

**ADDRESS BY HON'BLE THE CHIEF JUSTICE SHRI DIPANKAR DATTA, AT THE FULL COURT REFERENCE IN THE MEMORY OF LATE SHRI JUSTICE JAYAPAL AMRITRAO PATIL, FORMER JUDGE OF THE BOMBAY HIGH COURT, ON FRIDAY, APRIL 30, 2021 AT 10.30 A.M. IN ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY, THROUGH WEBEX/PHYSICAL.**

**My esteemed sisters and brother Judges,**

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

**Shri Rajiv Chavan, Senior Advocate,  
on behalf of Advocate General of Maharashtra,**

**Shri Sudeep R. Pasbola, Vice Chairman,  
Bar Council of Maharashtra & Goa,**

**Shri Nitin Thakkar, President, Bombay Bar Association,**

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

**Mr. Kaiwan Kalyaniwalla, President,  
Bombay Incorporated Law Society,**

**The family members of late Justice J. A. Patil,**

**Learned Senior Advocates,**

**Members of the Bar,**

**Members of the Registry and the staff.**

**Ladies and Gentlemen,**

We have assembled this morning to mourn the sad demise of late Shri Justice Jayapal Amritrao Patil, a former Judge of the Bombay High Court, who departed for his heavenly abode on February 25, 2020 at the age of 78 years at his Pune residence.

Justice Patil was born on December 26, 1941. He obtained Master's Degree in Arts and the Degree in law from Shivaji University, Kolhapur. He enrolled as an advocate in July, 1965 and started practice in the District Court, Kolhapur, and Taluka Courts in Civil and Criminal matters. He worked as Police Prosecutor for one year. Thereafter, he joined Judicial Service as Civil Judge, Junior Division on April 20, 1970 and worked in various capacities. He was promoted as District Judge in April 1989. From 1989 to 1992, he worked as the Judge of the Family Court, Mumbai and from 1992 to 1994, he worked as Judge of the City Civil Court, Mumbai. From 1994 to 1996, he worked as an Additional Registrar (Inspection) of the Bombay High Court. He worked as District and Sessions Judge, Pune, till his elevation to the Bench.

Justice Patil was elevated as an Additional Judge of the Bombay High Court on June, 9, 1997 and thereafter, a permanent Judge on June 7, 1999. He demitted office on December 26, 2003. During the said period, he delivered some landmark judgments on the various important law points.

After his retirement, Justice Patil worked as the Presiding Officer of the Mumbai University Tribunal. He was appointed to head the two-member committee to probe the "Adarsh Housing Society Scam". Justice Patil then said, "It is a challenging job but I will do it".

Justice Patil has been a respected name in the legal fraternity. He was known to be upright and straightforward throughout his career.

On the personal front, it is learnt that Justice Patil was passionate about literature, music and nature. He was also an accomplished photographer. He settled in Pune in 2007. He is survived by his wife Rajashri and three daughters.

On behalf of my esteemed colleagues and on my personal behalf, I extend sincerest condolences to the members of the bereaved family and pray to Almighty that the noble soul of Justice J.A. Patil attains "Sadgati".

Om Shanti, Shanti, Shanti !!!

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**ADDRESS BY MR.ANIL SINGH - ADDITIONAL SOLICITOR GENERAL :-**

The Hon'ble Chief Justice,

Other Hon'ble Judges of this Court,

Mr. Rajiv Chavan, on behalf of the Advocate General of Maharashtra,

Office bearers of the Bar Council of Maharashtra and Goa,

Bombay Bar Association,

Advocates' Association of Western India,

Bombay Incorporated Law Society, and

family members of late Justice J.A.Patil,

Members of the Bar,

Ladies and gentlemen.

I share the sentiments expressed by Hon'ble the Chief Justice. After completing his law studies, Justice Patil started practicing law at Kolhapur. In 1970, he was elevated as a Civil Judge, Junior Division and thereafter, he worked as Joint District Judge, District Judge, Family Court Judge, Judge of City Civil Court (Pune) and Additional Registrar before he was elevated as Judge of this Hon'ble Court in 1997.

Justice Patil was known for the commendable work done by him in the Adarsh Scam Probe. He was a part of the two member committee, which was appointed to probe in the Adarsh Society Scam. Justice Patil was lauded for the effort and the hard work put in by him, including the work related to examination of witnesses and preparing 690 pages report thereafter, which

proved monumental in shaking the Government machinery at that time. Justice Patil used to always say that an amendment should be brought in the Commission of Inquiry Act giving some legal sanctity to the Commission.

