

**Full Court Reference addressed by Hon'ble the Chief Justice
Shri Dipankar Datta in the memory of Late Justice G. G. Loney,
Former Judge of High Court of Bombay, on Thursday,
21st April 2022 at 10 a.m. in Court "A", High Court Building, Nagpur.**

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My esteemed Sister and Brother Judges,

Shri Nandesh Deshpande,
Assistant Solicitor General of India,

Smt. Ketki Joshi,
In-Charge Government Pleader,

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

Shri Atul Pande,
President, High Court Bar Association,

Esteemed Senior Advocates and other learned members of the Bar,

Bereaved members of the Loney family,

Members of the Registry and the staff,

Ladies and Gentlemen,

We have gathered here to pay obeisance to late Justice Gunwant Gulabrao Loney, who left for his heavenly abode on 7th January, 2021 at the ripe old age of 94 years.

It is sad that we have lost a great soul. However, I believe that one should always celebrate life and take inspiration from the achievements and accomplishments of the departed soul.

Justice Loney was born on 14th June, 1927 in a small village Yawli (Shahid) in District Amravati. His father Shri Gulabrao Loney was a Teacher in a British Primary School.

Justice Loney did his schooling from Shri Shivaji High School, Amravati. He completed his Degree in Bachelor of Arts from King Edward College, Amravati, which is now known as Vidarbha Mahavidyalaya. Thereafter, His Lordship graduated in Law from Shri Shivaji Law College affiliated to Nagpur University. He was enrolled as an Advocate in June, 1952 and started practicing law at District Court, Amravati and at the Nagpur High Court.

Justice Loney had worked as a District Government Pleader and Public Prosecutor at Amravati since 1975. Having built up a vast practice in Civil and Criminal matters as well as matters arising out of Industrial Law and Co-operative Law, His Lordship was the lawyer for various statutory bodies. He was a lecturer in Panjabrao Deshmukh Law College, Amravati. His Lordship had represented the State of Maharashtra in the inter-state water dispute between the State of Maharashtra and the State of Madhya Pradesh before the Madhya Pradesh High Court.

After a fairly long practice of law spanning more than 30 years, Justice Loney was elevated as an Additional Judge of the Bombay High Court on 9th October, 1985 and was confirmed as a permanent Judge on 3rd March, 1986. After a relatively short tenure of nearly 4 years, His Lordship demitted office on 14th June, 1989.

During his tenure as a Judge of the High Court, Justice Loney delivered several notable judgments in matters arising out of municipal laws, land laws, criminal laws and personal laws.

Post retirement, Justice Loney had led an active life and had undertaken many tasks which he successfully accomplished. His Lordship was appointed as an Arbitrator on a number of occasions to resolve various disputes between the parties. His Lordship had many 'firsts' to his credit after retirement, since he was appointed as the –

- i) First President of Maharashtra State Consumer Disputes Redressal Commission;
- ii) First President of Goa State Consumer Disputes Redressal Commission;
- iii) First President of Diu & Daman State Consumer Disputes Redressal Commission.

His Lordship had also officiated as Chairman of various Committees such as Nagpur University Roster Scam Enquiry Committee; Chairman of Fee Structure Committee of D. Y. Patil Medical College, Kolhapur; Chairman of Fee Structure Committee of Pravara Medical College, Ahmednagar. His Lordship was also appointed as a Member of Advisory Board under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act (COFEPOSA).

The demise of Justice Loney is a huge loss for the legal fraternity. His Lordship was a Judge of huge experience and great knowledge. Having died a nonagenarian, I am sure, His Lordship must have led a life that is fulfilling and meaningful and left this material world without any regret.

Justice Loney is survived by his wife Smt. Tara Loney and two sons, namely, Sudhir and Ashish and two daughters, namely, Surekha Sartabe and Anita Jagtap, who are all well settled in their individual lives. I hope and trust that all the family members of His Lordship would faithfully carry forward the principles of hard work, dedication, work ethics and moral values left behind by His Lordship.

In this hour of grief, on behalf of my colleagues and on my personal behalf, I convey deepest condolences to the members of the bereaved family. I pray that the Almighty give them the strength to bear the irreplaceable loss and also pray that the noble soul of Justice Loney attains "sadgati".

Om Shanti !, Shanti !!, Shanti !!!

**Full Court Reference addressed by Shri Nandesh Deshpande,
Assistant Solicitor General of India in the memory of
Late Justice G. G. Loney, Former Judge of High Court of Bombay,
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My Lord the Chief Justice,

The Hon'ble Judges of this Court,

Smt. Ketki Joshi, In-Charge 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 Loney family,

Members of the Registry and the staff,

Ladies and Gentlemen,

We have assembled here to mourn the sad demise of Justice Gunwant Gulabrao Loney, Justice Loney was born on 14th June 1927. He was son of a Teacher. He did his B.A., LL.B from Nagpur University and Joined the Amravati Bar in 1952 and practiced at Amravati and the Nagpur Bench of the Bombay High Court. He worked as a District Government Pleader and Public Prosecutor at Amravati since 1975. He often appeared at the Nagpur Bench of the Bombay High Court and gained good experience of Civil and Criminal work as well as matters arising out of Industrial Law and Co-operative Law. Also taught at the Law College at Amravati. He worked as Legal Adviser to the Maharashtra Water Supply and Sewerage Board, Bombay. He was appointed by the Government in many important matters as Special Public Prosecutor like Mahalle Brothers murder trial at Amravati.

