

**ADDRESS BY SHRI SANJAY V. GANGAPURWALA,
HON'BLE THE ACTING CHIEF JUSTICE, AT THE FULL
COURT REFERENCE IN MEMORY OF LATE SHRI JUSTICE
ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY
HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10
AM, IN ROOM NO.46 CENTRAL COURT HALL, MAIN
BUILDING, HIGH COURT, MUMBAI.**

My esteemed Sister and Brother Judges,

**Shri Anil C. Singh
Additional Solicitor General of India**

**Dr. Birendra Saraf,
Advocate General of Maharashtra,**

**Shri Sangram D. Desai,
Vice-Chairman, Bar Council of Maharashtra & Goa,**

**Shri V.R. Dhond,
Vice-President, Bombay Bar Association,**

**Shri Sanjeev Kadam,
President, Advocates' Association of Western India,**

**Mrs. Ferzana Behramkamdin,
President, Bombay Incorporated Law Society,**

**Learned Senior Advocates and other members of the
Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff!

We have assembled this morning to pay homage to late Justice Anoop Vallabhdas Mohta, a distinguished former Judge of the Bombay High Court, who departed for his heavenly abode on January 29, 2023 at the age of 67 years at his Mumbai residence.

Parting is painful and nothing can replace this pain. But, the bitter truth is the cycle of life moves on and we need to accept it by cherishing the memorable works of the departed soul. His Lordship Justice Mohta is not amongst us now, but His Lordship will be remembered for the mark and reputation that His Lordship had achieved in his life and would remain an inspiration for the future generation.

His Lordship Justice Mohta was born on December 4, 1955 in a respectable family at Akola. We all know, His Lordship's father, late Vallabhdas Mohta was also a distinguished Judge of this Court and retired as the Chief Justice of Orissa High Court.

Justice Anoop Mohta completed his initial education from New English High School at Akola and then, post-graduation in Arts from Nagpur University. Thereafter, His Lordship obtained his Bachelor's degree in Law from Nagpur University and enrolled as an advocate on February 12, 1981. His Lordship had started his initial practice at Nagpur but later on, moved to Mumbai. His Lordship had practiced in the Bombay High Court on both the Original and the Appellate Sides for about 22 years and the practice was mainly in Constitutional, Intellectual Property, Taxation, Service, Arbitration and Criminal matters. His Lordship had also practiced in Supreme Court and various Tribunals and represented various public bodies, industrial houses and companies. His Lordship was appointed as Government Pleader and Public Prosecutor for Daman, Diu and Dadra and Nagar Haveli (U.T.) for four years and was on the panel of senior counsel of the Central Government from 1997 till 2001.

His Lordship was elevated to the Bench as an Additional

Judge of the Bombay High Court on November 14, 2003 and thereafter, confirmed as a Permanent Judge on November 12, 2005. His Lordship demitted office on December 3, 2017. As a Judge of the Bombay High Court, His Lordship, handled all the matters, with utmost ease to the satisfaction of one and all. His Lordship had a deep knowledge of civil, criminal and constitutional laws and handled various complex issues arising out of Commercial, Economic & Banking, Direct & Indirect Tax, Trade Mark and Arbitration matters.

His Lordship's journey as an advocate and also as a Judge was remarkable, which indicates his invaluable contribution in development of law. His Lordship believed in efficient and expeditious disposal of cases and had disposed of more than 30,000 cases in the High Court, which included more than 1,000 reported judgments to the credit of His Lordship. His Lordship was an active member of the Mediation Committee of High Court for more than 10 years.

After demitting his office as a Judge of this Court, His Lordship had commenced practice in Supreme Court. His Lordship was designated as a Senior Advocate on September 6, 2018 by the Supreme Court. In a short span of 4 years after demitting the office of this Court, His Lordship had delivered more than 25 arbitral awards.

His Lordship loved reading and writing books. His Lordship was a co-author of the books titled "**Arbitration and Conciliation and Mediation**" and "**Trademarks, Passing Off and Franchising**". His Lordship had also penned various articles and participated as a Resource person and delivered talks at various conferences and seminars. His Lordship was a part of the Editorial team of the book titled –

A Heritage of Judging: The Bombay High Court through one hundred and fifty years, which was published by the Maharashtra Judicial Academy at the Sesquicentennial celebrations on August 18, 2012.

