

ADDRESS BY SHRI JUSTICE D.K. UPADHYAYA, HON'BLE THE CHIEF JUSTICE, AT THE FULL COURT REFERENCE IN MEMORY OF LATE JUSTICE SHRINIWAS GAURISHANKAR MUTALIK AND LATE JUSTICE VIKAS RAMCHANDRA KINGAONKAR, FORMER JUDGES OF THE HIGH COURT OF BOMBAY, AT 10 AM ON 27TH AUGUST 2024, AT HIGH COURT OF BOMBAY, BENCH AT AURANGABAD.

My esteemed Brother Justice Nitin Jamdar, Senior Judge, Bombay,

Justice Ravindra Ghuge, Senior Judge at Aurangabad,

Justice Nitin Sambre, Senior Judge at Nagpur,

Justice Makarand Karnik, Senior Judge at Goa,

Sister and Brother Judges,

Shri Ajay Talhar, Deputy Solicitor General of India,

Shri Amarjeet Girase, Government Pleader and Public Prosecutor, High Court of Bombay, Bench at Aurangabad,

Shri V.D. Salunke, Member, Bar Council of Maharashtra & Goa,

Shri Avinash Borulkar, President, Advocates' Association of the High Court of Bombay, Bench at Aurangabad,

Learned Senior Advocates and other members of the Bar,

Members of Mutalik and Kingaonkar families,

Members of the Registry and staff,

Ladies and Gentlemen!

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We have gathered here, with heavy hearts, to pay tributes to two distinguished former Judges of the High Court of Bombay, late Justice Shrinivas Gaurishankar Mutalik and late Justice Vikas Ramchandra Kingaonkar, who have passed away on 31st March 2024 and 14th April 2024 respectively.

Justice Mutalik was born on 18th June, 1935 in a respectable family of 'Sardar Mutalik' from Satara. His Lordship's grandfather was given the title as 'SARDAR' by the then Government. His Lordship was a third-generation lawyer. His uncle late Justice N.S. Lokur was a former Judge of this High Court.

After completing formal education from New English School, Satara and Willingdon College, Sangli, His Lordship graduated from Chhatrapati Shivaji College, Satara. On obtaining Bachelor's Degree in Law from Shahaji Law College, Kolhapur in the year 1959, His Lordship picked up his robes and started practising at the District Court, Satara. His Lordship joined and worked under the guidance of his father late Gaurishankar Mutalik, who was a practising advocate in both civil and criminal laws. His Lordship also worked under the guidance of the then leading advocates of Satara Sarva-Shri N.G. Joshi, M.V. Date, S.S. Bhagwat, S.N. Desai and V.N. Patil.

As an advocate, Justice Mutalik conducted a number of important cases, both civil and criminal, in various Courts. He appeared before the Maharashtra Revenue Tribunal at Pune and Kolhapur and also before the Co-operative Tribunal at Pune.

After practising for about 18 years as an Advocate, His Lordship joined the Judiciary on 17th July, 1978. His Lordship was directly recruited as an Additional District Judge and Assistant Sessions Judge and his initial posting was at Sangli. He was promoted as a District and Sessions Judge on 1st June, 1981. As a District and Sessions Judge, His Lordship had served at various places like Osmanabad, Kolhapur, Solapur, Akola and Pune.

While serving as a District and Sessions Judge, His Lordship was appointed as a Paper Setter and Examiner by the

Maharashtra Public Service Commission, Mumbai, and he provided his honorary services for about 6 years.

In due recognition of his legal acumen and knowledge, His Lordship was elevated as an Additional Judge of the Bombay High Court on 22nd January, 1992 and thereafter, as a permanent Judge on 23rd March, 1993. His Lordship demitted office on superannuation on 17th June, 1997.

Personally, I did not have the opportunity to meet and interact with His Lordship Justice Mutalik, but from what I have gathered, he was a highly esteemed judge of this Court and respected by both the Bar and the Bench. Throughout his legal career, His Lordship was known and admired for his calm and composed demeanour. He was very friendly, yet firm, and a disciplined judge, who listened to all parties with remarkable patience, earning profound respect within the legal community. His accomplishments and good deeds will always be remembered. His Lordship was an exceptionally great a human being.

