late Justice Dinshaw Madon, for whom he had great respect, regard and affection. As part of his charitable activities, the project closest to his heart was the expansion of the "Vrudh Ashram", an old age home in the heart of Nagpur. As a mark of respect for his efforts in the expansion and addition of two blocks to the "Vrudh Ashram", Mr. Doctor was requested to inaugurate the extension in the year 2009.

Mr.Doctor was also passionate about poetry and especially about the works of William Shakespeare. He had read all the plays written by Shakespeare and was an avid collector of DVDs of all his plays, which he watched time and again. During the course of his arguments in Court, he used to quote a verse from one poem or another, which he felt was apposite to the facts of the case at hand.

Mr.Doctor is survived by his wife and two sons, both of whom are Advocates practicing in this Court.

In the passing away of Mr.Doctor, the Bombay High Court has lost one of its most respected legal luminary.

My colleagues and I share the grief of the bereaved family.
May his soul rest in eternal peace !

**ADDRESS BY SHRI ANIL C. SINGH, ADDITIONAL SOLICITOR
GENERAL OF INDIA, AT THE FULL COURT REFERENCE
TO LATE SHRI S.H. DOCTOR, SENIOR ADVOCATE,
HELD ON FRIDAY, 10TH JUNE 2016 AT 11 AM
IN THE CENTRAL COURT**

My Lord, Hon'ble Chief Justice,

Other Judges of this Court,

Dr. Milind Sathe, President of Bombay Bar Association

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

Shri Nilesh Modi, Secretary of Incorporated Law Society,

Family Members of Late Senior Advocate Shri Saleh Doctor,

Members of the Bar,

Ladies and Gentlemen,

When I joined the Bar in 1980s, Mr. Saleh Doctor was already very popular Counsel of Bombay High Court. He argued matters with sincerity, acute intellect and unimaginable clarity of thoughts. His arguments were logical and his submissions were precise.

He had amazing intellect and capacity to handle complex matters. His ability to interpret a statute or a judgment with simplicity and accuracy was commendable. The journey of his legal profession over a period of 50 years was remarkable and will be remembered for ages to come.

As a lawyer I have been reading the Law Reports and if all his sharp submissions, mainly relating to commercial law are referred to in this reference it will create an enormous strain on the time and space allocated to this reference.

He practiced mainly in the field of Commercial Law and in the early days had huge practice in Suit Court and acquired expertise in Trial Law and art of cross-examination.

Mr. Doctor conducted several important trials before the Special Court relating to transaction in securities. He also appeared in number of arbitration matters and Public Interest Litigations relating to illegal development.

Outside his legal practice fields Mr. Doctor was passionate at photography and traveling. He was also involved in charitable activities. He made great contribution in expansion of a “Vrudh Ashram” i.e. old age home in the heart of Nagpur city.

The standard set by Mr.Saleh Doctor is unparalleled. He leaves a great legacy in he contribution to law. His sons Mustafa and Arif carry the torch forward.

On behalf of myself, the Advocate General, the State of Maharashtra and the Bar Council of Maharashtra and Goa, I express my deepest condolence for the departed soul.

.....

**ADDRESS BY DR. MILIND SATHE, PRESIDENT, BOMBAY BAR
ASSOCIATION, AT THE FULL COURT REFERENCE
TO LATE SHRI S.H. DOCTOR, SENIOR ADVOCATE,
HELD ON FRIDAY, 10TH JUNE 2016 AT 11 AM
IN THE CENTRAL COURT.**

Hon'ble the Chief Justice,

Mr. Anil Singh, Additional Solicitor General of India and representing
Bar Council of Maharashtra & Goa.

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

Mr. Nilesh Modi, Secretary, Bombay Incorporated Law Society.

Members of family of late Mr. S. H. Doctor

Ladies and Gentlemen,

We have assembled this morning to mourn the sad demise
of Mr. Saleh Hooseni Doctor, Senior Advocate who passed away on
17th May, 2016 at the age of 73.

I fully associate myself with the sentiments expressed by
My Lord the Chief Justice and my fellow speakers.

Mr. Saleh Doctor was born into a family of lawyers. His
late father and uncle were both advocates and solicitors, and partners
in the firm of solicitors known as Hooseini Doctor & Co.