He was appointed as Permanent Judge of the Bombay High Court on 9th October 1985. He retired on 14th June 1989.

Even after his retirement he continued to be active in professional life and headed the Commission established to enquire into the irregularities in appointments in Nagpur University. He was the first President of Maharashtra State/Goa/Diu and Daman Consumer Disputes Redressal Commission. He was the Chairman of selection committee for Vice Chancellor of Nagpur University and various other committees.

He expired on 7th January 2021 at Nagpur at the age of 94 years. He is survived by his wife Mrs Tara Loney, Sons Sudhir Loney and Ashish Loney and two daughters Mrs Surekha Sartabe and Mrs Anita Sanjay Jagtap. His passing away has left a void in our lives. 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. May the almighty give them strength to bear the loss and overcome the grief.

May the departed soul rest in eternal peace.

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**Full Court Reference addressed by Smt. Ketki Joshi, In-Charge
Government Pleader in the memory of Late Justice G. G. Loney,
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My Lord the Chief Justice,

The Hon'ble Judges of this Court,

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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 Loney family,

Members of the Registry and the staff,

Ladies and Gentlemen,

My Lords, We have congregated here today to pay homage to Justice Gunwant Gulabrao Loney, a former Judge of this Hon'ble Court, whose death on 7th January 2021, has left a grave sense of loss amongst the members of his family and the legal fraternity.

Born on 14th June 1927, to a Teacher in Yawli Village, in Amravati District, Justice Loney graduated in law from Nagpur University and joined the District Bar at Amravati in the year 1949. he practiced mainly on criminal side and made a name for himself in a short span of time. Recognition of his legal acumen came in the manner of appointments as Special Public Prosecutor for the State of Maharashtra in many important criminal trials, specially from the Districts of Amravati and Akola, which he conducted with courage and distinction.

My Lords, Mahalle Brothers twin murder case, which had shocked the City of Amravati in the year 1978, was prosecuted by him in Sessions Court at Amravati, as the Special Public Prosecutor. With his hard work, Zeal and intricate knowledge of Criminal Law, Justice Loney secured justice for the victims. All the five accused persons were sentenced to life imprisonment. He worked with same zeal in the appeals preferred by the accused persons against their convictions, before this Hon'ble Court, as Special Public Prosecutor. Justice Loney, with his vast experience, detailed submissions and erudite arguments, won the day for the prosecution, as this Hon'ble Court dismissed all the appeals, by delivery of a land mark judgment. One more important criminal trial, which requires special mention here is the Kolpekar Bomb Blast Trial of Akola. I am told that due to security reasons, he used to travel to Akola from Amravati, in a Helicopter. Justice Loney was courageous person and a public prosecutor with par excellent commitment to his duty.

My Lords, Justice Loney was multi dimensional Advocate. He excelled in criminal law on one hand and exposted in civil, constitutional and other laws, on the other hand. He was a special Counsel for the Maharashtra State in the interstate water dispute between Maharashtra and Madhya Pradesh. He was also a standing Counsel for Amravati University, Maharashtra Water Supply and Sewerage Board, MSEB and host of other Institutions.

My Lords, Justice Loney worked as a District Government Pleader and Public Prosecutor for Amravati District, till his elevation as a Judge of this Hon'ble Court. He served in this post with distinction and left his indelible prints. His illustrious service as the District Government Pleader was recognized even by this Hon'ble Court with admiration, which resulted in his elevation as a Judge of this Hon'ble Court. Justice Loney adorned the Bench of this Hon'ble Court on 9th October 1985 and demitted the august Constitutional office on 14th June 1989. During his Judgeship, Justice Loney had distinguished himself as a erudite Judge, with special command over criminal laws. He was commended by one and all for his calm and composed approach and the kindness of heart. He had a special

attention for Junior lawyers, who found in him a Judge, who was understanding and supportive.

My Lords, During his short tenure at the Bench, Justice Loney delivered many judgments, several of them are considered to be outstanding and far reaching in the field of law. His Judgment in the case of Shridhar Waman Surushe .Versus.. State of Maharashtra is regarded as a celebrated Judgment, due to the fine eloquence of law delivered therein on the scope of Section 311 of the Criminal Procedure Code.

One more judgment, which claims attention here is the judgment delivered in the case of Maharashtra State Electricity Board .Versus.. Trimbakrao. This judgment is eminent for its exposition on the scope and ambit of Section 24 of the Indian Electricity Act and the power of the Electricity Board to disconnect the Electrical Supply of consumers on the strength of writings done on the energy bills.

