

712

ADDRESS BY HON'BLE SHRI DALVEER BHANDARI, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE REFERENCE TO LATE SHRI NARI HARDASMAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

My noble and learned Brother, Hon'ble Mr. Justice Vazifdar, Mr. Desai, Additional Solicitor-General, Mr. Kadam, Advocate-General of Maharashtra, Mr. Dada, President of the Bombay Bar Association, Mr. Joshi, President of the Advocates' Association of Western India, Mr. Kalyaniwala, Hon. Secretary 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 Nari Hardasmal Gursahani, who left for his heavenly abode on the 22nd of this month. He was a remarkable man and touched life at many points. He made tremendous contribution in diversified fields. He was an eminent member of the Bar, a prominent social worker, a leading freedom fighter, an educationist and a philanthropist. He displayed remarkable brilliance and diversity in performing his obligation and duties.

Shri Nari Hardasmal Gursahani was born on 2nd September, 1927. He was enrolled as an Advocate, High Court, on 17th December, 1952 and thereafter was enrolled as an Advocate of the Supreme Court of India from 1962. He was designated as a Senior Advocate by High Court, Bombay in 1982.

Shri Gursahani was Adviser for Legal Affairs. Shri Gursahani was also appointed a Special Public Prosecutor by the State Government for one year for National Security matters in High Court.

He was unanimously elected as President of Advocates' Association of Western India for 1985-86. Shri Gursahani was also elected as a Member of the Maharashtra State Bar Council for three terms. He was Member of leading national and international professional organizations, such as, International Law Association, Law Asia, Bar Association of India, Bar Association of High Court (Original Side), Bombay.

Shri Gursahani was a Special Counsel on the panel of the State Government in the High Court for both Original Side and Appellate Side matters and for matters before the Supreme Court.

Shri Gursahani had appeared in a large number of important public interest litigations and in many private matters without charging any professional fees.

Shri Gursahani was a very prominent social worker. He was recognized as "Lok Bhrata" (Peoples' brother) by revered Saint and Philosopher of India and spiritual Master Dada J. P. Vaswani, spiritual head of Sadhu Vaswani Mission, Pune in 1996 for rendering outstanding and unique services to the community for over 50 years.

Shri Gursahani headed the International Sindhi Panchayat's Federation. He was associated with this Federation since its establishment on 14th January, 1949.

Shri Gursahani was the recipient of various National and International awards, rewards and honours.

Shri Nari Gursahani was a Freedom Fighter and courted imprisonment in Quit India Movement in 1942 at the age of 14 years in his hometown, Nawabshah, Sind, and was in Central Jail in Hyderabad, Sind.

Shri Nari Gursahani was indeed a very likable character and lovable personality. He was held in high esteem by Judges, lawyers and litigants. In his passing away, the legal fraternity has lost a 'friend, philosopher and a guide'.

Shri Nari Gursahani is survived by his widow, Dr. (Mrs.) Gopi Gursahani and daughters Ms. Shakuntala Gursahani and Mrs. Honey Harish.

His demise is a great loss for his family members, friends and all of us. Our heart goes out to them in sympathy. May his noble soul find an everlasting abode of peace.

ADDRESS BY SHRI B.A. DESAI, ADDITIONAL SOLICITOR GENERAL, AT THE REFERENCE TO LATE SHRI NARI HARDASMAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

My Lord the Chief Justice, My Lord Justice Vazifdar, Shri Ravi Kadam, learned Advocate General, Shri Rafiq Dada, President of the Bombay Bar Association, and Shri Joshi, President of Western India Association,

We gather here today to mourn the death of Senior Advocate Nari H. Gursahani on 22nd August, 2005. I fully agree with the statement of My Lord Chief Justice that Shri Nari H. Gursahani was an eminent lawyer, eminent social worker, eminent educationist, a freedom fighter and philanthropist. He was indeed the most known figure in the Advocates' Association of Western India and he was its leader.

Shri Nari Gursahani was my personal friend and I remember him. I can still see Nari Gursahani walking in the corridors of Bombay High Court from court to court greeting lawyers, talking with them and soon you would hear his brilliant arguments in the Court. He was a dedicated lawyer.