During his tenure as a Judge at the High Court of Bombay, His Lordship rendered numerous significant judgments addressing intricate legal challenges involving interpretation of various statutes. Many of these judgments remain relevant and influential in the legal field even today.

Post retirement, His Lordship was chosen as the Vice-Chairman of the Maharashtra Administrative Tribunal, Bench at Aurangabad and served as such, from 18th September, 1997. His Lordship was In-charge Chairman of the Maharashtra Administrative Tribunal, Mumbai for a period of 10 months i.e., till his retirement on 17th June, 2000. He also presided over and conducted several arbitration proceedings.

His Lordship had a great passion for teaching. He served as an honorary professor for 11 years since 1967 at Ismailsaheb Mulla Law College, Satara of Rayat Shikshan Sanstha, Satara. He had also served as a part-time professor for 8 years in Arts and Commerce College, Satara.

Beyond his legal pursuits, His Lordship was very active in sports during his college days. He represented his college in Inter-College Tournaments, West Zone, Pune University, in Cricket, Table Tennis and Lawn Tennis. He was a champion in both singles and doubles in Inter-College Lawn Tennis Tournament when he represented Shahaji Law College, Kolhapur.

One of his notable hobbies was collecting unique newspaper articles, while he found relaxation and stress relief in gardening. He generously shared his extensive knowledge through numerous lectures at various events, covering a wide array of subjects. His intellectual curiosity and love for literature were evident in his passion for reading. The rich tributes that were showered upon His Lordship after his demise and the presence of his friends and well-wishers here, is a testimony of His Lordship's warmth and friendly nature.

Although His Lordship Justice Mutalik is not amongst us today, those who knew him will fondly remember his warmth, varied interests, and wisdom.

His Lordship is survived by his wife, Mrs. Vasundhara Mutalik, his daughter, Mrs. Rohini Chandrashekar Phadnis, his sons Mr. Shrikrishna Shrinivas Mutalik and Adv. Dilip Shrinivas Mutalik. I truly hope that the legacy of His Lordship will be faithfully carried on by his family and friends by living upto his ideals and principles.

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Another distinguished Judge Justice Vikas Ramchandra Kingaonkar, whom we lost, was born on 31st January, 1949 in a poor farmer's family of Marathwada Region. After securing school education from Saraswati Bhuvan High School, Jalna, he completed his graduation from R.B. Bagadia Arts and R. Bezanji Science College, Jalna and then, obtained his Bachelor's degree in law from M.P. Law College, Aurangabad. After getting enrolled as an Advocate, His Lordship started practising law in the year 1971 at Jalna then in Aurangabad District and also at the High Court of Bombay.

Soon, His Lordship established a flourishing practice due to which he had to make frequent trips to Mumbai and Aurangabad, on professional commitments. This led to His Lordship's spouse persuading him to join the judiciary. His Lordship conceded and eventually got selected as Judicial Magistrate First Class in the year 1976. Later on, he was promoted as an Additional District Judge in 1987. His Lordship had served as Joint Director at Judicial Officers' Training Institute, Nagpur. During this period, the said Institute grew from a small office to a full-fledged center, having its own new building, where His Lordship mentored new entrants in judicial service, owing to which, His Lordship was being fondly called "Professor" by friends and colleagues.

While His Lordship was serving at the Institute, in his pursuit of lifelong learning, he obtained a Master's Degree in Law from the Government Law College, Nagpur in the year 1996, aiming to broaden his horizons and enhance his professional skills.

Subsequently, His Lordship was promoted as Principal District and Sessions Judge and served at Latur, Nanded and Nagpur.

In the year 2003, His Lordship had served as Registrar (Legal) at the High Court of Bombay, and later on, as the Registrar General of the Bombay High Court. His kindness and humanity were evident during the flood situation in Mumbai in July 2007, as he personally ensured the safety, shelter and food for the High Court staff, who were stuck up in office.