Having presided over a host of different courts and tribunals, Justice Patil had thorough knowledge of the working of the lower courts and had a knack of understanding the people as well. We know Justice Patil to be a humble, yet fearless spokesperson. Justice Patil was known as an articulate draftsman, an eminent legal academician and most importantly, a thorough gentleman.

I pray that his contribution to the legal field continue to guide and support many generations to come.

I express my deepest condolences for the departed soul.

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**ADDRESS BY MR.RAJIV CHAVAN, SENIOR ADVOCATE ON BEHALF OF THE ADVOCATE GENERAL OF MAHARASHTRA :-**

My Lord the Hon'ble Chief Justice &  
Hon'ble Judges of the High Court,  
learned Additional Solicitor General Mr.Anil Singh,  
Bar Council of Maharashtra & Goa represented by Vice-Chairman,  
Mr.Sudeep Pasbola,  
Bombay Bar Association's President Mr.Nitin Thakkar,  
Mr.Sanjeev Kadam, President of Advocates' Association of  
Western India and  
Mr.Kaiwan Kalyaniwalla, President of Bombay Incorporated Law  
Society,

Today we mourn the passing away of the gentleman Judge Justice Jayapal Amritrao Patil and pay our homage to him while condoling his death. I begin with a brief note on the legal journey of Justice Patil, who was born on December 26, 1941. His father Late Mr.Amritrao Patil retired as a Civil Judge Senior Division. May be because of this legal background, he too enrolled as an Advocate in July 1965 and practiced in various Courts including the District Court in Kolhapur and Taluka Courts in both, civil and criminal matters under his senior Advocate Arvind Shah. He joined the judicial service in 1970 as a Civil Judge Junior Division. He was promoted as a District Judge on April 27, 1989. He worked as an Additional Registrar of the Bombay High Court.He was elevated as an Additional Judge of the Bombay High Court on June 9, 1997 and thereafter he became a permanent Judge on June 7, 1999. Justice Patil retired on December 26, 2003. As pointed out by my Lord the Chief Justice and the learned ASG, he headed two Committees one in respect of the infamous Adarsh

Scam and another where the Hon'ble High Court had appointed him to probe into the allotments of flats under the Chief Minister's Discretionary Quota. As an illustrious Judge of the Bombay High Court, Justice Patil either as a Single Judge or as part of the Division Bench authored several judgments involving significant issues; some of which are worth mentioning.

In *Ramsing versus State of Maharashtra*, the Police Patil in his deposition had stated that on making inquiries with accused, the accused told him that at 12.30 midnight, he stabbed and murdered his wife with a knife because he suspected her character. The FIR filed by the Police Patil also corroborated deposition of Police Patil with this respect. A learned Additional Sessions Judge relied upon this confessional statement made before Police Patil and convicted the accused. The Division Bench held and I quote, "Confessional statement made by the accused before the Police Patil is not admissible in evidence" thereby setting aside the judgment of the learned Sessions Judge and granted him acquittal.

In *J.R. Dani versus State of Maharashtra*, the Division Bench headed by him held that in a departmental inquiry, a Government servant cannot engage a legal practitioner to represent his case unless a Disciplinary Authority appoints a Presenting Officer and such Presenting Officer is a legal practitioner.

In *Bipin Dalpatrai Shah versus Basatben Rasiklal Jhaveri*, sitting singly, he gave a progressive decision. Property disputes with regard to matrimonial matters required waiver or exemption of court fee for female litigants.

In Siddharth Srivastava versus K.K. Modi Investment and Financial Private Limited sitting singly, he held that the consent terms incorporated in the final order passed in contempt petition do not amount to a decision within the meaning of the term 'order' used in Section 2 Sub-Section 14 of the Code of Civil Procedure, therefore, it is not an order within the meaning of that Section. Consequently, such an order cannot be said to be executable under Order XXI read with Section 36 of the Code of Civil Procedure.

Sitting in the Division Bench it was held in Shalini Gaikwad versus M. D. More that use of indecent language as is caused by the contemnor Advocate in affidavit filed along with Review Petition against the rejection of the bail application amounts to a contempt of Court. These were just a few of the notable observations in matters adjudicated by Justice Patil as a distinguished Judge. Some members of the Bar, colleagues and staff members who worked for him strongly recall the days when he was a Judge. Senior Advocate Mr. Anil Sakhare describes him as a mild manner hard working Judge who respected members of the bar and possessed highest integrity. A staff member who worked in his chamber called him as a 'thorough gentleman'. But most interestingly, his colleague from lower judiciary while warmly describing him as a 'sincere and disciplined Judge', also said that Justice Patil looks like a serious and grave posture but in reality he was a jeweler. A very passionate reader and a good writer. He went on to call him the 'accidental Judge' and by this he meant that had he not become a judge, Justice Jayapal Amritrao Patil would have become an Iterator. A gentleman judge of the highest integrity, a simple human being is no more with us today.

