

**FULL COURT REFERENCE BY THE HON'BLE SHRI C.K. THAKKER, CHIEF JUSTICE, HIGH COURT OF JUDICATURE AT BOMBAY, TO LATE SHRI JUSTICE VITHAL MAHADEO TARKUNDE, FORMER JUDGE OF HIGH COURT AT BOMBAY ON WEDNESDAY, MARCH 31, 2004.**

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My esteemed colleagues, Mr. Vahanvati, Advocate-General of Maharashtra and representing Bar Council of Maharashtra & Goa, Mr. Joshi, President of Advocates' Association of Western India, Mr. Deshmukh, Member, Bar Council of Maharashtra & Goa, Mr. Dada, President of the Bombay Bar Association, Mr. Mehta, President of the Incorporated Law Society, Members of the noble profession, Ladies and Gentlemen,

Today we have assembled here to mourn the sad demise of Hon'ble Mr. Justice Vithal Mahadeo Tarkunde, a former Judge of this Court, who left for his heavenly abode on Monday, March 22, 2004.

Justice Tarkunde was born on July 3, 1909 at Saswad in Pune District. He took High School education from Pune and joined the New English School founded by Agarkar and Tilak. He had a brilliant academic career. In the Matriculation Examination, he stood first in the Bombay University and shared the Jagannath Sheth Sanskrit Scholarship with his friend, late Justice Shikhare. He joined College of Agriculture, Pune and obtained degree in Agriculture with distinction. He thought that India being dominantly an agricultural country, he would be helpful to agriculturists.

In 1929, Justice Tarkunde went to England taking a loan for studying ICS. He, however, studied law and was called to the Bar as Barrister-at-Law. On returning India in 1932, he found that all his school friends had joined **non-co-operation movement. He also joined the Indian National Congress. He continued to practice law for 15 days in a month and worked for 15 days among farmers.** He was elected to the All India Congress Committee.

Justice Tarkunde was impressed by M.N. Roy and joined the league of Radical Congressmen. With his brilliant and original thinking, Justice Tarkunde was a great asset to Mr. Roy. In 1942, Tarkunde was elected as General Secretary of the Radical Democratic Party and shifted to Delhi.

In 1948, Justice Tarkunde resumed his legal practice in this Court. As a lawyer, Justice Tarkunde became very popular and noticed by the then Chief Justice Shri M.C. Chagla.

Justice Tarkunde was elevated to the Bench on September 16, 1957. He contributed to the development of new jurisprudence under the Constitution of India. As a Judge, he could not take active part in the Radical Humanist Movement. He, therefore, resigned in 1969 and migrated to Delhi for practice as a Senior Advocate in the Supreme Court. He was recognised as one of the leading Senior Advocates in the Supreme Court. He conducted a number of Public Interest Litigations without charging fee. He served the society when his services were the need of the hour.

Justice Tarkunde was recognised as one of the leading Humanists of the world. He was awarded Humanist Award by the International Humanist and Ethical Union. He was also awarded the *Padma Bhushan* by the President of India for his activities for protection of human rights. He retired from active legal practice in 1999, but continued with his social work. Since last three years he was confined to a wheelchair. But he was mentally agile till the last, his reasoning faculties being intact.

In his passing away, we have lost an eminent jurist and a great human being. Justice Tarkunde is survived by a daughter, Mrs. Manik Karanjawala, who is an Advocate practising in the Supreme Court. In this hour of grief, on behalf of my esteemed colleagues, on my own behalf and on behalf of all of you assembled here, I convey my heartfelt condolences to the members of the bereaved family. May the Almighty give them strength to bear this great loss and may the departed soul rest in eternal peace.

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