His Lordship was elevated as an Additional Judge of this High Court on 27th February, 2006 and, thereafter, confirmed as a permanent Judge on 22nd February, 2008, thereby achieving a distinction of becoming the first person from Jalna Bar Association to be elevated as Judge of the Bombay High Court. Post retirement, in the month of April, 2011, His Lordship was appointed as a Member of National Consumer Disputes Redressal Commission at New Delhi and, in August, 2012, he became the first Judicial Member of the newly established National Green Tribunal (West Zone Bench) at Pune.

As a judge of the High Court of Bombay, His Lordship had delivered a number of judgments on various aspects touching civil rights and liberties, environment, etc. His Lordship's judgments provide a deep insight into his thought process, years of experience, knowledge and vast wisdom. His Lordship's judgments showed simplicity, abundant common sense, and a practical approach. His Lordship was always concerned about social equality and the rights and liberties of people.

Beyond his legal pursuits, I am informed that His Lordship was also passionate about writing and was zealous about sharing his knowledge. His Lordship had compiled a book, namely, 'Shaping of Judgment', which acts as a beacon light for new entrants in the judicial service. His Lordship had served as a Guest Lecturer at the National Judicial Academy, Bhopal, Madhya

Pradesh. He had a great passion for Chess. With a strong sense of humor, positive attitude and unwavering patience, His Lordship handled the court cases with ease and comfort to the satisfaction of the litigants, lawyers and all alike.

I had no occasion to meet His Lordship personally but I have been informed that His Lordship was a very warm and cordial person filled with compassion, sympathy and consideration. He was truly an outstanding individual and a judge par excellence.

With the departure of His Lordship Justice Vikas Ramchandra Kingaonkar, the legal field has lost a great soul and a fine human being. But certainly, His Lordship will be in the core of our memories, whose ideals and principles would always be guiding us in our individual paths of life. His Lordship is survived by his wife Sunanda Vikas Kingaonkar, daughter Mrs. Deepa A. Pathak and two sons Mr. Vikram and Dr. Vikas, who are all settled very well in their individual lives.

My Sister and Brother Judges join me in conveying our heartfelt condolences to the bereaved Mutalik and Kingaonkar families and we pray to the Almighty to give strength to them to bear with this irreparable loss with fortitude. May the departed souls rest in eternal divine peace.

Om Shanti !

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SPEECH BY ADV. AJAY G. TALHAR, DEPUTY SOLICITOR GENERAL OF INDIA.

Justice V. R. Kingaonkar

Honourable Chief Justice, esteemed judges, respected members of the bar, and distinguished guests.

Today, we have gathered to pay tributes to the life and legacy of a remarkable jurist, Justice V. R. Kingaonkar, whose recent passing away has left a void in our judiciary that will be felt for years to come.

Born on January 31, 1949, Justice V. R. Kingaonkar was a man of great intellect and dedication. He began his education at Saraswati Bhuvan High School, Jalna and continued at R. B. Bagadia Arts and R. Bezanji Science College, Jalna, before obtaining his degree in law from M.P. Law College, Aurangabad. His legal journey began with his enrolment as an Advocate of the High Court on September 15, 1971, where he practised on both Civil and Criminal sides in Jalna and Aurangabad.

Justice V. R. Kingaonkar's judicial career began on April 22, 1976, when he was appointed as Civil Judge, Junior Division and Judicial Magistrate, First Class (JMFC). Over the years, he held various key positions, including Civil Judge, Senior Division and Addl. District Judge, rising through the ranks to become a Selection Grade District Judge and eventually a Super Time District Judge, serving with distinction until September 5, 2003.

In addition to his judicial roles, Justice V. R. Kingaonkar also contributed to the training and development of the judiciary. He served as the Joint Director of the Judicial Officers' Training Institute in Nagpur from December 30, 1992, to June 8, 1997. His leadership skills were further recognized when he was appointed as the Registrar and

subsequently as the Registrar General of the Bombay High Court, a role he fulfilled from September 6, 2003 to February 26, 2006.