Beyond legal career, His Lordship was awarded as an outstanding Leo Secretary in the year 1979 by LIONS International. He loved cricket very much and in fact, he was the trophy winner of best Bowler Awards on three occasions, in the cricket matches held between the High Court Judges and Advocates Bar at Mumbai. Justice Mohta was passionate about music. He had a keen interest to listen to audio books on a variety of subjects. He was a music lover – gazals and old songs used to be his favourite, whenever time permitted him. However, I am told, he was 'the happiest' in the company of his family and especially his four grandchildren.

He is survived by his wife, Smt. Surekha Mohta, daughter Aditee Mohta, who is a Senior Legal Counsel in a multi-national company and son Mr. Devansh Mohta, is a practicing lawyer in Supreme Court of India. I hope and trust that the family members of His Lordship would faithfully carry forward the legacy and ideals left behind by late Justice Anoop Mohta.

On behalf of my brother and sister Judges and on my personal behalf, I extend our heartfelt condolences to the members of the bereaved family and pray to Almighty to bestow peace upon the departed soul. May his soul rest in eternal peace!

Om Shanti, Shanti, Shanti!!!!

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ADDRESS BY SHRI ANIL C. SINGH, ADDITIONAL SOLICITOR GENERAL OF INDIA, AT THE FULL COURT REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10 AM, IN ROOM NO.46 CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, MUMBAI .

My Lord the Hon'ble the Acting Chief Justice,

The Hon'ble Judges of this Court,

**Dr. Birendra Saraf,
Advocate General of Maharashtra,**

**Shri Sangram D. Desai,
Vice-Chairman, Bar Council of Maharashtra & Goa,**

**Shri V.R. Dhond,
Vice-President, Bombay Bar Association,**

**Shri Sanjeev Kadam,
President, Advocates' Association of Western India,**

**Mrs. Ferzana Behramkamdin,
President, Bombay Incorporated Law Society,**

**Learned Senior Advocates and other members of the
Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

The demise of Justice Anoop Mohta has deprived the society of a noble soul.

Justice Mohta was a great human being and jurist, having great compassion, humility, sincerity and a wonderful diligence towards his profession and to the cause of justice. But what distinguishes him and elevates him to a higher

pedestal is his human approach. Justice Mohta lived to his principles till last breath and was completely devoted to social cause.

Justice Mohta started his practice from Nagpur and shifted to Mumbai somewhere in the year 1990 and joined Chambers of Shri Rafique Dada, inspite of having a substantial practice himself in Nagpur. He worked both on the original and appellate side, in all fields particularly in commercial law. He also dealt with various spectrums of law as an Advocate such as Constitutional, Civil, Criminal, Direct & Indirect Taxation matters, Education matters, Arbitration and Trade Mark matters. He rendered his services as a Government Pleader and Public Prosecutor for Union Territory of Daman & Diu and Dadra Nagar Haveli for almost 4 years. Justice Mohta was also on the panel of Union of India as a Senior Counsel.

Justice Mohta presided as a Judge of this Institution for 14 substantial years from 14th November, 2003 to 3rd December, 2017. Justice Mohta actively participated as a member of the Maharashtra Mediation Committee of High Court for more than 10 years.

Justice Mohta's Literary contribution included the books that he co-authored with his father retd. Judge V. A. Mohta, Ex-Chief Justice of Orissa High Court, and senior advocate of Supreme Court titled as "Arbitration and Conciliation and Mediation" (first edition in 2001 and second edition in 2008) and "Trademarks, Passing off and Franchising Act" (first edition in 2004 and second edition in 2015).

Justice Mohta authored judgments in several cases with complex subjects and issues involving complicated

interpretations. He virtually dealt with almost all branches of law first as a junior member of a bench, as a single judge and for several years presiding over the division bench.

