

**ADDRESS BY HON'BLE THE CHIEF JUSTICE SHRI DIPANKAR DATTA,
AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI,
FORMER JUDGE OF THE BOMBAY HIGH COURT,
ON SEPTEMBER 14, 2021 AT 10.00 A.M. IN ROOM NO.46,
CENTRAL COURT HALL, MAIN BUILDING, HIGH COURT, BOMBAY.**

My esteemed sister and brother Judges,

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

**Shri Ashutosh A. Kumbhakoni,
Advocate General of Maharashtra,**

**Shri Vitthal Konde-Deshmukh,
Member and former Chairman,
Bar Council of Maharashtra & Goa,**

Shri Nitin Thakker, President, Bombay Bar Association,

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

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

The members of the Vagyani family,

Esteemed Senior Advocates and other learned members of the Bar,

Members of the Registry and the staff.

Ladies and Gentlemen.

Shri Justice Bhalchandra Bapusaheb Vagyani, a distinguished former Judge of the Bombay High Court, left for his heavenly abode on August 3, 2021 at the age of 79 years at Krishna Hospital, Karad, District-Satara. We have assembled this morning to pay our respectful homage to His Lordship.

Justice Vagyani was born on 2nd June 1942 at Village Ashta, Taluka Walwa, District Sangli (the then Satara District), in a well to do, educated and cultured family. I am told that His Lordship's grandfather, late Dadasaheb Vagyani was highly educated and was Inamdar of 35 villages of Satara District and also the Sub-Registrar during British regime. His grandfather had established a Public

Trust namely 'Karve–Vagyani Public Trust' for providing financial assistance and scholarships to poor students for pursuing education. The family was closely associated with Bharat Ratna and Padma Vibhushan, Shri Annasaheb Karve (Maharshee Dhondo Keshav Karve).

The father of Justice Vagyani, late Bapusaheb Vagyani was a watandar, landlord and agriculturist. He was the founder of "Chandra Prabhunath Co-operative Agricultural Society" at village Ashta in 1924 and was also founder of "Ashta Urban Co-operative Bank" at Village Ashta in 1947. His Lordship's father was closely associated with Padma-Vibhushan Karmaveer Bhaurao Patil, a social reformer and educator, who founded "Rayat Education Society" for providing education to people belonging to the backward castes and lower income group. The first school of the Rayat Education Society was started in the Vagyani Wada, house of the Vagyani family. His great uncle Kallapa Vagyani was the first lawyer in the family, and was also Diwan of the Karundwad princely state during the British regime. His uncle Annasaheb Vagyani was a Civil Judge, who later retired from judicial service in the year 1957. Inspired by him, His Lordship took judicial service as a career.

His Lordship lost his father in his infancy. Though the family was having extensive ancestral landed agricultural properties, his mother, a religious minded lady with strong common sense, was keen to see that all her children are well educated.

Justice Vagyani had his schooling at Mahatma Gandhi High School, village Ashta, a school under Rayat Education Society. He graduated in Arts stream from Willingdon College at Sangli, in 1960. Having obtained law degree from I.L.S College at Pune in 1965, His Lordship enrolled as an advocate on 19th January 1966, whereupon he started practice at the District Court at Sangli in the field of Civil, Criminal and Revenue Laws. He joined the chamber of late Keshavrao Chougule, a renowned advocate, who also persuaded him to opt for judicial service.

Justice Vagyani was appointed as Civil Judge, Junior Division and Judicial Magistrate First Class on 23rd April 1970; promoted as Civil Judge Senior Division in 1980; Additional Sessions Judge in 1983; promoted as Additional District and

Sessions Judge in 1984; was an Industrial Judge at Pune for some time; was promoted and posted to work as Principal District Judge at Latur in 1990, and later transferred to Parbhani and Solapur.

During the tenure as Principal District Judge, at Latur, Parbhani and Solapur, His Lordship was successful in settling many Court matters by conducting Lok Adalats. He was keen to initiate mediation amongst the parties for amicable settlement of the disputes between the parties before him.