On February 27, 2006, Justice V. R. Kingaonkar was elevated as a Judge of the High Court of Judicature at Bombay, where he continued to serve with the same dedication and integrity that had characterized his entire career. His judgments were marked by intellectual rigor and a deep understanding of law, and his contributions to the judiciary have been invaluable. As we honor Justice V. R. Kingaonkar today, we are reminded of his extraordinary contributions to the legal profession and the judiciary. His legacy will continue to inspire and guide us as we strive to uphold the principles of justice and fairness that he so passionately championed.

May his soul rest in peace, and may his memory be a source of strength and inspiration to all of us.

Thank you,

Justice Shrinivas Gaurishankar Mutalik -

Honorable Chief Justice, esteemed judges, respected members of the bar, and distinguished guests.

Today, we've gathered to honor the memory of a distinguished jurist, Justice Shrinivas Gaurishankar Mutalik, whose contributions to the judiciary have left an indelible mark on the legal landscape of our State. Justice Mutalik was born on June 18, 1935, and his life's journey was one of unwavering dedication to the law. He was enrolled as an Advocate on February 7, 1963 and began his legal career practising in the Satara District. His legal acumen and integrity quickly set him apart, leading to his recruitment directly from the Bar as an Assistant Judge on July 17, 1977. Justice Mutalik's career trajectory was a testament to his expertise and commitment. He was promoted as a District Judge on June 1, 1981, where he continued to serve with distinction.

In 1992, Justice Mutalik's dedication and profound understanding of law earned him an appointment as an Additional Judge of the Bombay High Court. A year later, on March 23, 1993, he was confirmed as a permanent Judge of this esteemed court. Throughout his tenure, which lasted until his retirement on June 18, 1997, Justice Mutalik was known for his meticulous approach to cases and his unwavering commitment to justice. Justice Mutalik's judgments were not merely decisions; they were insightful and well-reasoned interpretations of the law, reflecting his vast experience and deep sense of fairness. He was a judge, who not only understood the intricacies of the law but also appreciated the human aspects of the cases before him. As we remember Justice Mutalik today, we are reminded of the high standards he set for himself and for all of us, who would follow in his footsteps. His legacy will continue to inspire us

as we strive to uphold the principles of justice, fairness and integrity that he so fervently believed in.

May his soul rest in peace and may his memory continue to guide and inspire us in our pursuit of justice.

**SPEECH BY SHRI AMARJEETSINGH B. GIRASE, GOVERNMENT
PLEADER, HIGH COURT OF BOMBAY, BENCH AT AURANGABAD:**

Honourable the Chief Justice of Bombay High Court, Esteemed Judges and members of the legal fraternity!

Today, we gather to honour the memory of two remarkable jurists, late Hon'ble Justice Shri Srinivas Gaurishankar Mutalik and late Hon'ble Justice Shri Vikas Ramchandra Kingaonkar, whose contributions to the cause of justice have left an indelible mark on our legal system. In the hallowed halls of this Court, where their voices once echoed with wisdom, we pause to reflect on their legacy through this Full Court Reference. Hon'ble Advocate General Dr. Birendra Saraf sir graciously bestowed upon me this opportunity to pay homage on behalf of State of Maharashtra.

Full Court References are solemn occasions where we, as a collective, recognize the enduring impact of those who have dedicated their lives to the pursuit of justice. These references are not merely a formality but a testament to the profound respect and admiration we hold for our departed colleagues. They serve as a bridge between the past and the future reminding us of the ideals and values that underpin our judiciary.

But, beyond their legal acumen, these judges were known for their integrity, humility and compassion. They treated every case with the seriousness it deserved, recognizing that behind every file, there were real people whose lives could be irrevocably changed by their decisions. They were mindful of the weight of their responsibilities and carried it with grace and dignity.

Late Hon'ble Shri Justice S. G. Mutalik belonged to a distinguished lineage of legal professionals. He was a third-generation

lawyer, following in the esteemed footsteps of his grandfather late Shri. Vasudev Mutalik and his father late Shri. Gaurishankar Mutalik, both of whom were also respected advocates.