In the year 2016, in case of **Amisha Girish Ramchandani v. Divisional Manager Mumbai CST**, Justice Mohta in a division bench sitting with Justice Kulkarni, held that a woman was entitled to a maternity leave even if she is a surrogate and that there could be no discrimination against her merely because she is a surrogate. This judgment demonstrates his inclusive and human nature. In a matter of **Marathon Realty**, Justice Mohta dealt with and outlined the contours of the jurisdiction of the competent authority of MOFA whilst granting deemed conveyance. A judgment which is still widely cited since it covers various aspects of MOFA and Maharashtra Housing and Area Development Act. In another matter of **Lourdu Mary, Principal, Red Cross Society v. State of Maharashtra**, a Division Bench of Justice Mohta and Justice Dangre was faced with an issue as to whether it was permissible for an education institution to permit students who had not participated in the CET of the State Government, only on the ground that, that the seats in the institution would go wasted, if the additional students were not admitted. It was observed that common entrance test i.e. CET by the State or its agency ensures equal opportunity to all meritorious students and suitable candidates. It therefore held that allowing students to be admitted though they have not participated in CET would not be proper and the writ petition was accordingly dismissed. In case of **Manjula Darshan Building Tenants Association**, Justice Mohta held that the Municipal Corporation cannot cut water and electricity supply to a dilapidated building before the process of eviction

begins. In another case Justice Mohta framed guidelines under section 354 of the MMC Act to avoid untoward incidents of loss of life of the occupant as well as the adjoining structures and passers-by. The guidelines were framed so that the provisions of section 354 of MMC Act is not misused by the Landlord and/or Developers for vacating the poor tenants or occupants of the building.

Other judgments I would recall is on SARFEASI Act on issue of creditors' right to take possession on mortgage assets and also in a case of Competition Act about jurisdiction of Competition Commission.

Post retirement from Judge of Bombay High Court, Justice Mohta was designated as Senior Advocate on 6th September, 2018 by the Supreme Court of India.

Justice Mohta also authored several articles on various legal subjects. Justice Mohta attended and participated as a resource person in various conferences/seminars including the judicial academy on various subjects.

Justice Mohta had keen interest in sports and enjoyed playing various sports especially, cricket. I have personally seen him playing well at cricket matches between judges and senior advocates of this Court. Justice Mohta has won best bowler awards thrice in the cricket matches between High Court Judges and Senior Counsels. Justice Mohta also received the Best Leo Award in the year 1979 for cricket. I am told that he also enjoyed playing football.

Justice Mohta loved watching films, especially in the theatre and listening to music. Justice Mohta was also very tech savvy and loved to try new apps and took no time to

teach himself any new technology advancement that would assist him in his legal life. This enabled him to do virtual arbitrations easily during the lockdown period.

Justice Mohta was a loved arbitrator and was one of the most preferred choice for all advocates. He was highly accommodative and was always eager to handle matters of any subject even during the lockdown. Justice Mohta kept doing virtual arbitration and made sure that the junior members of the Bar were not left without work.

Justice Mohta always had calm and a composed temperament. His calmness was a result of certain inner qualities which he practiced both in his personal as well as professional life. He was courteous, polite, thorough gentlemen and we have never seen him getting angry or raising his voice in the Court at any time.

Justice Mohta encouraged the juniors of this Court to argue and gave equal treatment to all advocates appearing before him. Justice Mohta was especially loved by the junior members of the Bar.

Justice Mohta is survived by his wife Mrs. Surekha Mohta; his daughter Aditi Mohta, who is a senior legal counsel in Fed-Ex India and his son Devansh Mohta who is a practicing advocate in the Supreme Court.

Justice Mohta's demise is an immense loss to the nation and to the legal fraternity. I offer my deepest condolences to his family and pray that his soul rest in eternal peace.

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ADDRESS BY DR. BIRENDRA SARAF, ADVOCATE GENERAL OF MAHARASHTRA, AT THE FULL COURT REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10 AM, IN ROOM NO.46 CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, MUMBAI.

My Lord the Chief Justice,

The Hon'ble Judges of this Court,

**Shri Anil C. Singh
Additional Solicitor General of India,**

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President, Advocates' Association of Western India,**

**Mrs. Ferzana Behramkamdin,
President, Bombay Incorporated Law Society,**

Learned Senior Advocates and other members of the Bar,

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

In the passing away, we have lost not just an excellent Judge but an exceptionally good human being.

I knew Justice Anoop Mohta before his elevation to the Bench and I had the privilege of regularly appearing before him right from the day he was appointed till the day he retired. Even after his retirement, I appeared before him in an arbitration just 2-3 months before his passing away.

