

ADDRESS BY HON'BLE SHRI H.S. BEDI, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT, A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

My learned brother, Mr. Justice Kanade, Mr. Desai, Additional Solicitor General, Mr. Kadam, Advocate General of Maharashtra, Mr. Zaiwala, Senior Advocate, on behalf of the Bombay Bar Association, Mr. Thorat, President of Advocates' Association of Western India, Mr. Dinsoo Zaiwalla, Vice-President of the Bombay Incorporated Law Society, learned Members of the Bar, distinguished Ladies and Gentlemen,

We have assembled here this morning to mourn the sad demise of late Shri Justice Madhukar Laxman Dudhat, a former Judge of this Court, who left for his heavenly abode on 22<sup>nd</sup> September, 2006.

Mr. Justice Madhukar Laxman Dudhat was born on 11<sup>th</sup> March, 1935 at Ahmednagar. He had his early education at Ahmednagar, moved to Bombay for higher education and passed the B.Sc., LL.B. and LL.M. Examinations from the University of Bombay with good rank and distinction. He was enrolled as an Advocate of the Bombay High Court on 9<sup>th</sup> August, 1961. He practised on the Appellate Side of the High Court in all types of civil, criminal, co-operative and constitutional cases. Justice Dudhat had also appeared before the Supreme Court in a few cases, conducted election petitions and appeared in a number of appeals arising out of Land Acquisition References. He was designated as a Senior Advocate of High Court of Bombay on 16<sup>th</sup> June, 1981. While in practice, he successfully argued several landmark cases, such as *Shirdi Misappropriation Case*, *Mohite Bomb Case* and many others. He was Legal Adviser to the Khadi and Village Industries Commission for more than 12 years and also the Maharashtra Khadi and Village Industries Board, Bombay. From 1964 to 1971, he was a part-time Lecturer of Law in Sidhartha College of Law and lectured on Law of Crimes, Constitution of India and Laws of Contract. From 1964 to 1966, he was the Head of Department of Mercantile Law at the Bandra College of Commerce. He was the President of the Western India Advocates' Association. He had several extra-curricular activities in educational, cultural and spiritual spheres. He was appointed as an Additional Judge of the Bombay High Court on 24<sup>th</sup> May, 1989, became a permanent Judge on 15<sup>th</sup> May, 1990 and retired on 11<sup>th</sup> March, 1997.

In May, 1997, Justice Dudhat was appointed to a Commission under the Commission of Inquiries Act, 1952 to inquire into the charges against an ex-Minister. The Report submitted by Justice Dudhat was unanimously accepted by all parties of the Legislative Assembly.

For the last 14 years, Justice Dudhat had been conducting mental physics and meditation classes in Mumbai. These classes were conducted free of charge. He also delivered lectures on different subjects. Justice Dudhat was also appointed as the Chairman of Law Commission for the State of Maharashtra.

In the passing away of Justice Dudhat, the legal fraternity has lost a 'friend, philosopher and a guide'. In this hour of grief, on behalf of all of us, I convey our heartfelt condolences to the members of the bereaved family. May the Almighty give them strength to bear the great loss. May the departed soul rest in eternal peace.

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ADDRESS BY SHRI B.A. DESAI, ADDITIONAL SOLICITOR GENERAL, AT  
THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT,  
A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

My Lord Chief Justice and My Lord Justice Kanade:

I knew Justice M.L. Dudhat since he was an upcoming lawyer. We had friendly relations, though, as a Judge, he was reserved.

Mr. Justice Dudhat attained his Bachelor of Law and Master of Law degrees from the University of Bombay.

In 1961, he began practising law as an Advocate in the High Court of Bombay and the Supreme Court of India. Over a period of 28 years of practice, he attained recognition as a leading lawyer. He was leader of Appellate Side Bar. During his career as an Advocate, he successfully argued several landmark cases such as the Shirdi Misappropriation Case, Mohite Bomb Case, Writ Petition challenging the Mula-Mutha Flood Relief Act and Writ Petition challenging the Urban Land Ceiling Act, besides several appeals and writ petitions under the Representation of people Act and Co-operative Act.

In the year 1988, Mr. Justice Dudhat was elected as President of the Western India Advocates Association.

Mr. Justice Dudhat was elevated to the Bench as a Judge of this Court in 1989. He retired from this position on 31<sup>st</sup> March, 1997. He was also for some time the Chairman of Law Commission of Maharashtra.

He had a philosophic bent of mind. For the last 14 years, Mr. Justice Dudhat conducted metaphysical and meditation classes in Mumbai for four days a week. These classes were conducted at four different locations in Mumbai and were attended by large number of people.

Mr. Justice Dudhat delivered lectures on different subjects such as *Thought Dynamics, Life Beyond Death, Prarabdh (Destiny), Is There Any Justice in Life?, Mind, Kundlini, Tantra, Continuity of the Life in the School of Creativity*, etc. Video and Audiotapes of the said lectures are circulated to all the metaphysics students and others for their knowledge.