His Lordship commended his judicial career as an Assistant Judge in 1977, was promoted as District Judge in 1981 and was subsequently elevated to the Bombay High Court as a Judge in 1992. His Lordship served in the High Court until his retirement in 1997. Many of the judgements delivered by His Lordship reflect his deep compassion for the oppressed and marginalized members of society.

Late Hon'ble Justice Shri. V. R. Kingaonkar belonged to a farmer family of Jalna District in Marathwada. His Lordship was actively engaged in various sports such as lawn tennis, bridge and chess and was also a voracious reader with a keen appreciation for classical vocal music.

Upon completing LL.B from M. P. Law College, Aurangabad and LL.M from Government Law College, Nagpur, His Lordship commenced his legal practice at Jalna and Aurangabad. His Lordship commenced his judicial career as a Judicial Magistrate, First Class, Civil Judge, Joint Director, Judicial Training Institute, Nagpur, Principal District Judge at Latur, Nanded, Nagpur, Registrar General and was subsequently elevated to the Bombay High Court as a Judge. His Lordship served in the High Court until his retirement in 2011.

His Lordship was member of National Consumer Disputes Redressal Commission, New Delhi and National Green Tribunal, New Delhi. His notable judgements, including those on the prevention of using Plaster of Paris in Ganesh idols and the prohibition of tire burning on roads have had a significant impact on the society.

As we remember these esteemed jurists today, let us also reflect on the lessons they have left behind. In their commitment to justice,

we find inspiration. In their humility, we find guidance and, in their legacy, we find a roadmap for the future of our judiciary.

न जायते म्रियते वा कदाचि
नायं भूत्वा भविता वा न भूयः ।
अजो नित्यः शाश्वतोऽयं पुराणो
न हन्यते हन्यमाने शरीरे

The soul is neither born nor does it ever die; nor having once existed, does it ever cease to be. The soul is without birth, eternal, immortal and ageless. Let us honour their memory not just with words but through our continued dedication to upholding the principles they held dear. May we, in our work, strive to emulate their example and contribute to the rich tapestry of justice that they helped weave.

Thank you.

**SPEECH BY ADV. V. D. SALUNKE, EX. CHAIRMAN AND MEMBER
BAR COUNCIL OF MAHARASHTRA & GOA.**

Hon'ble Lordship Shri Devendra Kumar Upadhyaya, Hon'ble Chief Justice, High Court, Bombay, Hon'ble Justice Shri R. V. Ghuge, Senior Administrative Judge, Bombay High Court, Bench at Aurangabad and all the Hon'ble Judges on dais; all family members of Late Hon'ble Shri Justice S. G. Mutalik and Late Hon'ble Shri Justice V. R. Kingaonkar!

The Ld. Deputy Solicitor General Shri Ajay Talhar, Learned Government Pleader Shri Amarjeetsingh B. Girase, President of Bar Association, High Court, Aurangabad, Mr. Avinash Borulkar and all senior counsel & dignitaries present for today's reference.

It is with deep sense of sorrow that we have come to condole the passing away of Late Justice Shri S. G. Mutalik, who left for heavenly abode on 31 March 2023 and Late Justice Shri V. R. Kingaonkar, who left for heavenly abode on 14 April 2024.

JUSTICE S. G. MUTALIK

His Lordship was born on 13 June 1935. He was graduated from popular Rayat Shikshan Sanstha, Satara. Completed LL.B. from Shahaji Law College, Kolhapur in 1959. He was enrolled with Bar Council of Maharashtra & Goa in 1960. He joined office of Late Shri. V. N. Patil, Advocate. He joined judicial service on 17 September 1978 as an Addl. District & Sessions Judge.

His Lordship was elevated as Additional Judge of the Bombay High Court on 23 January 1992. He was permanent Judge of High Court Bench at Aurangabad, and retired on 17 June 1997.

After retirement from High Court, he was appointed as Vice-Chairman, Maharashtra Administrative Tribunal, from 8 September

1997. Late Justice Mutalik was from Sardar family titled by British Raj. He was sportsman; he was teacher of Law. Though he was from Satara and "Sajjan Gadh", he chose to settle at Aurangabad in Marathwada region. His son Adv. Deelip Mutalik is a practising lawyer in High Court.