My Lord the Chief Justice I, on behalf of learned Advocate General of Maharashtra, pay my humble respects to Justice J.A. Patil and offer our heartfelt condolences to the bereaved family and fully associate with the sentiments that have been expressed here by Your Lordship and learned ASG Mr. Anil Singh.

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**ADDRESS BY MR. SUDEEP PASBOLA, VICE-CHIARMAN, BAR COUNCIL OF MAHARASHTRA AND GOA :-**

Hon'ble the Chief Justice &

Hon'ble Senior Judges of the Bombay High Court,

learned Additional Solicitor General, Mr.Rajiv Chavan on behalf of the learned Advocate General of Maharashtra,

Mr. Nitin Thakkar - President of Bombay Bar Association,

Mr.Sanjeev Kadam – President of Advocates' Association of Western India,

Mr.Kalyaniwala – President of Bombay Incorporated Law Society,

other Hon'ble Judges and family members of late Justice J. A. Patil.

I join the Hon'ble Chief Justice, learned Additional Solicitor General and Mr.Rajiv Chavan, who have addressed before me in sharing the sentiments expressed by them in memory of Late Justice J. A. Patil. Justice Patil would always be remembered as a fearless, straightforward and upright Hon'ble Judge. I had an occasion to appear before him when he was the Additional Sessions Judge and Special Judge in the Bombay City Civil and Sessions Court and later on when he became a Judge at this Hon'ble Court. He was very sober, kind hearted, gentle and disciplined Judge with profound knowledge of Civil and Criminal laws. Justice Patil was popular with the junior advocates to make out their points. He would go out to help the advocates by himself screening the entire records and take out points in their favour. Justice Patil had a unique ability of appreciating evidence. While dealing with Second Appeals in criminal matter, he was

equally comfortable in appreciating evidence. His judgments were well appreciated and upheld by the Hon'ble Apex Court.

As a hardworking Judge, Justice Patil never refrained from taking up challenging tasks and whenever opportunities were given to him, he performed them admiringly, fearlessly with sincerity and dedication.

On behalf of the Chairman and other members of the Bar Council of Maharashtra and Goa, I would like to offer the family of Justice J.A. Patil our deepest and most sincere condolences.

May the soul of Justice Patil rest in eternal peace.

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**ADDRESS BY MR. NITIN THAKKER, PRESIDENT, BOMBAY BAR ASSOCIATION :-**

My Lord the Chief Justice &

other Judges of this Honourable Court,

Mr. Anil C. Singh, the learned Additional Solicitor General of India,

Mr. Rajiv Chavan, Senior Advocate on behalf of the Advocate General of Maharashtra ,

Mr. Sudeep Pasboala, Vice-Chairman of the Bar Council of Maharashtra and Goa,

Mr. Sanjeev Kadam, the President, Advocates' Association of Western India,

Mr. Kaiwan Kalyaniwalla, the President, Bombay Incorporated Law Society,

the family members of late Justice J.A. Patil, Senior Advocates, other members of the Bar, members of the office staff, ladies and gentlemen.

A gentle soft spoken judge left us quietly and that was Justice J.A. Patil. A second generation Judge he drew inspiration from his father to take up legal profession. Rising from lowest rung of the judiciary, his appointment as a High Court Judge was a dream come true for him as well as his father. Though strict disciplinarian, he was soft, gentle and firm. While sitting on original side, he disposed of several testamentary petitions by controlling lawyers and witness firmly. He took his works seriously. Whatever work was assigned to him he did with commitment. He was never one to shirk the responsibility. There is evidence when he was asked by a reporter on his appointment as a part of two- members commission to head Adarsha inquiry as to whether he was aware about the tough task. However, in few

minutes he answered in words, "It is a challenging job, but I will do it". The Advocates who appeared in Commission have told me that during the entire process of inquiry where enumerable witnesses were examined from politicians to drivers and workers, he treated all of them with courtesy. His report is testimony of his character that he did not succumb to any pressure. There were other aspects of his personality which are shared by his daughter Anjali, who is also a lawyer. It is said that no lunch session of Judges' Lunch was complete without recitation of a shayari a couplet by Justice J.A.Patil. He was an ebbed gaza friend, a need of feeble moment, when he was called to felicitate Late Jagjit Singh during a Ganpati Festival at Pune. A lover of nature and an avid accomplished photographer, he has visited all national parks of India without exception with his grandson. His love for literature made him to contribute several articles on various topics in Marathi which are published in various newspapers. In his passing away, we have lost a gentle soul. I fully associate myself with the sentiments expressed by my Lord the Chief Justice and other speakers before me.

