

ADDRESS BY HON'BLE SHRI DALVEER BHANDARI, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR PANDYA, FORMER JUDGE OF BOMBAY AND GUJARAT HIGH COURTS, ON FRIDAY, THE 11TH FEBRUARY, 2005

My esteemed Brother Hon'ble Mr. Justice Sharad Bobde, Mr. Desai, Additional Solicitor-General, Mr. Thorat, Advocate-General of Maharashtra, Mr. Dada, President of the Bombay Bar Association, Mr. Joshi, President of the Advocates' Association of Western India, Mr. Mehta, President of the Bombay Incorporated Law Society, learned Members of the Bar, distinguished Ladies and Gentlemen:

We stand here today in the realisation of the omnipotence of god who liberates the soul from the body and yet ensures that the spirit and fragrance will live on forever. To some it comes in the prime of youth, to some it comes at an old age but some or the other time, all get the summons from the great beyond, which must be obeyed. To Justice Pandya, the summons came to his life on 14th November, 2004.

We have assembled here this morning to mourn the sad demise of Justice Niranjana Jamashankar Pandya, a former Judge of this Court and of the Gujarat High Court.

Justice Pandya had his entire education in Rajkot, Gujarat, which was his place of birth. Justice Pandya was enrolled as an Advocate on 23rd April, 1962. He took up private service for some time, and in 1967, he resumed the practice of law. On 22nd August, 1977, he was appointed as an Assistant Judge directly from the Bar. Justice Pandya was appointed as a Joint District Judge on 9th September, 1978 and provisionally confirmed as District and Sessions Judge on 6th November, 1980. During his tenure as District Judge, he had taken keen interest in *Lok Adalats* and Permanent Conciliation Boards. Justice Pandya was appointed as Judge in the Gujarat High Court on 21st June, 1990. He was transferred to Bombay High Court on 23rd October, 1997 and for a short period, he was also the Acting Chief Justice of this Court. Justice Pandya retired on 6th August, 2000.

Justice Pandya died at a rather young age of 66 years. His demise is a great loss for his family members, friends and all of us. Our heart goes out to them in sympathy. May his soul find an everlasting abode of peace.

**ADDRESS BY MR. B.A. DESAI, ADDITIONAL SOLICITOR GENERAL,
AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR
PANDYA, FORMER JUDGE OF THE BOMBAY AND GUJARAT HIGH
COURTS, ON 11TH FEBRUARY. 2005.**

My Lord the Chief Justice, My Lord Justice Bobde, Shri Vijay A. Thorat, learned Advocate General, Shri Rafiq Dada, President of the Bombay Bar Association, Shri Joshi, President of Western India Association, Shri Zaiwalla, Vice-President of Bombay Incorporated Law Society.

It is indeed unfortunate that few days back we paid homage to Justice Palekar of Bombay High Court and today we pay homage to Justice Pandya.

Justice Pandya began his practice as an Advocate in Gujarat in July, 1961. After an illustrious practice at the Bar he became a District Judge in the State of Gujarat in August, 1977.

He became Judge of the Gujarat High Court on 20th June, 1990. In 1997, we welcomed him to the Bench of the Bombay High Court, where he was known for his compassion, intellectual excellence and judicial wisdom.

I did not have opportunity to appear before him frequently as my duties in public life kept me away for few years, but I am familiar with him through his erudite judgments.

The Bombay Bar was indeed very sad when it heard about the death of Justice Pandya. We convey our heartfelt condolence to his family members, some of whom are present in this Court.

May his soul rest in peace.

ADDRESS BY MR. V.A. THORAT, ADVOCATE-GENERAL OF MAHARASHTRA, AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR PANDYA, FORMER JUDGE OF THE BOMBAY AND GUJARAT HIGH COURTS, ON 11TH FEBRUARY, 2005.

On behalf of the Bar I associate myself with the tribute paid to late Justice Pandya by Hon. Chief Justice.

Justice Pandya came to this court on his transfer from Gujarat High Court in 1997. As I remember him, he was an extremely confident judge, well versed in different branches of law. He had an ability to catch the nerve center of the litigation even if the case papers run into hundreds of pages. He would deal with the Bar with a smile and could pass harshest orders with his disarming smile.

Apart from duties of a judge he had keen interest in Lok Adalats and Alternate Dispute Resolution which has now been explored on a larger scale. There was always a dialogue in his court. Though he had a short tenure, as a Judge of this Court he impressed the members of the Bar with his knowledge and receptive power.