His Lordship was also the President of the Maharashtra State Judicial Officers' Association. Instrumental in persuading the High Court to revisit the Out of Region Transfer Policy and effect suitable changes therein on the basis of his valuable suggestions, His Lordship was also instrumental in institution of writ proceedings by the All India Judges' Association in the Supreme Court of India, seeking relief of increase in the pay scales of the judicial officers of the district Courts and ultimately, resulting in constitution of the Shetty Commission.

After serving the district judiciary for 27 years, Justice Vagyani was appointed as an Additional Judge of the Bombay High Court on 9th June 1997 and permanent Judge on 7th June 1999. His Lordship demitted office on 2nd June 2004.

As a Judge, His Lordship always nourished an idea that the justice delivery system, apart from being an instrument to maintain law, order, peace and tranquillity in the society, was also an effective instrument of change, because no society ever remains static and it requires judicial recognition of such well desired changes. This philosophy is reflected in his judgments. He delivered many landmark judgments on a variety of issues during his tenure of 7 years as a Judge of this Court while dealing with diverse enactments like the Bombay Court Fees Act, Income-Tax Act, Motor Vehicles Act, Civil and Criminal Laws as well as Constitutional Laws, etc.

After demitting office as a Judge of the Bombay High Court, His Lordship was appointed as the President of the Maharashtra State Consumer Dispute Redressal Commission for some time and thereafter, as President of the College Tribunal, Pune, Kolhapur and Solapur University.

I am told that Justice Vagyani had settled at his native place and was looking after his ancestral agricultural lands. He was a voracious reader and a great orator. He authored books, namely, Mazha Bharat Mahan, Yatharth Prakash, touching law, religion and social aspects of life. He also authored books on criminology, namely, Dandniticha Itihaas, Vidhi Ved and Bal Gunehgar.

His Lordship is survived by his wife, two sons, two daughters, and daughters-in-laws. One son of His Lordship is a Computer Engineer, while the other son, Shri Abhinandan, and both his daughters are advocates. I hope and trust that they would faithfully carry forward the legacy and ideas left behind by Justice Vagyani.

On behalf of my esteemed colleagues and on my personal behalf, I extend sincerest condolences to the members of the bereaved family. I pray that the Almighty give them the strength to bear the irreplaceable loss and also pray that the noble soul of Justice B.B. Vagyani attains "sadgati".

Om Shanti !, Shanti !!, Shanti !!!

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ADDRESS BY SHRI ANIL C. SINGH,
ADDITIONAL SOLICITOR GENERAL OF INDIA,
AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI, FORMER JUDGE
OF THE BOMBAY HIGH COURT, ON SEPTEMBER 14, 2021 AT 10.00 A.M. IN
ROOM NO.46, CENTRAL COURT HALL, MAIN BUILDING,
HIGH COURT, BOMBAY.

The Hon'ble Chief Justice,

Hon'ble Judges of this Court,

Shri Ashutosh A. Kumbhakoni,
Advocate General of Maharashtra,

Shri Vitthal Konde-Deshmukh,
Member and former Chairman,
Bar Council of Maharashtra & Goa,

Shri Nitin Thakker, President, Bombay Bar Association,

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Mr.Kaiwan Kalyaniwalla, President,
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The members of the Vagyani family,

Esteemed Senior Advocates and other learned members of the Bar,

Members of the Registry and the staff.

Ladies and Gentlemen.

I share the sentiments expressed by the Hon'ble Chief Justice. Passing of Justice Bhalchandra Bapusaheb Vagyani, a former Judge of Bombay High Court is a complete loss to the legal profession and to the society in General.

Justice Vagyani was a great human being and a great jurist with full efficiency and sincerity. Justice Vagyani lived to his principles till last breathe and was completely devoted to social cause.

Justice Vagyani came from a highly educated, religious and cultured family. His grandfather Shri Late Dadasaheb and his father Shri Late Bapusaheb both were philanthropist and social reformer.

