

ADDRESS BY HON'BLE THE ACTING CHIEF JUSTICE SHRI NITIN JAMDAR, AT THE FULL COURT REFERENCE IN MEMORY OF LATE MANOHAR SINAI USGAOCAR, SENIOR ADVOCATE, ON FRIDAY, 14th July, 2023 AT 10 AM, IN HIGH COURT OF BOMBAY AT GOA, PORVORIM.

My esteemed Colleagues,

**Shri Devidas Pangam,
Advocate General, State of Goa,**

**Shri Pravin Faldessai,
Deputy Solicitor General of India,**

**Shri Sangram Desai,
Member, Bar Council of Maharashtra and Goa**

**Shri Coelho Pereira,
President, The Goa High Court Bar Association**

Senior Advocates and other learned members of the Bar,

Bereaved members of Usgaocar family,

Members of the Registry and the staff,

Ladies and Gentlemen!

We have gathered here today to pay tribute to the late Manohar Sinai Usgaocar, a distinguished Senior Advocate who departed from our midst on Friday, the 30th of June, 2023, at the remarkable age of 90. As we gather to honour his memory, we reflect upon the lasting impact he has made on the legal system in the State of Goa.

Late Manohar Usgaocar, born on the 23rd of September, 1933, in the serene village of Usgao, led a life dedicated to the pursuit of legal excellence.

He embarked on his educational journey, receiving his primary education in Marathi and then continuing his secondary school and law studies in Portuguese, successfully completing them in 1957.

The liberation of Goa in 1961 allowed him to seamlessly transition to English language, which further expanded his linguistic horizons.

As an Advocate, Late Manohar Usgaocar swiftly carved a niche for himself within the legal fraternity. His exceptional skills, sharp legal acumen, and unwavering values distinguished him as a legal practitioner of the highest integrity. Colleagues, judges, and litigants sought his services in various fields of law, including Constitutional law, Family law, Property law, Commercial law, and Banking law. With a composed and confident demeanour, he fearlessly handled a wide range of important and contested cases, leaving a profound impact on all those, who had the privilege of witnessing his legal expertise. His persuasive arguments, rooted in sound reasoning and comprehensive understanding, earned him the respect and admiration of all peers including those on opposing side.

In addition to his mastery of the law, Late Manohar Usgaocar displayed a remarkable talent for translating Portuguese family laws and the Portuguese Civil Code. His linguistic proficiency allowed him to bridge the gap between the legal systems, enabling judges, lawyers, academics, and law students to comprehend and navigate these intricate legal texts with ease.

He actively participated in discussions and deliberations leading to the amendment of the Civil Procedure Code of 1908, demonstrating his commitment to refining and improving the legal landscape. Contributions of Late Manohar Usgaocar extended far beyond the courtroom and legal realm.

He passionately advocated for the implementation of a Uniform Civil Code, not only for Goa but for the entire nation. His belief in equality and fairness in civil matters resonated deeply within him, driving his relentless pursuit of a unified set of civil laws that would benefit all citizens. In his quest to make a positive impact on the society, Late Manohar Usgaocar actively engaged with numerous social and educational organizations. These included the Academy for Community Development and International Living (ACDIL), Saraswat Education Society, Center for Indo-Portuguese Studies, Dementia Society of Goa, National Association for the Blind, among others.

Through his involvement, he sought to improve the lives of others, leaving an indelible mark on the community. As a founding member of the Rotary Club of Mapusa, he embodied

the spirit of service and selflessness, promoting goodwill and fellowship among like-minded individuals. Moreover, his passion for legal scholarship led him to serve as the Editor of the Goa Law Times, a monthly legal journal dedicated to Indo-Portuguese Studies. Through this platform, he shared his extensive knowledge and insights, contributing to the intellectual growth of the legal community. His articles and research papers covered an array of topics, ranging from procedural reforms and property law in Goa to the merits and demerits of Portuguese law and the complexities of conflict of laws. These scholarly contributions demonstrated his unwavering dedication to the pursuit of legal excellence and his desire to expand knowledge in the field.