JUSTICE V. R. KINGAONKAR -

Late Justice V. R. Kingaonkar was the son of soil, born on 31 January 1949 in original Aurangabad District, subsequently divided into Jalna District.

His Lordship completed B.Sc. from Jalna, LL.B. from M.P. Law College, Aurangabad. He was enrolled with Bar Council of Maharashtra and Goa in 1971. He was a renowned civil practitioner, joined judiciary on 22 April 1976 and promoted as a District Judge on 25 September 1987. His Lordship held different posts in judiciary and elevated as a Judge of Bombay High Court on 27 February 2006.

After retirement, His Lordship was appointed as a Member of National Green Tribunal on 1 August 2012. He expired on 14 April 2024, leaving behind him his wife, daughter and two sons, viz., Vikram and Dr. Amol.

I appeared in many matters before His Lordship. He was very particular while hearing the matter. He never kept grudge about any advocate. His Lordship is still with us in the form of his judgments.

As a Member of Bar Council of Maharashtra and Goa and also personally, I pay homage to both the departed souls and I pray to the almighty god to rest the departed souls of both the Lordships into peace.

Om Shanti.

**SPEECH BY SHRI AVINASH BORULKAR, PRESIDENT,
ADVOCATES' ASSOCIATION OF THE HIGH COURT OF BOMBAY,
BENCH AT AURANGABAD.**

The Hon'ble Chief Justice of Bombay High Court, Shri Devendra Kumar Upadhyaya, the Hon'ble Judges, Senior Lawyers from our Bar, Shri P.V. Mandlik, Shri R.S. Deshmukh, Shri Dilip Bankar-Patil and Prashant Kathaleshwarkar, Deputy Solicitor General of India Shri Ajay Talhar, Government Pleader Shri Ajmerjeet Singh Girase, Members of Bar Council of Maharashtra and Goa Shri V.D. Salunke and Amol Sawant, the family members of Justice S.G. Mutalik and Justice V.R. Kingaonkar and Bar members.

Today, we have gathered here to honour the life and legacies of Justice S.G. Mutalik and Justice V.R. Kingaonkar. They both were respectful individuals, whose wisdom, integrity and their contribution towards legal system as a Judge, endeavoured mark on individuals as well as legal fraternity. Both of them have left for heavenly abode.

Justice S.G. Mutalik was from Satara District. He commenced his law practice from chamber of his renowned father Shri Gaurishankar Mutalik. I have childhood memories of Shri Justice S.G. Mutalik. My acquaintance with him was because of my father's posting as a Civil Judge, Junior Division in the Satara District Court. The acquaintance grew into the family bonding which continued. As a Judge, Justice S.G. Mutalik made a deliberate endeavour to keep the atmosphere in the court intense and pleasant with his humour. He decorated not only the seat as a Judge of the High Court but also his contribution in the service law as a Vice-Chairman and Chairman of Administrative Tribunal.

Justice V.R. Kingaonkar, who commenced his practice as a lawyer in the year 1971, got selected as JMFC in the year 1977. He

was elevated as a Judge of the High Court in the year 2006. He retired in the year 2011. Then, he was appointed as a Member in the National Consumer Dispute Redressal Forum at Delhi and thereafter, as a Member of Green Tribunal. Out of his entire tenure as a Judge of the High Court, his maximum service as a Judge was spent at the High Court Bench at Aurangabad. During his tenure as a Judge, he delivered many landmark judgments specially in civil law. Many of those judgments are reported in various Law Journals. Today, we, the lawyers, refer to those Judgments.

I extend, on behalf of myself and on behalf of Members of the Advocates' Association, deepest condolences to the family members of Justice S.G. Mutalik and Justice V.R. Kingaonkar. We lawyers will remember both Justice S.C. Mutalik and Justice V.R. Kingaonkar and will take inspiration of their work and contribution towards legal system.

Thank you.