On behalf of myself and all the members of the Bombay Bar Association, I extend our heartfelt condolences to his family and pray that his soul attains peace.

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**ADDRESS BY MR. SANJEEV KADAM, PRESIDENT OF  
ADVOCATES' ASSOCIATION OF WESTERN INDIA :-**

The Hon'ble Chief Justice Dipankar Datta and other Hon'ble Senior Judges,

Learned Additional Solicitor General,

Respected Shri Rajiv Chavan on behalf of the Advocate General of Maharashtra,

Shri. Sudeep Pasbola, Vice Chairman of the Bar Council of Maharashtra and Goa,

Shri Nitin Thakkar, President of Bombay Bar Association,

Mr. Kalyaniwala, President of Bombay Incorporated Law Society,  
family members of late Justice Jayapal Amritrao Patil,

Members of the Bar,

Members of the Registry and the staff,

Ladies and gentlemen.

Today we have assembled to pay homage to Justice Jayapal Amritrao Patil, popularly known as Justice J.A. Patil. I fully adopt the sentiments expressed by the Hon'ble Chief Justice and other speakers.

Justice Patil originally belongs to border area of Maharashtra and Karnataka. However, because of judicial service of his father, he had to shift wherever his father was transferred for his education. However, after completing his education in law, he enrolled himself as an advocate in July, 1965 and practiced in the District court, Kolhapur and taluka courts from 1965 to 1969 and thereafter, he was Public Prosecutor for some period and joined the judicial service in 1970 as a Civil Judge, Junior Division and

worked in various courts in the State of Maharashtra. He was promoted as the District Judge on April 27, 1989 and lastly, he was the Principal District Judge at Pune. He was also the Additional Registrar of this Court at Mumbai.

He was appointed as an Additional Judge of the Bombay High Court on June 9, 1997 and permanent Judge on June 7, 1999. He retired on December 26, 2003.

While working in the lower judiciary, he was well-versed with the procedure of Civil as well as Criminal Courts. Even when he was a High Court Judge, he was very strict about the procedure. Justice Patil was known as a straightforward person and a simple personality.

He has three daughters, one of whom is lawyer practicing in Mumbai.

Justice Patil, after his retirement, came into limelight when he headed Adarsh Society Scam Commission formed by the Government at that relevant period and he headed the Commission with the former Chief Secretary P.Subramanian who was the member along with him. The peculiar feature of the Commission report was that Justice Patil was bold enough to make the statement or declare that he was well aware and he knew that his report would be rejected by Maharashtra Government as it had inducted four former Chief Ministers and many bureaucrats.

Justice Patil has given his contribution to the lower judiciary as well as to the High Court as a Judge. He would be remembered as a straightforward, sober and simple person. I had an opportunity to appear before him in the City Civil and Sessions

Court, Mumbai as well as High Court. He was such a person who would not insult anybody and encourage juniors at the maximum level.

On behalf of myself and on behalf of the Advocates' Association of Western India, I offer my condolences to the family of Late Justice Patil.

May his soul rest in peace.

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**ADDRESS BY MR. KAIWAN KALYANIWALLA, PRESIDENT,  
BOMBAY INCORPORATION LAW SOCIETY :-**

My Lord the Chief Justice, Hon'ble Judges of the Bombay High Court, Mr. Additional Solicitor General, Mr. Rajiv Chavan, Senior Advocate on behalf of the Advocate General of Maharashtra, Vice-Chairman of the Bar Council of Maharashtra and Goa, Presidents of the Bombay Bar Association and Advocates' Association of Western India, I concur with the sentiments of my Lord the Chief Justice and the feelings that have been expressed by my colleagues at the Bar. Justice Jayapal Amritrao Patil hails from Kolhapur District. He was a Public Prosecutor before he became Civil Judge, Junior Division and subsequently as District and Sessions Judge and worked in various Districts of the State of Maharashtra. Prior to his elevation as Judge of this Court, Justice Patil served as Judicial Registrar of this Court. He dedicated his entire life to the Court of Justice.

On behalf of the Bombay Incorporated Law Society, I express condolences on demise of Justice J.A. Patil. A heartfelt condolence to the members of his family.

May his soul rest in peace.

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