The impact of Late Manohar Usgaocar's life and work has been widely recognized and honoured. He was bestowed with the prestigious Paul Harris Fellowship in 1994-95, in recognition of his exceptional contributions and services. He received the esteemed "Vidyadhiraj Puraskar" from H.H. Shreemat Vidhyadhiraj Teerth, acknowledging his distinguished services to society and his professional excellence.

Beyond his professional achievements, Late Manohar Usgaocar's true legacy lies in the lives he touched and the inspiration he provided.

His remarkable qualities and exemplary career continue to inspire law students and legal practitioners, who look up to him as a role model and mentor.

The impact of his remarkable life and distinguished legal career is eloquently captured in the book "Dotor Usgaocar - The Marvel," authored by the former Judge of the Bombay High Court, Shri Justice Khandeparkar. This publication highlights the life of Late Manohar Usgaocar through the glowing testimonials of judges, legal luminaries, scholars, industrialists, and prominent individuals.

On a personal note, when I was in Goa in the year 2017-2018, Late Manohar Usgaocar had reduced his practice in the High Court. However, I had a privilege to interact with him when he had come to give me his books on Portuguese law. With my discussion with him, I could discern the depth of his knowledge on Portuguese laws and Goa in general and his willingness to share his vast knowledge.

On behalf of all my colleagues in the Bombay High Court and myself, I extend our deepest condolences to the Usgaocar family. May they find solace in the cherished memories they share with Late Manohar Usgaocar and draw strength from his remarkable legacy. As we navigate our own paths in the legal profession and beyond, let us strive to carry forward his ideals, principles, and commitment to justice.

His memory will forever inspire us to strive for excellence, integrity, and justice in our own lives.

May his soul find eternal peace.

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ADDRESS BY SHRI DEVIDAS PANGAM, ADVOCATE GENERAL, STATE OF GOA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE MANOHAR SINAI USGAONKAR, SENIOR ADVOCATE, ON FRIDAY, 14th July, 2023 AT 10 AM, IN HIGH COURT OF BOMBAY AT GOA, PORVORIM.

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Bereaved members of Usgaonkar family,

Members of the Registry and the staff,

Ladies and Gentlemen!

Manohar Sinai Usgaonkar or "Dotor", as every learned man is referred to in Goa was, a prominent figure in our profession.

After having begun his career under his Guru late Shri Rui Gomes Pereira he started his practice in the Trial Court in Mapusa and surrounding areas. Prior to the liberation, the territory of Goa Daman and Diu was governed by Portuguese laws and most of the court business was in Portuguese language. After the

liberation of Goa Daman and Diu in the year 1961, the Indian laws were extended to the territory of Goa Daman and Diu. For any other person, such a radical change pertaining to the law as well as the language would have been the biggest hurdle. His tenacity and industriousness ensured that his transition was seamless. His grasp of Portuguese laws and Portuguese language was what set him apart from other lawyers.

Arguably, there could have been better lawyers than doctor, but in my opinion, what truly set him apart from his then peers was his contribution to the field of law through translation of Family laws, which was in Portuguese, in times when there were no official translations. The same became beneficial to not only the lawman but also the layman. Due to the efforts of doctor, young lawyers who did not understand Portuguese, could now understand the laws and apply and defend the common Goan's rights. For the longest time, his translation of Portuguese law was considered as the official translation.

In the nascent stages of the High Court of Bombay at Goa, there were only law journals which were either published from Maharashtra or Delhi. The Judgements pertaining to the local Laws namely Mundkar, Agricultural Tenancy, Comunidade etc. were seldom reported in this law journals.

His library was always open not only to his juniors but also to Juniors not attached to his chambers. Even a raw junior could walk in his chamber and refer to the books from his library and

if he happened to meet Mr. Usgaonkar he would put him at ease. His juniors would tell us how he got immersed in a matter and lost track of time. Many of his juniors have held the positions of the Judges of Bombay HIGH court, Advocate General. Addl. Advocate General, Union minister etc.