My Lords, Justice Loney continued his pursuit of law even after his tenure as Judge of this Hon'ble Court concluded. He was appointed as the First President of the Consumer Disputes Redressal State Commission, State of Maharashtra and Goa. While adorning this office, he held very clear ideas about the job, he was assigned to do and the role of Consumer redressal forums in India. In an interview to Times of India, published on 26th July 2013, Justice Loney said and I Quote, "That the three distinctive features of the pro consumer legislation are, a simple procedure for deciding cases, no court fees and expeditious decisions. But if the problems arising from inadequate facilities and lack of staff are not solved, the consumer bodies will also go the way of other Courts." Unquote.

My Lords, Justice Loney was an environmentalist to the core and a champion of Human rights. During his second innings, he was associated with many Non Governmental Organizations, championing causes of human rights and that of environment. He was associated with Loknyayalay or Indian Peoples' Tribunal, which was a non-official body led by retired Judges, who formed panels,

that conducted public enquiries in human rights and environmental abuses. Report of a panel, consisting of Justice H Suresh and Justice Loney, in the matter of opposition by the villagers for setting up of a R&D center of a Multinational Company-Dow Chemicals, in Village Shinde, District Pune, is a matter of public record. He was also associated with the Narmada Bachao Anadolan.

Justice Loney was also a member of Indian Council of Arbitration.

My Lords, Justice Loney was a humanitarian and lived a full life. His greatness was his wisdom and intellect with silver lining of kindness, calmness and humility. My Lords, I am told that he continued his selfless service to the society till last few years of his life. I am also told that he retired from social life only in last 4 years of his life. He left us at the ripe age of 94.

At the time departure, Justice Loney left behind his wife Smt. Tara, Two Sons- Advocate Shri Sudhir Loney and Shri Ashish Loney, Two daughters- Smt Surekha Sartabe and Smt Anita Jgtap, Son-in-law, Advocate Shri Sanjay Jagtap and his grand children.

My Lords, I join Your Lordships, along with my Colleagues in the Government Pleader's Office, in offering our heartfelt condolences to the family of Justice Loney and particularly, to my colleagues at Bar, Advocate Shri Sudhir Loney, Advocate Shri Sanjay Jagtap and Advocate Ms. Soniya Sartabe.

May the Good Soul Rest in Peace.

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**Full Court Reference addressed by Shri Parijat Pande, Member,
Bar Council of Maharashtra and Goa, in the memory of
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on Thursday, 21st April 2022 at 10 a.m. in Court "A",
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My Lord the Chief Justice,

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Shri Nandesh Deshpande, Assistant Solicitor General of India,

Smt. Ketki Joshi, In-charge Government Pleader,

Shri Atul Pande, President, High Court Bar Association.

Esteemed Senior Advocates and other learned members of the Bar,

Bereaved members of the Loney family,

Members of the Registry and the staff,

Ladies and Gentlemen.

Hon'ble Shri Justice Loney will always be remembered for his contribution towards our legal fraternity. During his tenure as DGP, Amravati, he set up a benchmark in conducting various criminal trials. His legacy to serve the Society through this noble profession has been successfully carry forwarded by his Son, Daughter-in-law, Son-in-law. Grand-son and Grand-daughter. On behalf of Bar Council of Maharashtra and Goa, I express my condolences for the departed soul.

Om Shanti.

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**Full Court Reference addressed by Shri Atul Pande, President,
High Court Bar Association in the memory of
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Members of the Registry and the staff,

Ladies and Gentlemen,

In memory of Late Shri Justice G. G. Loney, Former Judge of Bombay High Court.

Before the elevation as Judge of Bombay High Court, Justice Loney was a District Government Pleader and Public Prosecutor at Amravati. The Government of Maharashtra appointed him as Special Prosecutor to handle various important trials like Kolpekar Bomb Blast Trial of Akola, Mahalle Brothers Murder Trial of Amravati.

Justice Loney elevated as Judge of Bombay High Court on 9th October 1985 and was known for his judicial temperament and rulings. In Shridhar Waman Surushe ..Vs.. State of Maharashtra wherein Justice Loney explained the scope and applicability of the provision of recalling and reexamination of witness under the provision of Section 311 of the Criminal Procedure Code and ruled that "the provision for recalling and re-examination of a witness is not meant to fill up the gap which a party has created. Justice Loney

further ruled that prosecution cannot be allowed to rebut the defense evidence unless the prisoner brings forward something suddenly and unexpectedly”.

After retirement, Justice Loney was appointed as First Chairman of the Maharashtra State Consumer Dispute Redressal Commission, also first Chairman of Goa State Consumer Dispute Redressal Commission and first Chairman of Diu and Daman State Commission.

At the age of 94, Justice Loney passed away on 7th January 2021. We have assembled here to mourn the sad demise of Justice G. G. Loney.

On behalf of High Court Bar Association and the executive committee, I offer my deepest condolences to his son Advocate Sudhir Loney and Son-in-law Advocate Sanjay Jagtap and other members of the Family.

May the divine soul rest in peace.

Thank You.

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