

**ADDRESS BY HON'BLE SHRI JUSTICE SWATANTER KUMAR, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE FIRST COURT REFERENCE TO LATE JUSTICE NARAYAN DASOPANT KAMAT, A FORMER JUDGE OF THIS HIGH COURT, ON TUESDAY 11<sup>TH</sup> MARCH, 2008.**

My learned brother, Mr. Raghuvanshi, Additional Solicitor General, Shri Rajiv Patil, Member of Bar Council of Maharashtra & Goa, Shri Rafiq Dada, President of the Bombay Bar Association, Mr. Thorat, President of Advocates' Association of Western India, Shri Zaiwala, 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 Narayan Dasopant Kamat, a former Judge of this Court, who left for his heavenly abode on 28<sup>th</sup> December, 2007.

Mr. Justice Kamat was born on 21<sup>st</sup> September, 1914. He had his early education at Belgaum and Dharwar and law education in Poona. He was enrolled as an Advocate in Dharwar District in August, 1938 and practiced in all kinds of work both civil and criminal. Justice Kamat joined the Judicial Service as Civil Judge, Junior Division in August, 1948. He worked as Registrar of the Bombay High Court for four years from May, 1963 to May, 1967. He was appointed as an Additional Judge of the Bombay High Court on 3<sup>rd</sup> April, 1968 and became a permanent Judge on 9<sup>th</sup> April, 1970.

On 21<sup>st</sup> September, 1976, Justice Namat retired after putting in nearly eight years as Judge of the Bombay High Court. Justice Kamat was known for hard work. During his tenure as Judge of the Bombay High Court Justice Kamat rendered number of judgments on various subjects of law. To name a few, I may refer to some of his well known judgments on powers of the Magistrate to issue a declaration in respect of property in dispute under Sections 145 and 146 of the Code of Criminal Procedure, grant of bail under Section 167(2) of the Code of Criminal Procedure, Prevention of Food Adulteration Act, 1954 and Indian Penal Code.

Justice Kamat was known for qualities of head and heart. In the passing away of Justice Kamat, the legal fraternity has lost a 'friend 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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Speech by Mr. Raghuvanshi, Additional Solicitor General of India, at the First Court Reference to late Shri Justice N.D. Kamat on 11<sup>th</sup> March, 2008.

Hon'ble Chief Justice, Hon'ble Judges, Ld. Advocate General Shri Ravi Kadam, Members of the Bar, Ladies and Gentlemen,

We have gathered here this morning to mourn the sad demise of Shri Narayan Dasopant Kamat, retired Judge of this Hon'ble Court, who breathed his last on the 28<sup>th</sup> December, 2007.

The Hon'ble Chief Justice expressed his heart-felt sentiments about the sad demise of Shri N.D. Kamat. I share these heart-felt sentiments and wish to add a few of my own.

Shri N.D. Kamat was born on 21<sup>st</sup> September, 1914 and completed his high school education at Belgaum. After completing his school education, he enrolled at Karnataka College, Dharwar for his graduation degree. He completed his Bachelor's Degree in law from Pune. Shri N.D. Kamat entered Judicial Service as a Civil Judge Junior Division at an early age of 34 and was subsequently promoted in 1958 as an Assistant Judge. Shri N.D. Kamat was sincere and dedicated to his judicial duty and keeping that in mind he was selected at the High Court as a Registrar of Bombay High Court for a period of 4 years. Finally, he reached the peak of his legal career when he was appointed as a High Court Judge at Bombay in 1968. I had no opportunity to appear before Justice N.D. Kamat as he retired in 1976 and I was not enrolled at the Bar then, but I am told by my seniors at the Bar that he was very learned, able and an independent Judge. The most striking feature of his judicial career was he was a Judge and a Gentleman at the same time.

In this hour of grief, I express my heart-felt

condolence and sympathy to the members of his family. I pray that God almighty gives them the strength to bear such a huge loss gracefully.

My his soul rest in peace.

Speech by Mr. Rajiv Patil, Member, Bar Council of Maharashtra and Goa, at the First Court Reference to late Shri Justice N.D. Kamat on 11<sup>th</sup> March, 2008.

Honourable Chief Justice Mr. Swatanter Kumar, Honourable Additional Solicitor General of India Mr. Rajendra Raghuvanshi, Honourable Mr. Rafique Dada, President of Bombay Bar Association, Honourable Mr. Shankarrao Thorat, President, Advocates Association of Western India, Honourable Mr. Zaiwala, Vice President, Incorporated Law Society, Ladies and Gentlemen;

Narayan Dasopant Kamat, a great pious soul of old legal traditions left for heavenly abode on 28.12.2007 at the age of 94.