Thinking back, I tried to identify any moment when I saw Justice Mohta even slightly agitated, irritated or even losing his calm, but I couldn't recount even a single incident like that. I could only think of him as a calm and compassionate Judge with an ever-pleasant demeanor. My memory of him is that of a Judge who conducted his court with utmost grace and dignity-a Judge who extended to every person who appeared before him, right from a junior lawyer to a seasoned senior, and even a party in person the same courtesy and treatment. His pleasant smile would disarm everyone and diffuse a heated situation which was ready to explode.

My lords, Justice Mohta felt the pain and the sufferings of the litigants before him and he moulded and interpreted the law in a manner that would alleviate the sufferings of the citizens.

It was this feeling of empathy that made him a Judge that he was. While he was known for his various pronouncements in the commercial laws, I would like to mention some of his judgments which reflect his sense of justice and his desire to relieve the hardships of the citizens. In the case of *Amisha Ramchandran vs. Divisional Manager of CST*, he held that a woman who had child from surrogacy is entitled to medical leave. In *Tulsibai vs. Union of India*, he ensured that pension is granted to a 79-year-old World War-II widow. While dealing with education related matters, he delivered landmark judgments which furthered the purpose of the Right to Education Act and ensured that the benefits of the beneficial legislation was not denied to those for whom it was enacted. These are only some of the many judgments

which reflect his humane approach.

I wondered what made him the kind of person that he was and speaking to his family members, I came to know that he as a very spiritual person who practiced pranayama regularly and also followed the Art of Living. He attended various conferences on spiritual subjects. Maybe it is this spirituality which he brought into his daily attitude and in the manner in which he administered justice.

In the midst of all his spirituality and the serious work, he had a child-like excitement when it came to sports – both while playing cricket and while following cricket matches. Equally, he was a lover of music.

A large part of Justice Mohta's practice prior to his elevation had been in Nagpur where commercial legislation was not as much as compared to Bombay. Within a short time after his arrival in Mumbai, he mastered commercial law and delivered important and landmark judgments on complex issues of commercial law and even authored various books under the Arbitration Act and Intellectual Property Laws.

I will borrow Dr. Milind Sathe's description of Justice Mohta using a Sanskrit word '*Ajatshatru*' which means a person who has no enemy. That is what late Justice Mohta was, but in fact he was more than that-he was a person to whom everyone was a friend.

Fate has taken him away from us too early and suddenly and we miss him today. But I am sure that wherever he is, he is making that world a better place with his smile, his compassion and empathy.

On behalf of all my fellow advocates, I convey our heartfelt condolences to the family of Justice Anoop Mohta to his wife Surekha Mohta, his daughter Aditee Mohta, his son Davansh Mohta who practices as an advocate in the Supreme Court and also other members of his family. I join the Hon'ble Justice and the others in prayers for the eternal peace of his soul.

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ADDRESS BY SHRI SANGRAM D. DESAI, VICE-CHAIRMAN, BAR COUNCIL OF MAHARASHTRA & GOA, AT THE FULL COURT REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10 AM, IN ROOM NO.46 CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, MUMBAI .

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Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

On behalf of Bar Council of Maharashtra & Goa, I fully associate myself with the feelings expressed by the Hon'ble Acting Chief Justice and the Hon'ble Speakers. I was not fortunate enough to have a privilege to appear before Hon'ble late Justice Anoop Mohta when he was on Dias, but the feelings expressed by my colleagues at Bar speak in volumes

about late Justice Anoop Mohta. During his illustrious career on the Bench, he was a very kind Judge where the junior lawyers would be comfortable to appear and argue. Well-known as a Judge of equity and having proficiency over commercial and constitutional litigation, he also co-authored an important book on Arbitration, Conciliation and Mediation. Even after his retirement, he was popular amongst the lawyers as a great arbitrator because of his soft and sensitive to the issue nature.

On account of his sad demise we have lost a strong supporter of civil liberties and a Judge, who motivated large number of young lawyers to follow his footprints.

On behalf of Bar Council of Maharashtra & Goa, representing two lakh twenty-five thousand lawyers, as well as the Chairman and all the members of the Bar Council of Maharashtra & Goa, I express my deepest condolences to the family members of late Justice Anoop Mohta.

May his soul rest in eternal peace.

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**ADDRESS BY SHRI V. R. DHOND, VICE-PRESIDENT,
BOMBAY BAR ASSOCIATION, AT THE FULL COURT
REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE
ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY
HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10
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**Learned Senior Advocates and other members of the
Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

We have assembled here today to condole the passing on of Justice Anoop Mohta, a kind and compassionate judge of this Court for 14 years and a greatly loved member of our Bar for 22 years.