His grandfather was closely associated and worked with Bharat Ratna Annasaheb Karve through Karve – Vagyani Public Trust.

Karve-Vagyani Public Trust, used to give scholarships to children belonging to poor, downtrodden and backward classes for education and also promoted education amongst girls in early 19th century. It started movement for remarrying of widows.

His father Late Bapusaheb was closely associated with Padma Bhushan Karmaveer Bhaurao Patil, who coined the philosophy of “Earn and Learn”.

The first boarding school was started in Vagyaniwada, House of Vagyani family. Children from the backward classes and oppressed communities were housed with food and clothing and were given education. TB patients who were abandoned by the families were also housed in the house of the family and they were treated.

One of his uncle Late Annasaheb was civil judge during British Rule.

Justice Vagyani lost his father when he was hardly 10 years old, and was brought up by his mother Rukmini, a religious lady and by his elder brother Balasaheb.

Justice Vagyani always wanted to become a Magistrate. After completing his law graduation from ILS Law College, Pune, in the year 1965 he started practice in District Court, Sangli on the civil, criminal and revenue side. He also worked as Assistant District Government Pleader and Public Prosecutor.

In 1970 he was appointed as Civil Judge Junior Division and Judicial Magistrate First Class, as Civil Judge Senior Division in 1980, as Additional Sessions Judge in 1983, Sessions Judge in 1984 and District Judge in 1990 and ultimately became Judge of this Hon'ble High Court in 1997.

He was also President of Maharashtra State Judges Association, during his tenure he persuaded the High Court Administration to revisit the Transfer Policy of the sub-ordinate judges. Suitable changes were made in transfer policy, such as transfer out of region, transfer of married judicial couples in same district. He was instrumental in filing a petition in the Supreme Court for bringing uniform conditions in service for sub-ordinate judiciary including better pay scales and perks, which lead to formation of Justice Shetty Commission.

Recommendations of the commission were later accepted and the pay scales and perks of the judges of the sub-ordinate courts were raised and other facilities such as judicial quarters, pool car service were made available.

His work of conducting Lok Adalat and its results were appreciated by the then Chief Justice of India.

His journey both as an Advocate and as a Judge are marked with several celebrated judgments which include judgments on Law of Limitation, Dying Declaration, reading and appreciation of evidence in Criminal Appeals and Taxation Laws, and on various other subjects.

After his retirement as Judge of the Bombay High Court on 02.06.2004, he was appointed as President of the College Tribunal of Pune, Kolhapur and Solapur University. On December, 2005 he was appointed as President of the Maharashtra State Consumer Disputes Redressal Commission at Mumbai.

Litigants, Advocates had to travel approximately 800 kms to come to Mumbai from Chandrapur, Vidharbha region and 400 kms to Mumbai from Aurangabad, Marathwada region. For convenience of litigants and advocates, Justice Vagyani took initiative in establishing separate benches of the Commission at Aurangabad and Nagpur for speedy disposal of the cases.

He delivered several landmark judgments as the President of Consumer Commission. In an important case an issue was raised as to whether as unborn child is a consumer and entitled to insurance coverage? Law recognizes a

pregnant women as a consumer, but can the fetus in her womb be considered a separate entity in respect of insurance claim? He delivered the landmark and historic judgment and held that a child in mother's womb is a person and hence it is a consumer as unborn child is a living person. The law laid down was not disturbed in appeal.

In another unique case relating to the advertisement banners of liquor affixed in Railway coaches, he delivered a landmark judgment and held that the Railway and its coaches being public property cannot be used for advertisement of liquor.

He further held that liquor advertisement were harmful to the young generation of the nation and directed removal of such advertisement of liquor and affix banners publishing that "Nimboo pani and Nariyal pani" as natural drink good for health. The Railway Authority implemented the judgment.

He was gifted with skill of oratorship and was fond of reading and writing. He was very often found in the premises of High Court, specially in the library reading and searching for books. He was Sanskrit scholar. He has vast knowledge of Vedas, Upanishadas and Manusmriti. He was being invited by all sections of society for giving lectures and speeches on Law, Religion, Philosophy and History. His thoughts were progressive.