He was invited to Vienna to give lectures on Brahma Vidya Course. He gave 27 lectures during his stay in Vienna. His lectures were much appreciated and are translated to German.

We are all going to miss him. But before Almighty, we are helpless. I convey my heart-felt condolences to his family members.

May his soul rest in peace.

ADDRESS BY SHRI RAVI KADAM, ADVOCATE GENERAL OF MAHARASHTRA, AT THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT, A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

My Lords the Chief Justice and Mr. Justice Kanade, Mr. Desai, Additional Solicitor General of India, Mr. Zaiwalla, on behalf of the Bombay Bar Association, Mr. Joshi, President, Western India Advocates' Association, and Mr. D. Zaiwala, on behalf of the Incorporated Law Society, and my learned friends:

Today we mourn the untimely passing away of Justice M.L. Dudhat, a former Judge of this Hon'ble Court, who died suddenly on September 22, 2006.

Justice Dudhat came from an affluent family. His mother Yamutai Dudhat was a renowned social worker and an early pioneer in setting up homes for orphans and destitutes in Ahmednagar District.

After his early education at Ahmednagar, Justice Dudhat came to Mumbai and enrolled as an advocate in 1961. Due to his diligent nature and affable temperament he was soon inundated with work. As a lawyer he had a large practice which spanned every branch of law.

As a mark of his ability and distinction, Justice Dudhat was designated as a Senior Advocate in 1981. As a Senior Advocate Justice Dudhat was extremely popular as a Counsel and was briefed heavily by junior advocates. His practice as a Senior Advocate was marked by the way he would hear juniors who would brief him. He was always accommodative and helpful. He would put juniors at ease with his infectious smile. Justice Dudhat believed in 'Gurukul' system of teaching. Some of his juniors even stayed at his residence to imbibe his qualities. He was a considerate but conscientious teacher and a father figure to his juniors. Justice Dudhat was into fitness long before fitness became a fad. He practised and taught meditation and Yoga and always advised juniors that the single most important element of success in the Bar was good health.

In May, 1989, Justice Dudhat was elevated to the Bench. As a Judge, the very qualities that have endeared him to the members of the Bar stood him in good stead. He had infinite patience and never interrupted lawyers, unless it was to focus their attention on a vital point which he thought was in their favour and which they may be missing. His approach to matter was that of a man of robust common sense and sound legal learning. As I said earlier, a lawyer who has risen to the high office of a Judge of this Hon'ble Court, Justice Dudhat was a lawyers' Judge whose skilful handling of lawyers earned him their enduring respect and whose decisions reflected his learning and background.

He retired as a Judge of this Hon'ble Court in 1997. After retirement he led an active life. His interest in spiritual matters was pronounced. He lectured on 'Brahmavidya' and his discourses on spiritual subjects were well received by all who attended them.

My Lords, in the passing away of Justice Dudhat the Bar has truly lost a friend who championed its cause through out his life.

My Lords, on behalf of the entire Bar of the State of Maharashtra, I join Your Lordships in offering my condolences to the bereaved family.

May his soul rest in peace.

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ADDRESS BY SHRI D.R. ZAIWALA, SENIOR ADVOCATE, ON BEHALF OF THE BOMBAY BAR ASSOCIATION, AT THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT, A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

My Lords,

On behalf of the Bombay Bar Association I associate myself with the sentiments expressed by My Lord the Chief Justice, the Additional Solicitor General and the Advocate General.

I had the privilege of knowing Justice Dudhat, both at the Bar and subsequently when he was elevated to the Bench. I also had the privilege of appearing against him at the Bar and before him when he was elevated to the Bench. I endorse completely all the qualities which are enumerated by all the speakers. In his passing away, we all have lost a very valuable member of the Bar and the Bench.

I join my Lord, the Chief Justice, and other colleagues in offering condolences on behalf of the Bombay Bar Association to the members of the bereaved family. May his soul rest in peace.

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ADDRESS BY SHRI S.P. THORAT, PRESIDENT, ADVOCATES ASSOCIATION OF WESTERN INDIA, AT THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT, A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

Hon'ble Chief Justice, Hon'ble Justice Kanade, Additional Solicitor General of India, Shri Desai, Advocate General of Maharashtra, Shri Ravi Kadam, on behalf of Bombay Bar Association, Shri Zaiwala, on behalf of Incorporated Law Society, Shri D. Zaiwalla, and Ladies & Gentlemen:

I fully agree and endorse the sentiments expressed by the Hon'ble Chief Justice and other speakers and beg to add few words of my own.

Mr. Justice Dudhat was born in the family of Laxmanrao Dudhat and Yamunatai Dudhat at Ahmednagar. His mother Yamunatai Dudhat was a great social worker, in the real sense of the term. In those days, she was heading an institute known as 'BALIKASHRAM' at Ahmednagar, which was running an orphanage and school for destitute children and women. Thus, he was greatly influenced by his mother, who was really an institution by herself in Ahmednagar. After completing his school education at Ahmednagar under the guidance of his mother, he came to Mumbai for higher education. Though coming from an influential family, he started working in an Insurance Company while educating himself.