Born on 21.09.1914 at Belgaum, completed his school education at Belgaum and attained his Law Graduation at Pune in the year 1938. He started his legal career at Dharwad District. He practiced in all the fields of law and entered Judicial Service as Civil Judge, Junior Division in the year 1948. He was promoted to the post of Assistant Judge in the year 1958.

While he was Judge, he was known to be most humble person with humane approach. One of his old junior colleagues Mr. K.M. Dhakephalkar remembered him as a most gentle, humane and accessible District Judge to subordinate Judicial Officers and his staff. He never remained aloof from the difficulties of his colleague and staff and he was always concerned with their workload, facilities and infrastructure. He was strong advocate for independence of Judiciary and maintained good rapport with

his subordinates.

From May 1963 to May 1967 he was appointed as Registrar of this Honourable High Court and on 3<sup>rd</sup> April 1968 he was elevated as an Additional Judge of Bombay High Court. He became Permanent Judge on 9<sup>th</sup> April 1970. Having a career of eight years as High Court Judge he retired on 21<sup>st</sup> September 1967.

Late Mr. Narayan Dasopant Kamat is one of the few Judges who started Judicial Career as Civil Judge, Junior Division and retired as High Court Judge.

On behalf of Bar Council of Maharashtra and Goa, I pay my respects to departed soul and pray that May His Soul Rest In Peace.

Speech by Mr. Rafiq Dada, President of the Bombay Bar Association, at the First Court Reference to late Shri Justice N.D. Kamat on 11<sup>th</sup> March, 2008.

My Lord the Chief Justice, Mr. Justice Devdhar, Mr. Raghuvanshi, Additional Solicitor General, Mr. Rajiv Patil, Member of Bar Council of Maharashtra and Goa, Mr. Thorat, President of Advocates' Association of Western India and Mr. Zaiwala, President of Bombay Incorporated Law Society,

On behalf of Bombay Bar Association, I endorse the sentiments expressed by My Lord the Chief Justice and the learned Additional Solicitor and Mr. Rajiv Patil.

Mr. Justice Kamat passed away at the age of 94 years. The life of Mr. Justice Kamat began at Dharwar. He worked in the District Court till he entered judicial service as a Civil Judge, Junior Division. Mr. Justice Kamat had a rich experience as a Senior Judge, District Judge, Registrar of the High Court and ultimately as a Judge of this Hon'ble Court.

I remember Mr. Justice Kamat in my junior days., He was polite, courteous to a fault and widely respected. The old law reports show his judgments on various fields of law including in particular cases in Agricultural land tenancy, Rent Act and Criminal Law including preventive detention.

He worked in this Court during the emergency and like all Judges of his time helped to protect and preserve human rights. After his retirement he presided over the Sugarcane Price Determination Commission. His award delivered after a long and complicated trial was upheld. The award helped to fix the price of sugarcane delivered to sugar factories for five years.

Justice Kamat lived upto the Shakespearian age of more than four score and ten. It was a full life. He passed away leaving behind his wife and daughter.

On behalf of the Bar and on behalf of myself I extend my condolence to the members of his family. May his soul rest in peace.

Speech by Mr. Dinsoo Zaiwalla, President, Bombay Incorporated Law Society, at the First Court Reference to late Shri Justice N.D. Kamat on 11<sup>th</sup> March, 2008.

My Lord the Chief Justice, Mr. Justice Devdhar, Mr. Raghuvanshi, Additional Solicitor General, Mr. Rajiv Patil, Member of Bar Council of Maharashtra and Goa, Mr. Rafiq Dada, President, Bombay Bar Association, Mr. Thorat, President of Advocates' Association of Western India and my colleagues at the Bar.

On behalf of the Bombay Incorporated Law Society and the fraternity of Solicitors I convey our members grief on the sad demise of Justice N.D. Kamath who departed from this mortal World on 28<sup>th</sup> December 2007.

With respect I concur with the sentiments so eloquently expressed by the Learned Chief Justice, by Additional Solicitor General, President of the Bombay Bar Association and the President of the Western India Bar Association which has been submitted to your Lordship's Bar today.

In this conflict ridden World Judiciary is the star of hope of which Justice Kamath was apart. He had excellent rapport with the members of the Bar which is so essential in the dispensation of Justice.

We are all subject to the tyranny of time. Death is certain but its timing is hidden from all of us. For ourselves we do not even know if we shall breathe out the very breath we now breathe in.

Very little remains to be said after the earlier speakers have said about the qualities and virtues of Justice Kamath, however, as a matter of solace to members of Justice Kamath's family I may be permitted to quote Saint Tukaram who said.

"where God abides let us hasten  
There let us seek our restful Heavenly  
To him our World and woe we must surrender"

My the great force that governs all of us give  
courage to the members of Justice Kamath's family to bear  
this loss of departure.

May his spirit rest in eternal peace.