As a Govt. Pleader, I have seen him working late evenings right upto 9.00 PM and would be back in his seat at 9.00 AM. Many a time, he dictated the affidavits in reply or draft a plaint or written statement himself not waiting for his juniors to draft and himself settled the draft.

He sat in the Western India Advocates hall surrounded by his juniors, other lawyers and his broad laughter is still remembered by his lawyer friends.

He was unanimously elected as President of Advocates' Association of Western India and was also its Vice President. His services to the Advocates' Association of Western India and for the welfare of Advocates were appreciated by lawyers and he was felicitated for his completion of 50 years at the bar by the AAWI. He was also member of the Maharashtra State Bar Council.

Shri Gursahani was very active as a social worker. He was called by many as "Khudai Khizmatgar". As a head of the international Sindhi Panchayat Federation, he served the Sindhi community in its difficult times after partition and he celebrated the Sindhi New Year during the spring and I was a regular invitee at the New Year function. At that time, the Bhakti song "Jhulelal" was sung in chorus form by the people present which really created the Sindhi atmosphere.

Shri Nari Gursahani was a well known and was a versatile personality in the city of Mumbai. He was leader of both the bar and the society. He was in fact the most felicitated person in Mumbai. I as a personal friend knew both Nari Gursahani and his wife. Dr. Gopi and their children who have of course now grown up. I can understand the deep loss that Dr. Gopi and the children would feel at the sad demise of Shri Nari Gursahani. I convey my heart-felt condolences to them and pray to God that may his soul rest in peace!

ADDRESS BY SHRI RAVINDRA KADAM, ADVOCATE GENERAL, AT THE REFERENCE TO LATE SHRI NARI HARDASMAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

My Lord The Chief Justice and Mr. Justice Vazifdar,

1. We are assembled here today to mourn the unfortunate passing away of Shri Nari Gursahani, a designated Senior Advocate and a distinguished member of the Bombay Bar. After enrolling as an Advocate on 17th December, 1952 and after serving the mandatory waiting period as was usual for lawyers in that era, Mr. Gursahani gradually acquired large and varied practice as an Advocate practicing largely on the Appellate Side of this Hon'ble Court. After 30 years of a varied practice and in recognition of his qualities as a lawyer, Mr. Gursahani was designated as a Senior Advocate in 1982. Throughout his practice, Mr. Gursahani was known for his forthright manner of addressing the Court and his inimitable and compelling style of advocacy. His forensic skills were apparent to all who encountered him in court and this made him a formidable and respected opponent.
2. His popularity as an Advocate was immense and was reflected in his being elected for three terms to the Bar Council of Maharashtra. He also served a term as a President of the Advocates Association of Western India between 1985-1986. That this election was unanimous is again a mark of the esteem he was held in by his colleagues at the Bar.
3. Mr. Gursahani was also well known in the field of education. He was a member of the Hyderabad Sindh Collegiate Board for several years and even represented them in a large number of matters in this Hon'ble Court. However, the one area where Mr. Gursahani excelled and would probably most like to be remembered for, is the work he did as a social worker. Mr. Gursahani rendered distinguished and outstanding service to the Sadhu Vaswani Mission, Pune and to the Sindh Panchayat Federation for several decades. These two institutions were his personal favorites and associating with them must have certainly given him great joy and satisfaction. In recognition of his service to these institutions, he was felicitated by the Sadhu Vaswani Mission in 1996. He was President of the Sindh Panchayat Federation for almost 35 years and devoted a large amount of his time and energy to its cause.
4. I still remember, in my early days as a junior lawyer, entering the Appellate Side Bar Room at about 6.30 p.m. in the evening. Even before entering the room, I could hear a stentorian voice dictating a Writ Petition. When I entered the room, I saw that it was Mr. Gursahani dictating to his steno the draft of a Petition, which was required to be filed urgently the next day. This devotion and commitment to work was what made him an eminent lawyer throughout his practice. To me as a young lawyer, it was a object lesson which I would never forget and taught me that there is no substitute for hard work, hard work and even more hard work.
5. Mr. Gursahani has passed away after a long life of 78 years. He has lived a full life and he lived it as if he knew and understood that we all have limited time to live and thus lived each day to the fullest as if it was me only one he had. 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.