He had authored several books on philosophy, history, ancient laws, and on religion. Few of them are "Mazha Bharat Mahan", "Yatharth Prakash", "Dandniticha Itihaas", "Vidhi Ved and Bal Gunehgar".

After getting over with his assignments, since year 2010 he had settled down at his village Ashta, District Sangli. He got himself involved in doing agriculture in his ancestral agricultural lands. Many people from his village and the vicinity areas and district places, used to visit him and seek his guidance. Poor people as well as Junior Advocates used to seek his legal assistance, and he used to guide them and give them free legal aid. Oftenly one could find him sitting in his farm or house/wada at Ashta, giving dictation or writing himself a

reply or a plaint or written statement for such poor people and then request few advocates to lead the cases of such poor people without fees, and no advocate from Sangli, Satara and Kolhapur districts did ever say no to him.

Justice Vagyani will always be spoken of as independent, bold, a sound Judge with full integrity. He was loved and respected by the Bar and Bench alike. Through his loyalty to the ethics and dedication to the cause upholding the values of judicial system has secured a remarkable reputation, not for himself but also to the institution.

He is survived by his wife Shobha, 2 sons Dhirendra and Abhinandan and 2 daughters Madhvi and Poonam. Abhinandan is a practicing lawyer of this Court and has been Government Pleader on the Appellate Side. I do believe that they would faithfully carry forward the legacy and ideas left behind by Justice Vagyani.

I express my deepest condolence for the departed soul.

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ADDRESS BY SHRI ASHUTOSH KUMBHAKONI,
ADVOCATE GENERAL FOR MAHARASHTRA,
AT THE FULL COURT REFERENCE IN THE MEMORY
OF LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI,
FORMER JUDGE OF THE BOMBAY HIGH COURT, ON SEPTEMBER 14, 2021
AT 10.00 A.M. IN ROOM NO.46, CENTRAL COURT HALL,
MAIN BUILDING, HIGH COURT, BOMBAY.

Hon'ble the Chief Justice,

Hon'ble Judges of this Court,

Shri Anil Singh, the Additional Solicitor General of India,

**Shri Vitthal Konde-Deshmukh,
Member and former Chairman,
Bar Council of Maharashtra & Goa,**

Shri Nitin Thakker, President, Bombay Bar Association,

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The members of the Vagyani family,

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Members of the Registry and the staff.

Ladies and Gentlemen.

In order to prepare for my today's address, I had a word with the leading practitioners from some of the District Courts, where Justice Vagyani worked as the Judicial Officer. In one voice, without a single exception, everybody praised Justice Vagyani's not only legal acumen, sharp mind, quick grasp of factual controversy of every matter, irrespective of the legal framework giving rise to such matter, hard work but also very humble and soft-spoken nature. Justice Vagyani was very popular amongst the district court lawyers, not because of any populist approach deliberately adopted by him on the administrative side, but because Justice Vagyani was very kind-hearted person, who was always open for adopting

new ideas and concepts. Even the Members of the Advocates Association of Bombay High Court, Bench at Aurangabad, where Justice Vagyani presided over as a Judge of this Hon'ble Court, for most of his tenure in this High Court, fully concurred with views expressed by various lawyers of the District Courts, which I just mentioned.

Justice Vagyani as was a versatile Judge, in as much as, he used to deal with every branch of law with equal ease. Justice Vagyani has himself delivered Judgments of at least three Full Benches to which I may refer briefly, given the time constraints.

FIRST, in the case of **Rajesh Suryawanshi** reported in **2000(3) MhLJ 822**, while interpreting Section 10 of Indian Divorce Act, 1869 it is held that a Christian Husband is not entitled to the decree for dissolution of marriage on the ground of desertion under Section 10 of that Act.