Mr. Doctor, after completing his education at Cathedral & John Connon School, Mumbai; St. Pauls School, Darjeeling and St. Xavier's College, Mumbai, chose to pursue law as a career and joined Government Law College, Mumbai. After graduating from Government Law College, Mr. Doctor enrolled as an Advocate with the Bar Council of Maharashtra & Goa on 13th January 1966, and thus completed 50 years at the bar in January 2016.

After a brief stint in his father's solicitor's firm, Mr. Doctor decided that his interest lay in practicing as Counsel. He began his career as a Counsel in the chambers the late Mr. Mukund Mody, Senior Advocate. On Mr. Mukund Mody's untimely demise in the year 1971, Mr. Doctor joined the chambers of Mr. Suresh Parekh, Senior Advocate. Mr. Doctor was himself designated as a Senior Advocate on 15th June, 1987.

Mr. Doctor's practice was mainly in the field of commercial law. In his early days Mr. Doctor had a large practice in the suit Court and acquired an expertise in trial law and in the art of cross-examination. The Code of Civil Procedure and the Evidence Act were of second nature to him. Over the years Mr. Doctor argued many matters before the Bombay High Court, and various other Courts and Tribunals. Mr. Doctor also conducted several important trials before the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, and had an arbitration practice both as arguing Counsel and Arbitrator. He had also appeared in a number of public interest litigations with respect to matters

pertaining to illegal development. Mr. Doctor has a large number of reported judgments to his credit in respect of matters pertaining to diverse aspects of commercial law.

Outside of his legal practice Mr. Doctor was a passionate photographer, an enthusiastic traveller and a keen Freemason. His love for Freemasonry was in great measure inspired by the late Justice Dinshah Madon, for whom he had great respect, regard and affection. As part of his charitable activities as a Freemason the project closest to his heart was the expansion of the “Vrudh Ashram”, an old age in the heart of Nagpur. As a mark of respect for his efforts in the expansion and addition of two blocks to the “Vrudh Ashram” Mr. Doctor was requested to inaugurate the extension in the year 2009.

Mr. Doctor was also passionate about poetry and most especially about the works of William Shakespeare. He had read all the plays written by Shakespeare and was an avid collector of the DVD's of all his plays, which he watched repeatedly. From time to time during the course of his arguments in Court he was known to quote a verse from some poem or the other, which he felt was apposite to the facts of the case at hand.

Mr. Doctor is survived by his wife and two sons, both of whom are advocates practicing in the Bombay High Court.

Late Mr.S. H. Doctor, Salehbai as he was popularly known, apart from being an accomplished Senior Advocate was a multifaceted person. He was a philanthropist as mentioned by the learned Chief Justice, a Mason, a student and connoisseur of Art and Literature particularly poetry.

I have very fond personal memories of Mr. S. H. Doctor.

I have done quite a few cases with him as junior as well as appeared against him. I have also appeared before him when he was Arbitrator in a commercial dispute in a business family.

He was a very fair and yet very challenging opponent. He had an amazing and sometimes a mischievous sense of humour which would ease out a very tense situation in the court.

He was such a great commercial lawyer and trusted friend he would be on either of the sides in almost every commercial family disputes in last forty years fought in this Court, Company Law Board and Supreme Court of India.

After the establishment of Special Court in this Court following 1992 securities scam, he was one of the most sought after Senior Counsel for complicated cases involving issues relating to Securities Contract Regulation Act, Forward Contracts Regulation Act, Companies Act, Negotiable Instruments Act, Contract Act and Evidence Act. In addition he was one of the most sought after lawyer in Special Court trials.

Law Reports of this Court and that of the Special Court bear testimony to the expertise and legal acumen of Mr. S. H. Doctor.

Few of his important cases include trials in Special Court between NABARD and State Bank of India and State Bank of Saurashtra, a case relating to change of name of a company in which a shareholder was questioning action of Registrar of Company although the company was supporting the action. He elucidated the doctrine of 'Wrongdoer in Control' and succeeded in the matter.

He was master of Commercial Law, Code of Civil Procedure and Evidence Act.

In the death of Salehbhai, we have not only lost one of our esteemed members of the Bar but also an able and competent commercial and civil trial lawyer.