ADDRESS BY SHRI RAFIQ DADA, PRESIDENT OF BOMBAY BAR ASSOCIATION, AT THE REFERENCE TO LATE SHRI NARI HARDAS MAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

My lord the Chief Justice, My lord Mr. Justice Vazifdar, the Advocate General of Maharashtra, the Additional Solicitor General of India the President of the Western India Advocates Association, the President of the Incorporated Law Society, Dr Mrs. Gursahani, Miss Shakuntala Gursahani, Mr. and Mrs. Anil Harish and members of the Bar,

On behalf of the Bombay Bar association, I endorse the sentiments expressed by my lord the Chief Justice, the Additional Solicitor General of India and the Advocate General of Maharashtra on the passing away of Mr. Nari Gursahani, Senior Advocate.

Mr. Gursahani was a very prominent and respected member of this bar. He worked as an Advocate for over 50 years.

I had the good fortune to know Mr. Gursahani and see him in action in the courts. Mr. Gursahani worked for many years as a lawyer before he was appointed the government pleader original side of this High Court. He appeared in many important matters on behalf of the government of Maharashtra including matters of constitutional importance. His most significant work was in relation to Writ Petitions filed to protect the rights of Educational Institutions as also the Fundamental Rights of minorities.

In the series of judgments given by the courts in education matters Mr. Gursahani appeared as an advocate and assisted the court in helping to protect and preserve the rights of students. In the jurisprudence of educational matters Mr. Gursahani played a prominent role.

Mr. Gursahani was a great lawyer and many advocates practicing in this honourable court learned their first lessons in law in his chambers. I remember a function held in the western India Advocates association to felicitate Mr. Gursahani on his completing 50 years at the Bar. The hall was overflowing with Advocates who came to felicitate him.

Mr. Gursahani had many endearing qualities which made him one of the most widely admired member of the Bar. It is difficult to recount all of them. However I will refer to a few. Mr. Gursahani never spoke ill of any person. He had the highest regard for his opponents in a case. While he fought hard for his clients he followed the best traditions of the Bar of never carrying the case outside the court. Another wonderful quality which he possessed was that he rejoiced in the achievements of his fellow advocates. If any member of the Bar achieved any position of honor, be it a position on the bench or a post of a Law Officer, Mr. Gursahani regarded it as a matter of his own personal joy.

But the most remarkable quality which Mr. Gursahani possessed was his great large heartedness and generosity. Whenever the occasion demanded he made a handsome donation. He spread his precious earnings at the bar far and wide. He supported many causes both in terms of money and in terms of time. He worked in the field of education and for many charitable foundations which have been referred to in the preceding speeches.

Mr. Gursahani will be remembered by the Bar as an advocate who never refused any one who approached him. Around June or July of every year many people lined up before him to get recommendations for admissions or scholarships for their wards. In my memory, he never refused, he was ever ready to help. He was happy to help.

Mr. Gursahani harnessed the power of good. Like Doctor Hudson in Lloyd George's famous book, he drew his energy from the power of good. In his 78 years on this planet, he lived a full life. He lived not for himself but mainly for others. He was a freedom fighter, a great social worker, a man who received many plaudits and awards but above all he was a warm hearted and wonderful human being.

Even as I stand before you I cannot bring myself to believe that Mr. Nari Gursahani has passed away to the world beyond. We all remember him as the lawyer who loved the Bar. Even when he faced the handicap of a bitter pain in his legs he came to the Bar holding a stick. He may not have appeared in a matter for fees but he still continued to appear free for educational institutions.

My lords, death spares no one. It comes sooner or later to all. But men like Mr. Gursahani live on. He will live in the memories and hearts of generations for many years to come.

On behalf of the Bombay Bar Association and on behalf of myself, I extend my heartfelt condolence to Dr. Mrs. Gursahani, his daughters Miss Shakuntala and Mrs. Honey Anil Harish, his son in law Mr. Anil Harish and his grand children Adiraj and Rishika. I also extend my condolence to the legend of his juniors, friends and admirers. I pray that the almighty God may give them the strength to bear this great loss.