After completion of his LL.B. and LL.M. In 1960, he joined the Bar in the chambers of Shri Ramrao Adik in the year 1961, where he had a chance to get experience in various fields of law. Mr. Justice Dudhat became a Professor of Law in Siddarth College as well as Bandra College of Commerce. He was a born teacher. He could give lectures for hours together without holding any law book or notes in his hands. In Siddharth College, he used to teach the Law of Crimes, whereas in Bandra College of Commerce, he was the Head of the Department of the Mercantile Law and used to teach the Contract Act and the Law of Torts. He also gave various lectures under the auspices of the Bar Council in respect of drafting and pleadings.

As a Lawyer, Mr. Justice Dudhat was versatile. He conducted sessions trials and also civil trials very competently and with a great success, and with an equal eloquence, could argue criminal appeals and writ petitions involving constitutional questions in the High Court. He had conducted various important trials, such as *Mohite Family Case*, *Shirdi Misappropriation Case*, to name a few. He had a very large practice and had a fleet of juniors, all of whom are now very well-established in their practice. He was designated as a Senior Counsel in the year 1981. He accepted the said designation with great humility at a time when many senior lawyers on the Appellate Side had refused to accept the said designation for obvious professional reasons.

He was a very active member of the Advocates Association of Western India. Almost every member was his personal friend and he used to go out of his way to help all the members, including the junior members, in every problem of their lives. In the year 1988, he was elected as the President of the Advocates Association of Western India with the highest ever margin, which remains a record even today.

After elevation as a Judge of this Hon'ble Court in the year 1989, Mr. Justice Dudhat never forgot his roots at the Bar. He was one of the most humane and considerate Judges. He had an analytical mind and his vast experience at the Bar and his knowledge of various facets of human behaviour helped him a lot as a Judge. He was a very practical Judge, who believed more in solving the litigants' problems than delivering lengthy judgments. Also, he was a Judge, who firmly believed that it was the duty of every Judge to find out whether the matter could be settled between the parties. More often than not, he advised the litigants in matrimonial matters to amicably resolve their disputes and he succeeded almost on every occasion. I remember a case where after the death of a very, very prominent lawyer of this Court, when his progenies' dispute in respect of his properties reached the Hon'ble Court, he saw to it that the matter was settled after umpteen number of hearings in his chamber.

After his retirement also, for some time, he was appointed to head some enquiries under the Commission of Enquiries Act. Mr. Justice Dudhat always had an interest in '*Adhyatma*' and mental and physical well-being of human beings. He was influenced by his mother and always thought that serving humanity is serving God. He had studied subjects of mental physics very thoroughly and meticulously for several years and after his retirement, he started conducting classes in mental physics and meditation at Chembur, Dadar, and at various other locations, absolutely free of charge. The classes were a huge success and he had students from all walks of life - young and old - flocking to his classes. He was invited to give series of lectures at Vienna on Brahmavidya Courses, where he gave such lectures, which became so popular that his lectures are being translated into various European languages.

Throughout his life, he was a very jovial personality and always had a smile on his face, and, I remember, even after his death, that smile did not leave his face.

On behalf of the members of the Advocates Association of Western India, we share the grief of the bereaved family. We hope that God will give courage to his daughter, Radhika, who is also a lawyer following the footsteps of her father, Roopali and others. We hope that the God will give them courage to bear the loss.

May God rest his sole in peace.

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ADDRESS BY SHRI DINSOO ZAIWALLA, VICE-PRESIDENT, BOMBAY INCORPORATED LAW SOCIETY, THE REFERENCE TO LATE JUSTICE MADHUKAR LAXMAN DUDHAT, A FORMER JUDGE OF THIS HIGH COURT, ON 19<sup>TH</sup> OCTOBER, 2006.

My Lord the Chief Justice, Hon'ble Mr. Justice Kanade, the Learned Advocate General, the Learned President of the Bombay Bar Association, the learned President of Western India Advocates Association, and my colleagues at the Bar:

On behalf of the Bombay Incorporated Law Society, I convey our members' grief on the sad demise of Justice M.L. Dudhat.

With respect I concur with the sentiments so eloquently expressed by My Lord the Chief Justice, the Learned Advocate General, the President of the Bombay Bar Association and the President of the Western India Advocates Association which have been submitted at Your Lordship's Bar today.

As a Judge of this Hon'ble Court, Justice Dudhat had maintained the highest tradition which this Court commands. In passing away of Justice Dudhat the Legal Fraternity has indeed lost a pioneer of judicial thought.

Life and death are inseparable and inter-related duality of an essential whole and we all have to pass through an allotted space of time given to each of us.

On behalf of the Incorporated Law Society and the Fraternity of Solicitors, I wish to convey our grief to the family members of Justice Dudhat and to ease their loss, I may be permitted to quote a scriptural text:-

“There is no death, life is a continuous event that the inner man's soul clothes itself with a new garment discarding the old and begins the new journey.”

May the spirit of demised Lordship rest in eternal guidance.

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