

SPEECH OF HON'BLE THE CHIEF JUSTICE SHRI. PRADEEP NANDRAJOG AT THE FIRST COURT REFERENCE TO LATE SHRI. JUSTICE BHIMRAO NIJAGUNI NAIK, FORMER JUDGE OF THE BOMBAY HIGH COURT, IN COURT ROOM NO.52 ON FRIDAY 7TH FEBRUARY, 2020 AT 10.30 A.M.

Esteemed Sister Smt. Justice Bharati Dangre,

- ✓ Shri. Ashutosh A. Kumbhakoni, Advocate General of Maharashtra,
- ✓ Shri. Anil Singh, Additional Solicitor General of India,
- ✓ Shri. Vitthal B. Konde-Deshmukh, Member, Bar Council of Maharashtra & Goa,
- ✓ Shri. Milind Sathe, President, Bombay Bar Association,
- ✓ Shri. Sanjeev P. Kadam, President, Advocates' Association of Western India,

Shri. Kaiwan Kalyaniwalla, President, Bombay Incorporated Law Society,

Learned Senior Advocates,

Members of the Bar,

Members of the bereaved family,

Ladies & Gentlemen,

1) The Assembly today is to pay our homage to late Shri. Bhimrao Nijaguni Naik a distinguished Judge and a Senior Lawyer of this Court, who parted company with us at the age of 79 years on 17th September 2019.

2) Though I did not have the privilege of a personal inter-action with late Justice Naik, but from the various judgments chronicled in the Law Journals which were the end product of either his brilliant arguments or judgments authored by him, I find that he was not only proficient in law but was a step ahead of others inasmuch as he could develop the Law. I am told he was a kind and a generous person

ever willing to extend a helping hand to the needy and the junior Members of the Bar.

3) Born on 23rd January 1940 in the State of Karnataka after obtaining a Masters Degree from Pune University he obtained a Degree of the Law from the same University in the year 1964 and as a student he obtained the Vithalpant Tulpule Gold Medal in Law, Shri. L.B. Bhopatkar Award and the Vishwanath Parvati Award. He not only came out with flying colours in the Law Examination obtaining a First Class, but led the Batch inasmuch as he obtained the highest marks.

4) Enrolled in the Bar on 16th October 1964

he commenced practice in the District & Sessions Court at Solapur and later on shifted to the Principal Seat at Mumbai. The horizon of his knowledge and acumen could be measured by the fact that he was a sought after Counsel for not only Civil and Constitutional matters but even Criminal matters. The Bar chose him as their Leader when he was elected as Member of the Bar Council of Maharashtra and Goa in the year 1986 and was unanimously elected as the Chair Person in the same year.

5) In the initial years as a lawyer he took time out to teach law at Dayanand Law College Solapur and at K.C. Law College, Mumbai between the year 1964 to 1976. Before he was elevated to the Bench

on 9th November 1992 his practice spanning 28 years was recognized by the fact that in January 1989 he was designated as Senior Advocate of this Court. Several 100 reported judgments to his credit is a testamentary proof of his high caliber and proficiency in Law. Elevated to the Bench on 9th November 1992 and made permanent after two years, he delivered landmark judgments on the Rent Law, Trust Law, Railway Manual, Bombay Tenancy and Presidency Small Causes Courts Act.

6) Ostensibly, for personal reason he resigned as Judge of this Court on 7th June 1994 but many believed that it was the result of the working of the mysterious Transfer Policy. He shifted practice to

the Supreme Court because as a permanent Judge of this Court he could not practice here and I am told that the Bar missed him as a lawyer and as a Judge. All share opinion unanimously that he was a fair and impartial Judge, quick and up-tech.

7) The loss of the Bench and the Bar at Bombay was a gain of the Supreme Court where he practiced for 16 years before the sound of waves beacons him to return to Bombay in the year 2010. He was lapped up by the Bar on his return and was a preferred Arbitrator. He lived a full and eventful life; a life of glory and success. He is survived by his wife Smt. Uma Naik and two illustrious sons: Vineet who has also earned distinction of being given

the silk; being designated as a Senior Advocate of this Court. The younger: Ameet, is the Founder & Managing Partner of the Law Firm: Naik Naik & Co. Mumbai.

8) On behalf of my Sister and Brother Judges at the Principal Seat at Bombay, Benches at Nagpur, Aurangabad & High Court at Goa, while paying condolences in the memory of late Justice Naik we pray that the soul rests in peace and bereaved family is given strength by the Lord to bear the irreparable loss.

Thank You.