ADDRESS BY SHRI BALAKRISHNA JOSHI, PRESIDENT OF ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE REFERENCE TO LATE SHRI NARI HARDASMAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

The Hon'ble the Chief Justice and Hon'ble Shri Justice Vazifdar, Shri B.A. Desai, Additional Solicitor General of India, Shri Ravi Kadam, Advocate General Maharashtra State, Shri Rafiq Dada, the President of Bombay Bar Association, Shri Kalyaniwala, Hon. Secretary of Incorporated Law society and friends,

1. Sir, I fully endorsed the views expressed by the Hon'ble the Chief Justice and my colleague and I beg to add few words.
2. Sir, we have assembled here to pay tribute to Shri Nari Gursahani, a great lawyer, a prominent social worker, who passed away on 22nd August, 2005. Shri Nari Gursahani was born on 2nd September, 1927 at Nawabshah, Sindh in Pakistan. He completed his school and college education from Sind, Pakistan and he passed his LL.B. examination from Law College Pune. Shri Gursahani was enrolled as Advocate of the High Court on 17th December, 1952 and as Advocate of Supreme Court of India in the year 1962. He was also appointed as designated Senior Advocate by High Court Bombay in 1982.
3. Shri Gursahani joined bar in the year 1952 in the chambers of Shri Advani one of the leading Senior Advocates of that time. Shri Gursahani was also elected as President of Advocate Association of Western India for the year 1985-86. He was also Vice President of the said Association. He was also elected as a member of the Maharashtra State Bar Council. Shri Gursahani was appointed as Government Pleader of the High Court Original Side from 1977 to 1979. He was also Government Pleader on the Appellate side of the Bombay High Court. Shri Gursahani was also appointed as Special Public Prosecutor by the State Government for one year for national security matter in High Court. Shri Gursahani was also special counsel on the panel on the State Government in the High Court for both original side and appellate side matters and for matter before the Supreme Court of India.
4. Shri Gursahani acquired large practice and was one of the leading Senior Advocate of Mumbai. He had a large number of juniors, some of whom, today are themselves senior advocate of this Hon'ble Court. Shri Gursahani rose to become one of the leading lawyer of the country and appeared in several leading cases of public importance. Shri Gursahani also appeared as a State Government counsel when the vires of Maharashtra Private Forest Acquisition Act was challenged.
5. Shri Gursahani was an eminent lawyer, prominent social worker, leading educationist and a freedom fighter. He also received prestigious Jhulelal Award at the hands of the then Governor of Maharashtra Shri Bhamhanand Reddy and Samaj Gaurav Award was conferred on him at new Delhi at the hands of then President of India Shri Zail Singh. Shri Gursahani was also awarded three civic reception by Ulhasnagar Municipal Council, Ahmadnagar Municipal Council and Aklipur Municipal Council.

6. Shri Nari Gursahani was popularly known as "Dada" and he was a wonderful speaker and he had many memories of law, lawyers, Courts and Judges which he freely shared with others. He was one of the most accessible seniors and even the most junior of lawyer was welcome to and often did ask for help and guidance and received it freely.

7. The members of the association share the grief of members of Gursahani family and we sincerely hope that the family of Shri Nari Gursahani will find courage to bear this loss.

May god rest his soul in peace!

ADDRESS BY SHRI KAIWAN KALYANIWALLA, HON SECRETARY, THE BOMBAY INCORPORATED LAW SOCIETY, AT THE REFERENCE TO LATE SHRI NARI HARDABMAL GURSAHANI, SENIOR ADVOCATE, ON WEDNESDAY, 31ST AUGUST, 2005

My Lord the Chief Justice, my Lord Mr. Justice Vazifdar, Mr. Advocate-General and Hon'ble Speakers.

I concur with the sentiments of my Lord the Chief Justice and the feelings that have been expressed by my Hon'ble friends.

Many of my Solicitor-colleagues have had the opportunity of briefing and working with Mr. Gursahani; and undoubtedly, it was our pleasure. Mr. Gursahani was not only admired by the members of the legal fraternity, but was also much revered by the members of his community.

On behalf of the Bombay Incorporated Law Society, I express our condolences to the members of Mr. Gursahani's family.

May his soul rest in eternal peace.