On behalf of myself and entire Bombay Bar Association, I convey my heat-felt condolences to the members of the bereaved family which include his two sons, both of whom Mustafa and Arif are our colleagues at the Bar. We share their grief and loss. I quote a stanza from a poem called 'Forever' which was one of his favourite poems:

“Well Blest is he who has a dear one dead;
A friend he has whose face will never change;
A dear communion that will not grow strange;
The Anchor of love is death”

May 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.H. DOCTOR, SENIOR ADVOCATE,
HELD ON FRIDAY, 10TH JUNE 2016 AT 11 AM
IN THE CENTRAL COURT**

My Lord the Chief Justice Mr. Justice D.H. Waghela,
Hon'ble Judges of the High Court,
Additional Solicitor General Mr. Anil Singh,
Dr. Milind Sathe, President of Bombay Bar Association,
Mr. Nilesh Modi, Secretary of Incorporated Law Society,
Members of the family of late Mr. Saleh Huseeini Doctor,
Members of Bar,
Ladies and Gentlemen,

On the death of Shri Dilip Dalal, Mr Saleh Hosseini Doctor paying his last respect to him on May 11th, 2004 had said, I quote, "At the Bar, the month of March has been a season of funerals. On 31st March, the tide took my friend Dileep beyond "the bourne of time and place" to a land from which no traveler returns." On 17th May 2016, Mr. Saleh Hosseini Doctor left for that land from which no traveler returns and we have gathered here today to condole and pay our respect to a lawyer with a great calibre.

Born in a family of lawyers, Mr. Saleh Hooseini Doctor completed his school and college education and chose to join Government Law College. After completing his law education he

enrolled as an Advocate with the Bar Council in 1966. After a brief stint at his father's firm, he joined the chamber of Senior Advocate Mr Mukund Mody and after an untimely death of Mr Mody he joined the chamber of Senior Advocate Mr Suresh Parekh.

He developed a large practice within his early years as an advocate in Suit Court and earned a reputation of a trial lawyer who knew the art of cross-examination deftly. Over the years Mr Saleh Hooseini Doctor argued innumerable matters before the Bombay High Court. He was designated as a Senior Advocate in 1987.

He had a passion for photography and was a great lover of poetry and was a voracious reader. Senior Advocate & former Advocate General Mr. Darius Khambatta recalls that Mr. Saleh Hosseini Doctor was a plain talker and never shied from telling a judge that he was going the wrong way. He also possessed a mischievous sense of humour and was much loved at the Bar earning him the sobriquet of a gentleman to the core. Mr Khanbatta recalls that his courage came to the fore in 1990 when he led a campaign against a particular judge who had insulted him in the court. Senior Advocate Pradeep Sancheti, Mr Hosseini insisted that the Judge apologise in the open court. The apology was indeed tendered to him in the chambers. Such was his fearless and forthright nature and Senior Advocate Pradeep Sancheti stands by this. They say he never minced words to express his views on a topic about which he was passionate. Mr Doctor loved to travel and devoted lot of time traveling across India for charitable work.

To his sons Mustafa and Arif who are practicing lawyers and his family I express my heartfelt sorrow. I share their grief and loss. My Lord, on behalf of Advocates' Association of Western India, I fully associate with the sentiments that have been expressed here by Your Lordship as well as my colleagues at the Bar to the departed soul and offer condolences to the bereaved family.

.....

**ADDRESS BY SHRI NILESH MODI,
SECRETARY, BOMBAY INCORPORATED LAW SOCIETY,
AT THE FULL COURT REFERENCE
TO LATE SHRI S.H. DOCTOR, SENIOR ADVOCATE,
HELD ON FRIDAY, 10TH JUNE 2016 AT 11 AM
IN THE CENTRAL COURT**

My Lord, the Chief Justice and my Lords, the Judges of the Bombay High Court,

Mr. Anil Singh, Additional Solicitor General,

Dr. Milind Sathe, President of the Bombay Bar Association

Mr. Rajiv Chavan, President of the Advocates' Association of Western India (AAWI),

Senior Members at the Bar and my colleagues and friends and the Family members of Late Mr. Salehbhai Doctor.

Salehbhai, was an outstanding and distinguished Senior Counsel having reached this position with his hard work and commitment. As a Solicitor, I have had many opportunities to work with him and learn under him. He was very meticulous in his work and was a pleasant and cheerful person. He was always smiling and greeted one and all. He had earned respect from the Judges with his honest, upright and persuasive arguments. We will all remember Salehbhai as a legal luminary.

On behalf of the Bombay Incorporated Law Society, I convey our deep and heartfelt condolences on the sad demise of Mr. S. H. Doctor.

My God give enough strength to the bereaved family to overcome this great loss and let us all pray for his soul to rest in eternal peace.

Thank you.

.....