SECOND, in the case of **Bhalchandra Kalwade** reported in **2003 (4) MhLJ 1002**, it is held that since a legal fiction cannot be extended beyond the purpose for which it is created, exception prescribed by sub-Rule 4 of the Rule 3 of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, for appointed the Head of a girl's school, can't be extended to also the post of Assistant Head.

THIRD, in the case of **Bapu Chaudhari** reported in **2005** in view of the beneficial provision of Section 140 of the Motor Vehicles Act, it is held that an award/order of no-fault liability is not appealable under Section 173 of that Act. It is further held that such award/order is executable in terms of Section 174 of that Act.

In an unfortunate case of **Gulabbai Gaikwad** reported in **2000 (2) MhLJ 378** Justice Vagyani held that even during the life time of the father, a mother is entitled to seek maintenance from her son u/s 125 of CrPC and that she has even a choice as to from which son, out of the two sons, the maintenance is to be claimed.

Justice Vagyani delivered the Judgment in the case of **Shubhakaran Dhanuka**, which is very popular amongst the notaries. It is held by this judgment reported in **2004 (1) Mh L J 14** that though the Government has discretion in renewal of certificate of notary, such discretion is required to be exercised in judiciously. In facts of that case, it was held that the discretion was exercised in an arbitrary manner and the Government was directed to consider application of the Petitioner afresh in view of the observations made therein.

Various law journals published during the tenure of Justice Vagyani as the Hon'ble Judge of this Hon'ble Court, contain numerous reported decisions delivered by Justice Vagyani, relating to very wide range of subjects, topics and statutes, be it, Constitution, Indian Penal Code, Indian Succession Act, Limitation Act, Code of Civil as also Criminal Procedure, SC and ST (prevention of atrocity) Act, Muslim Personal Law, Maharashtra Universities Act, Evidence Act, to name a few.

In passing away of Hon'ble Justice Vagyani we have lost not only a versatile Judge but also a kind-hearted great human being.

I join in the sentiments expressed by My Lord Hon'ble the Chief Justice and express my deepest condolences to the bereaved family of Hon'ble Justice Vagyani.

May his soul rest in peace.

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**ADDRESS BY SHRI VITTHAL KONDE DESHMUKH,
MEMBER AND FORMER CHAIRMAN OF BAR COUNCIL OF MAHARASHTRA
AND GOA, AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI, FORMER JUDGE OF THE
BOMBAY HIGH COURT, ON SEPTEMBER 14, 2021 AT 10.00 A.M.
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The members of the Vagyani family,

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Members of the Registry and the staff.

Ladies and Gentlemen,

It is with utmost grief that we have assembled here this morning to pay homage to Late Justice Bhalchandra Vagyani, former Judge of this Hon'ble Court who left for his heavenly abode on 3rd August, 2021 at the age of 79.

I fully endorse the view expressed by the Hon'ble Chief Justice and my colleagues and I beg to add a few words.

Justice Vagyani was born on 2nd June, 1942 at Astha village, District Sangli. His Lordship did his schooling at Astha, District Sangli. His Lordship was educated at Willingdon College, Sangli and ILS Law College, Pune in 1965. His Lordship was enrolled as an Advocate on 19th January, 1966 with the Bar Council

of Maharashtra & Goa and then joined the chambers of renowned lawyer Keshavrao Chougale. His Lordship practiced in the District Court at Sangli and handled civil, criminal and revenue matters. His Lordship worked as an assistant to District Government Pleader and Public Prosecutor. His Lordship joined the judicial service as a Civil Judge, Junior Division on 23rd April, 1970 and worked in various capacities. His Lordship was promoted as a District Judge on 1st March, 1990. His Lordship was appointed as an Additional Judge of the Bombay High Court on 9th June, 1997 and then as a permanent judge on 7th June, 1999. His Lordship was appointed as a President of the College Tribunal, Pune, Kolhapur and Solapur University and President of the Maharashtra State Consumer Disputes Redressal Commission, Mumbai.