My heart-felt condolences to the members of the bereaved family. May the departed soul rest in peace.

ADDRESS BY MR. RAFIQ DADA, PRESIDENT OF BOMBAY BAR ASSOCIATION, AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR PANDYA, FORMER JUDGE OF THE BOMBAY AND GUJARAT HIGH COURTS, ON 11TH FEBRUARY, 2005.

My Lord the Chief Justice, Mr. Justice Bobde, Mr. Desai, Additional Solicitor General, Mr. Thorat, Advocate General, Mr. Joshi, President of the Advocates' Association of Western India, Mr. Zaiwalla, Vice-President of Bombay Incorporated Law Society, Members of Mr. Justice Pandya's family and my esteemed colleagues in the Bar, ladies and gentlemen;

On behalf of the Bombay Bar Association, I endorse the sentiments expressed by my Lord the Chief Justice and my esteemed colleagues at the Bar. Mr. Justice Pandya served in this Court from 23rd October, 1997, till he retired on 6th August, 2000. In that short tenure, he rose to be one of our Seniormost Judges. Briefly he sat in this Court room as the Acting Chief Justice of this Court.

Mr. Justice Pandya was a Judge who was widely respected. He had a wide experience and delivered many important judgments on many important fields of law. One of his most memorable judgments was on the rights of the lessees of the Bombay Port Trust. This affected all the leases of Port Trust property and was characterised by its regard for the rights of tenants and the protection of an overriding public interest.

One of the most memorable occasion which I remember was that day in this very court room when Justice Pandya as the Acting Chief Justice displayed exemplary personal courage. In a PIL where I appeared as an Amicus Curiae, a large crowd had come into the Court. After the Court pronounced an order, the crowd started shouting slogans. The Bench was presided over by Acting Chief Justice Pandya and Mrs. Justice Ranjana Desai. We were trapped at the Bar with the crowd behind us screaming slogans. To protect the dignity of the Bench I suggested that the Court should rise. Justice Pandya refused. He said if the Court rose, the Bar would not be safe especially those lawyers who had appeared for the cause which the crowd opposed. The Court quickly and firmly explained to the crowd that they would all be sent to jail unless they behaved themselves. The Court waited till the police arrived and the crowd was cleared. This act of personal courage by Mr. Justice Pandya and Mrs. Justice Desai has been etched in my memory.

Mr. Justice Pandya came to attend the celebrations in this Court on 10th January, 2004, when we celebrated the 125th year of the construction of the High Court building. He was delighted to be back with us and thanked us profusely.

After retirement he worked as an Arbitrator and helped in expeditious disposal of claims. Mr. Justice Pandya spent the better part of his judicial life in Gujarat. We would, however, like to believe that he was a Bombay Judge. We feel a personal loss at his demise. In his passing away, the Bar has lost a Judge who was widely respected and admired.

On behalf of the Bar I extend my heartfelt condolence to his family. May his soul rest in peace.

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ADDRESS BY MR. BALKRISHNA JOSHI, PRESIDENT, ADVOCATES' ASSOCIATION OF WESTERN INDIA, AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR PANDYA, FORMER JUDGE OF THE BOMBAY AND GUJARAT HIGH COURTS, ON 11TH FEBRUARY, 2005.

The Hon'ble the Chief Justice Shri Dalveer Bhandari of the High Court of Judicature at Bombay and Hon'ble Shri Justice Bobde, Shri B.A. Desai, Additional Solicitor General, Shri Vijay Thorat, Advocate General, Maharashtra State, Shri Rafiq Dada, President of Bombay Bar Association, Shri Zaiwalla, Vice-President of Bombay Incorporated Law Society.

1. Sirs, I associate myself with the sentiments expressed by My Lord the Chief Justice and by the learned Additional Solicitor General and by the learned Advocate General and my colleagues and I beg to add few words.