He was also a guiding light to various associations, clubs and organizations and render assistance including financial assistance to many. He was designated as a Senior Advocate in September 1988 and appointed as Additional Solicitor General, India. He was also appointed as the Advocate General, State of Goa in 1999. Since 1965 he was a part of the Rotary Club. He has also been the President of All Goa Advocates Association, the President of Goa High Court Bar Association and also the Chairman of Mapusa Urban Co -Operative Society Bank. It was under his Chairmanship that the bank flourished.

His two sons Sudin and Sudesh have followed his father's footsteps in this profession.

I offer my condolences and pray that God gives them enough strength to bear the loss of such a towering figure in the family.

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ADDRESS BY SHRI PRAVIN FALDESSAI, DEPUTY SOLICITOR GENERAL OF INDIA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE MANOHAR SINAI USGAONKAR, SENIOR ADVOCATE, ON FRIDAY, 14th July, 2023 AT 10 AM, IN HIGH COURT OF BOMBAY AT GOA, PORVORIM.

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Ladies and Gentlemen!

Today we have gathered here for this Reference in the Memory of Ld. Senior Advocate, Shree Manohar Sinai Usgaonkar, he has left for Heavenly Abode on Friday, 30th June 2023.

Profound Senior Advocate, 1st Additional Solicitor General of India from Goa, Advocate General for the State of Goa, during

the Hon'ble Governors Tenure One Great Son of the Soil; Goa, Bhai; As fondly referred to by his loved ones.

Born in Usgao Village to Goan Parents, he always remained true to his Goan Heart Shree. Usgaonkar Studied in the Portuguese Education System and mastered the same. Further he excelled in Law and possessed Remarkable Expertise in Portuguese Law. As time progressed, the system changed and there arose an immense need common understanding of the Portuguese Laws in widely known languages. Shree. Usgaonkar took upon himself to bridge this gap and translated various laws and wrote and published commentaries. This great work of his will always be remembered as his significant contribution in the legal field. Layman, Lawyers, Judges and Judicial Institutions stood benefitted by the same.

With his extreme hard work and perfection, he emerged as an Authority on law and many a times, Sirs word or Opinion came to be treated as a final word of Law.

Several books/articles are written by him and on him. 'The Marvel' is one amongst, to describe him the real marvel he has been.

Apart from all his well-known and celebrated endowment to law, His urge to simplify Law for common man also needs to be highlighted. He had started one Lecture Series with an aim to make law simple and available to a layman. Menezes Braganza Lecture Series it was named. Shree Usgaonkar found and

provided answers to every simple and basic questions that may arise, published and circulated in the form of small booklets, which probably are still available in libraries.

He is known for his Social Contributions, Charitable works, libraries etc. His Personal Library was never Personal but is open for every individual and we have all taken benefit of the same.

Most importantly, he has created a Galaxy of good Lawyers, Judges. He has been therefore Dronacharya of Legal Gurukul.

Loss of Such Marvell does not remain as any personal loss or loss of one family. It becomes loss of society as a whole.

M. S Usgaonkar Sir, in you, we have lost, Not Only one Insightful Lawyer, we have also lost; one wonderful human, one great son of Soil, a Marvell, a power packed lighthouse; A Dronacharya of Legal Gurukul; if I may say so.

Om Shanti

ADDRESS BY SHRI SANGRAM DESAI, MEMBER, BAR COUNCIL OF MAHARASHTRA AND GOA, AT THE FULL COURT REFERENCE IN MEMORY OF LATE MANOHAR SINAI USGAONKAR, SENIOR ADVOCATE, ON FRIDAY, 14th July, 2023 AT 10 AM, IN HIGH COURT OF BOMBAY AT GOA, PORVORIM.

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Ladies and Gentlemen!

I fully associate and concur with the views and feelings expressed by the earlier speakers. The former Additional Solicitor General of India, the former Advocate General of Goa and a lawyer of remarkable expertise in Portuguese and Civil laws. His profound understanding of Portuguese laws and translation of Goan Civil Laws have been a guiding path for all the lawyers and Judges. A man of great integrity and character

as he was an idol to many young lawyers then and now. Many of whom have succeeded in their profession following his footsteps.