His Lordship had a great understanding of the problems faced by farmers, labourers, workers and sugarcane labourers as his Lordship himself belonged to a family of agriculturists.

While presiding as a Civil Judge Junior Division and Judicial Magistrate, his lordship was hearing an injunction application filed by a farmer seeking possession of his two bullocks. The farmer contended that he had never sold his bullocks in the bazaar. His Lordship resolved the dispute by bringing the two bullocks and both the parties in open ground and then asked the parties to stand in opposite direction. His lordship then released the two bullocks who then went in the direction of their master and the injunction was accordingly granted to the farmer.

I had an occasion to appear before his Lordship. His Lordship had delivered many landmark judgments while presiding as a Judge of this Hon'ble Court and also as the President of Maharashtra Consumer Disputes Redressal Commission. His Lordship always encouraged the young lawyers of the Bar especially from rural areas to argue the matters fearlessly. His Lordship was a voracious reader and gifted with strong oratory skills. His Lordship was very active in social service initiatives. His Lordship has authored many books on law, philosophy and religion. His Lordship had a good command on various languages. His Lordship was a scholar in Sanskrit and Prakrit language. His

Lordship will always be remembered as a hard working person. His Lordship is survived by his wife, two sons and two daughters.

In his death we have lost a jurist par excellence, a lawyer with human heart and a great human being. I on behalf of Bar Council of Maharashtra and Goa and on my own behalf express heartfelt condolences to the bereaved family of Justice Bhalchandra Vagyani, his son Advocate Abhinandan Vagyani, Ex-Government Pleader (Writ Cell) and pray that the Almighty bestow upon them the strength to cope with the loss. Om Shanti.

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**ADDRESS BY SHRI NITIN THAKKER, PRESIDENT,
BOMBAY BAR ASSOCIATION, AT THE FULL COURT REFERENCE IN THE
MEMORY OF LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI,
FORMER JUDGE OF THE BOMBAY HIGH COURT, ON SEPTEMBER 14, 2021
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The members of the Vagyani family,

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Members of the Registry and the staff.

Ladies and Gentlemen.

We have gathered today not in grief but to express gratitude for what Justice Vagyani accomplished during his earthly existence from 2nd June 1942 till 3rd August 2021. He carried on legacy of his Grandfather and father. He came from a very cultured family - where his grandfather, though landlord of 35 villages-given to his forefathers in 14th century- [was associated with the works of Bharat Ratna Dhondo Keshav Karve-]had formed a trust to promote education amongst girls and boys of backward classes. Helped widows to remarry. His grandfather donated lands to construct schools, hospitals, temples and dharmashalas in Sangli, Satara and Kolhapur districts. His father Bapusaheb continued the legacy

and was a close associate of Karmaveer Bhaurao Patil - founder of Rayat Education Society, an institution which promoted education in lower strata and backward classes. He founded a residential school for them in Vagyaniwada at Ashta Dist. Sangli and later donated land where a school building and hostel were constructed. In this very school Justice Vagyani took his primary and secondary education. He was scholar-good orator, knew many languages including Sanskrit. After completing graduation from Sangli, He was invited by Principal T.K.Tope to join Govt Law College in Mumbai, which for some reason, he could not. He however joined IES college at Pune and completed his law in 1965. Inspired by his uncle Late Annasaheb who was a civil judge in British regime, Justice BB Vagyani practiced as a lawyer for some time. He was selected as Civil Judge, Junior Division and Judicial Magistrate first class and as mentioned by my lord the Chief Justice, had a long innings in judiciary culminating as a high court judge and thereafter president of Maharashtra State Consumer Disputes redressal commission, Mumbai. After retirement he did some matters as an arbitrator in Mumbai but his matrubhoomi was calling him and he shifted to his native place Ashta and Sangli involving himself in agricultural activities and doing selfless social work in Sangli, Satara, Kolhapur and Marathawada Region. He became so popular that locals of all ages fondly called him Judge-kaka. He actively guided his cousins and nephews in management of Credit Cooperative Agricultural Society and Cooperative Bank established by his father-which can boast of record nil NPAs. He was actively involved in development and management of the school at Ashta where he made sure that no child from his village or nearby villages was deprived of education. He funded the school with the best infrastructure like library, E-library, Computers, Laptops, Internet and School Buses etc. He started a study circle where young children are prepared for competitive exams. Many students have successfully cracked exams to become Dy Collectors, Dy SPs, Sales tax Officers, Tehsildars and one of the candidate has become an IAS officer as well. He started Lokmanya Bazaar, in which under one roof all daily needs are available to students and backward classes at concessional rates. He guided and encouraged Lokmanya Cooperative Bank to establish a branch where, from account holders to the entire staff of the bank all are women. While visiting his daughter in USA he saw a senior citizen facility there and inspired by that established a Senior Citizen Centre at village Ashta where senior citizens do