The Speakers before me have already spoken about the important judgments which Justice Mohta authored and the

scholarly works on arbitration law and intellectual property law, which he co-authored. I whole heartedly endorse what has been said and dwell more on the human qualities that he exhibited as a Judge.

We were colleagues at the Bar. We started our practice in Mumbai around the same time. I was fresh out of Govt. Law College. He, on the other hand, had taken the bold step of giving up a large practice in Nagpur, to re-locate to Mumbai, and join the Chambers of Mr. Dada, a highly distinguished Senior Advocate of this Court.

Although he quickly established a successful and varied practice in Mumbai, spanning diverse fields, most notably indirect taxation and particularly Sales Tax, he never forgot the hesitation, un-certainty, nervousness and stage fright that every lawyer goes through in the initial phase of one's practice. He knew that these formative years, more than anything else, could make or break destinies and careers. Good experiences could shape you and bad one's can scar you. It is this understanding coupled with his unfailing kindness, especially to the juniors at the Bar, that he brought to the bench. This, above all, was apparent to one and all every single day that he was a Judge.

In 2005, he answered the call of duty and accepted judicial office. Over the next 14 years he delivered a large number of important judgments which we all know off and these have already been mentioned by others earlier. I will not repeat them.

To me, his greatest legacy for which he will be always remembered, was the encouragement and support that he

gave to junior members of the Bar. For junior lawyers, struggling to find their bearings, his court was like a sheltered port with calm and tranquil waters, where un-steady juniors would be encouraged, almost cajoled, into confidence building arguments. Not once and I say this, again, not once, did he raise his voice or exhibit any irritation, be it at a hapless and confused junior pitch forked into the deep end; a solicitor or AOR surprised to find his counsel missing; and on occasion even on advocate's clerk seeking accommodation when the board had collapsed and no one was to be found. Everyone was treated with the same re-assuring kindness. Even as a junior judge on Division Benches, often presided over by impatient senior colleagues, who could occasionally be stormy or temperamental, he would always maintain a re-assuring eye contact with the junior lawyer to say – Relax, fasten your seat belt and hang on, this turbulence is momentary, let me handle it and then, with the perfect gift of timing, lean across to the Senior Judge ostensibly to discuss something at length and skillfully defuse the situation.

Hundreds of successful lawyers, owe what they are today to these confidence boosting appearances in his Court, where a junior could be secure that no matter how bad your case or how formidable your opponent, the kind umpire would protect you and help you give it your best. Even on occasions when someone went completely adrift, there would be no reprimand. Just a gentle nudge back from the kind shepherd to the junior flock.

The same encouragement that he showered on junior lawyers, he also exhibited to junior colleagues who sat on the bench with him. Despite being the Senior Judge, there was

no vanity, no arrogance and no sense of seniority. Once, the fate of a case had been mutually decided, junior colleagues would be encouraged to write judgments and due credit was always, always given.

A few weeks before he left us, I crossed him on Marine Drive on a morning run. He waved out to me with that shy twinkle in his eye and we went our way in opposite directions. He was a fit 67 and in perfect health. I had no idea, this would be the final good bye.

He leaves behind a family of lawyers. His daughter Aditi and son Devansh who is a very successful lawyer in the Supreme Court.

May god give the family the strength to bear this great loss.

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ADDRESS BY SHRI SANJEEV P. KADAM, PRESIDENT, ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE FULL COURT REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE ANOOP V. MOHTA, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON FRIDAY, 24TH FEBRUARY, 2023 AT 10 AM, IN ROOM NO.46 CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, MUMBAI .

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President, Bombay Incorporated Law Society,**

**Learned Senior Advocates and other members of the
Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

Justice Anoop V. Mohta was born on December 4, 1955, enrolled as an Advocate on 12th February, 1981. Justice Mohta initially practiced at Nagpur and then shifted to this Hon'ble Court at Mumbai on both, original and appellate sides. Justice Mohta dealt in constitutional, civil, service, criminal, customs and excise taxation, educational, commercial, arbitration and

trademark matters. Justice Mohta appeared on behalf of and against various public bodies, industrial houses and companies. He also rendered services as Government Pleader and Public Prosecutor for Daman & Diu and Dadra Nagar Haveli (U.T.) for four years. Justice Mohta was on the panel of senior counsel of the Central Government and was co-author of books with his father, the former Chief Justice of Orissa High Court, Justice V. A. Mohta, a former Judge of this Court as well as a senior counsel, who practiced in Supreme Court of India. Justice Mohta belonged to a family of an established lawyer, starting from his father and the tradition still continues.