I was not fortunate enough to work with him or have any experience, but recently I met a client from Bangalore and he shared his experiences about late Advocate Manohar Usgaonkar Sir with me and he said whenever he had any difficulties, he used to take advice of late Usgaonkar Sir. After understanding the problems of the client, he used to give him a book and make him read the concerned provisions of law in that book and then used to explain the provisions of law and its effect on the case of that client. He said he felt like a Professor was teaching a student. He said a father was guiding a son. That was late Shri Usgaonkar Sir.

In the words of that client, a man of professionalism, courtesy, empathy and a gem of a person that is what he said about Usgaonkar Sir. Late Usgaonkar Sir was epitome of learning simplicity, humility, integrity and firmness with decency. We have lost a great legal luminary.

On behalf of the Bar Council of Maharashtra and Goa and all the 2,25,000 lawyers across the State of Maharashtra and Goa, I extend my heartfelt and deepest condolences to Senior Advocate Shri Sudin and Advocate Shri Sudesh and all the family members of late Shri Usgaonkar Sir.

May his soul rest in peace.

Om Shanti

ADDRESS BY SHRI COELHO PEREIRA, PRESIDENT, THE GOA HIGH COURT BAR ASSOCIATION, AT THE FULL COURT REFERENCE IN MEMORY OF LATE MANOHAR SINAI USGAONKAR, SENIOR ADVOCATE, ON FRIDAY, 14th July, 2023 AT 10 AM, IN HIGH COURT OF BOMBAY AT GOA, PORVORIM.

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Ladies and Gentlemen!

Whilst endorsing Your Lordship's kind words of appreciation and the tributes paid by the other speakers to our departed colleague, I would add to it that.

Mr. Manohar Usgaonkar though meek in physical stature was a tall personality, and a great lawyer which Goa has produced. I say great lawyer without favour and eulogy Sr. Adv

Mr. Manohar Usgaonkar had all the qualities of a great lawyer. Integrity, courteous and fair to the Court, courteous and fair to his opponent, and honest to himself and his client.

Though trained under the Portuguese System of Law and had all his education mainly in Portuguese, Mr. Usgaonkar not only adapted to the Indian System of Law but also mastered it. The hard work which Mr. Usgaonkar put as a lawyer made him achieve what he had to achieve of being at one time the most prominent lawyer in the state of Goa, testimony of it is the fact that Mr. Usgaonkar was a representing counsel in every matter that mattered to the State of Goa in the transition period, following Liberation of Goa, to name a few and to my recollection is the case of Constitutional Challenge to the Agricultural Tenancy Act viz. the 5th Amendment, the Constitutional Challenge to the Conversion of Mining Concession to Mining Leases, Constitutional Challenge to the Mundkar Act viz. the price fixation for the land. If one opens the law reports from 1982 onwards and tries to find out who the appearing lawyers in matters decided by this Hon'ble Bench of the Bombay High Court, were one will find that in every second case Mr. Manohar Usgaonkar either represented Appellant or the Respondent. Mr. Manohar Usgaonkar was a selfless individual. I say so for a fact that despite his busy schedule of work, in difficult times he sat himself with his juniors and translated into English the text of Portuguese Family and Succession Laws applicable to the state to help lawyers trained under the Indian System of Law and to provide access to us of the text of Law. That was not all, for most

of us trained under the Indian Law he was a true guide in solving our difficulties when we approached him for any advice or interpretation of the provisions of the Portuguese Law.

Mr. Usgaonkar was a founder member and driving force to set up the Goa High Court Bar Association. He was our first President. His organising skills were unmatched. Though due to his advanced age Mr. Usgaonkar decided to stay away from Courts, his contribution to the legal fraternity will forever be acknowledged. The State owes to him mainly, the enactment of the Goa Succession Special Notaries and Inventory Proceedings Act, 2012.

The legacy Which Mr. Usgaonkar left to the State of Goa as a distinguished lawyer, a good human being and as a true citizen will always be remembered. I am sure that this legacy will be followed by his children namely Sudin, Sudesh, and his grandson Shukr who have taken up this altruistic profession. I wish the family the courage and God's will to follow Mr. Usgaonkars legacy

Thank you.