2. Sir, it is really necessary to pay tribute to Justice Shri Niranjan Jamashankar Pandya who was a great judge who passed away on 4th November, 2004. Justice Pandya was born on 6th August, 1938 at Rajkot. Justice Pandya completed his school and entire education at Rajkot. He enrolled as an Advocate in 1961 and after a year Justice Pandya came to Bombay and joined private service and thereafter he resumed his practice from May, 1967 at Rajkot. Justice Pandya practiced mainly in civil matters and company law matters. During practice. Justice Pandya was associated with many social organization and he was also nominated as Corporator of the Rajkot Municipal Corporation. He was appointed as District Judge in August, 1977, which office he held till 1990. He held many Lok Adalats and was also instrumental in holding the very first Lok Adalat of the country on 12th March, 1982 at Una. He also introduced permanent conciliation committee, which succeeded in providing Alternate Dispute Resolution Forum which involved no expenditure to the litigants. He was deeply associated with the holding of legal literacy camp. Justice Pandya established first legal head clinic and first permanent Conciliation Board of the Gujarat State. Justice Pandya was elevated as Judge of High Court of Gujarat on 21st June, 1990. Justice Pandya was transferred to Bombay High Court on 21st July, 1997 and he retired as the Judge of the Bombay High Court on 6th August, 2000.

3. Justice Pandya was actively associated with social activities and held offices in various associations including the Bar Association at Rajkot. Justice Pandya was also the Vice-Chairman of the Gujarat State Legal Aid and Advice Board. Justice Pandya was associated with holding about 66 Lok Adalats and several literacy camp in Gujarat State.

4. Justice Pandya had a great depth of learning a quick grasp of the facts and had a great desire to do justice. No junior ever suffered injustice in Justice Pandya's Court. During his tenure as the Judge of the Bombay High Court, he dealt with large number of important cases and very difficult matters. Justice Pandya always gave courteous treatment to all the advocates. He always showed readiness and desire to know the Advocate's point of view during the argument. I had an occasion to appear before Justice Pandya in many matters and I still remember that whenever he used to reject the matter he never failed to mention thank you to the Advocate concerned. Justice Pandya always gave equal treatment to all the Advocates appearing before him.

6. The members of the Association share the grief of the members of the Pandya family and we sincerely hope that the family of Justice Pandya will find courage to bear this loss. MAY GOD REST HIS SOUL IN PEACE.

ADDRESS BY MR. DINSOO ZAIWALLA, VICE-PRESIDENT, BOMBAY INCORPORATED LAW SOCIETY, AT THE REFERENCE TO LATE SHRI NIRANJAN JAMASHANKAR PANDYA, FORMER JUDGE OF THE BOMBAY AND GUJARAT HIGH COURTS, ON 11TH FEBRUARY, 2005.

My Lord the Chief Justice, Mr. Justice Bobde, Mr. Desai, Additional Solicitor-General, Mr. Rafiq Dada, President of the Bombay Bar Association, Mr. Joshi, President of Western India Association, my colleagues at the Bar, Office-bearers of this Court, ladies and gentlemen;

On behalf of the Bombay Incorporated Law Society, I convey our members grief on the said demise of Justice Niranjan Jamashankar Pandya.

With respect I concur with the sentiments so eloquently expressed by my Lord the Chief Justice, learned Advocate-General, Vice-President of the Bombay Bar Association and the President of the Western India Advocates Association submitted at Your Lordship's Bar to-day.

It is indeed sad that in the course of one week we have to pay homage to two stalwarts of this Court because of deaths in quick succession. On last Tuesday to Justice Palekar and to-day to Justice Pandya.

Justice Pandya was enrolled as an Advocate in the State of Gujarat in July, 1961. After an illustrious practice at the Bar he was called to the Bench as a District Judge of the State of Gujarat in August, 1977 which post he held until June, 1990.

Justice Pandya was elevated to the Bench of the Gujarat High Court on 20th June, 1990 where he diligently served upto October, 1997, after which he was transferred to the Bench of the Bombay High Court where he served till his retirement dispensing justice with remarkable balance.

Since a substantial period of Justice Pandya's judicial career was in the State of Gujarat there was insufficient interaction with the members of the Bombay Bar more of which the members would have preferred. However, whilst as the Judge of this great Court, Justice Pandya was known for his fairness in dispensing justice with clarity. Because of his pleasant nature it had become so easy for even the junior most to appear before him. Amongst his many judgments public will remember his part in the rent revision matter of the Bombay Port Trust which was a concern of several businesses in Mumbai.

On his demise we take solace that he is freed of his earthly bond to live hereafter in the realm of spirit, a life higher and nobler than our thoughts can measure or our minds can conceive.

On behalf of the Incorporated Law Society and the Fraternity of Solicitors I wish to convey our grief to the family members of the late Justice Pandya and to ease their loss I would end by quoting a scriptural text. There is no death, life is a continuous event, that the inner man's soul clothes itself with a new garment discarding the old and begins the new journey.

May the spirit of Justice Pandya rest in eternal guidance.