He was elevated as a Judge of this Hon'ble Court on 14th November, 2003 and rendered service in judicial capacity for 14 years till his retirement on 4th December, 2017. After retirement he took up arbitration work and was doing that in Mumbai. I had opportunity to appear before Justice Mohta in educational matters when he was sitting with Justice A. A. Sayed. I remember, a very big group of matters about benefits to be given to the lecturers of senior colleges from all over Maharashtra clubbed together at the Principal Bench of this Court, which was heard by Justice Mohta along with Justice Sayed. He was part of the Hon'ble Judges' team and used to take important wickets for the team while playing the cricket match between the Hon'ble Judges and the Senior Counsel of this Court.

Justice Mohta was always a smiling personality with a desire to grant one way or the other, relief to the advocates, especially the juniors.

Justice Mohta left for heavenly abode on 29th January,

2023. It was a sudden shock to hear the news of his departure at an early age of 67 years inspite of his good health and he was conscious about his health always.

I on behalf of Advocates' Association of Western India, offer my heartfelt condolences to the family members of late Justice Anoop V. Mohta.

May his soul rest in peace.

Om Shanti, Shanti, Shanti!!!

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**ADDRESS BY MRS. FERZANA BEHRAMKAMDIN,
PRESIDENT, BOMBAY INCORPORATED LAW SOCIETY,
AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE ANOOP V. MOHTA, FORMER JUDGE
OF THE BOMBAY HIGH COURT, ON 24TH FEBRUARY,
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My Lord the Chief Justice,

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**Learned Senior Advocates and other members of the
Bar,**

Bereaved Members of Mohta family,

Members of the Registry and the staff,

Ladies and Gentlemen!

The death of Mr. Justice Anoop Mohta has left a void amongst us. Born on 4th December, 1955 Justice Anoop Mohta was enrolled as an advocate in February 1981. He started his practice in Nagpur before shifting to Mumbai. In a career spanning over three and a half decades, his practice covered a wide range of areas such as constitution, civil laws,

taxation, excise and customs, criminal law, commercial, trademarks and arbitration. His Lordship practiced both on the Original and Appellate side of the Bombay High Court.

Before being elevated as a Judge of the High Court of Bombay on 14th November, 2003 he worked as the Government Pleader and Public Prosecutor for Daman, Diu & Dadra and Nagar Haveli, a position he adorned for four years. He was also on the panel of senior counsels of the Central Government.

His expertise in the fields of intellectual property and arbitration can be found in the two books he co-authored with his father, late Justice V.A.Mohta titled 'Trademarks, Passing Off and Franchising' and 'Arbitration and Conciliation and Mediation'.

Mr. Justice Mohta was also known for upholding the rights of various sections of Society. In 2015, he dismissed challenges to the Right to Education Act where private schools had filed a petition challenging the reservation of 25% of seats for students from economically weaker sections at the levels of pre-primary and Class 1. The bench headed by His Lordship held that the right to free and compulsory education was the foundation of the RTE Act. He also decided matters relating to validity of caste certificates rights of a World War II Widow to Pension benefits.

In 2015, the Division Bench of Their Lordships Mr. Justice Mohta and Mr. Justice Sayed observed that the restriction imposed by Notifications of the State Government and the Municipal Corporation directing closure of meat selling shops and the prohibition on selling of meat on certain days

was arbitrary. The Bench following the earlier Supreme Court judgement held that “what one eats is his own business and it cannot extend to what other eat”. By doing so His Lordship upheld the diversity of our country and the values enshrined in our Constitution. On the basis thereof, an interim stay of the Notifications was granted.

Mr. Justice Mohta’s career on the bench spanned over 14 years. He will always be remembered as a polite and humane Judge, one who always gave a patient hearing to one and all and especially encouraged juniors to argue matters helping them in the process to instil confidence in themselves.

On behalf of the Bombay Incorporated Law Society, I extend our heartfelt condolences to his wife, daughter and son and the other members of his family. May his soul rest in eternal peace.

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