various activities. He gave speeches on various subjects of law, History, Religion, philosophy, vedas and upnishads and audiences were always spellbound, not only by his oratory skills, but his deep knowledge of the subject as well. He authored many articles and books. His last book Dandniti cha Itihaas, Vidhi Ved ani Bal Ghunegar was acclaimed by jurists, par-liamentarians and academicians alike. His explanation for not writing in English was that let common man read and understand intricacies of subject and law and let some-one translate it. His book on "Life after Death" remained partly written which he intend-ed to complete and release in August but his illness and ultimate Death won the race telling us that his life is like an open book, so much to learn, so much inspiration to take. He lived his life as per the tenets of Jainism of Ahmisa, Satya, Asteya and Aparigraha. I associate myself with the sentiments expressed and tribute paid by my lord the Chief Justice and previous speakers. On behalf of myself and Bombay Bar Association I extend my heartfelt condolences to his son Abhinandan who is a lawyer practicing in our court and other family members of Justice Vagyani. The earth is poorer by departure of Justice Vagyani a god loving, kind hearted, soft spoken, cultured and gentle human being. He truly lived by the motto: " Live your life in a way that even death couldn't surpass it. People should miss you in this good memories and remember you even after your death. that would be the day when life had a meaning and death had a reminiscence."

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ADDRESS BY SHRI SANJEEV P. KADAM,
PRESIDENT, ADVOCATES' ASSOCIATION OF WESTERN INDIA,
AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI,
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Members of the Registry and the staff.

Ladies and Gentlemen,

Today we have assembled here to pay homage to Late Justice Bhalchandra Bapusaheb Vagyani. I had privilege to be neighbor of Justice Vagyani when he resided as my next door neighbor in Mahavir Towers, Worli, Mumbai. He resided with his family including his wife, his advocate son and our member Shri Abhinandan Vagyani, Ex. Govt. Pleader, Writ Cell, High Court, Mumbai, his daughter in law Adv. Mrs. Deepa Vagyani. Justice Vagyani had special relation with my native district Satara as he was initially posted at my

Taluka Court, Koregaon in the year 1970 and later on as Addl. District and Sessions Judge at my district place Satara in the year 1985.

Apart from his judicial acumen he still remembered as a founder of officer's club at Satara which is developed with all infrastructural facilities including badminton court, lawn tennis court as well as a swimming pool. Justice Vagyani was voracious reader having a great library including various books on ancient laws, Vedas, religion etc. He used to deliver lectures not only on law but also on History, philosophy and religion.

A scholar in Sanskrit and Prakrut languages he was a great orator and used to deliver lectures to different sections of society. His speeches and articles were highly appreciated by scholars and were published in different journals, magazines and news papers. He used to sing a typical Marathi patriotic song referred as "powada", a poem on the life of Chhatrapati Shivaji Maharaj and therefore was very popular amongst the rural audience also. Justice Vagyani is also remembered for a practice started by him of appointing junior advocates instead of nazars as Court Commissioners to execute the Court orders which helped such junior advocates to a large extent. Justice Vagyani is also pioneer of the lecture series conducted by Satara District Court Bar Association every year at Mahabaleshwar, which tradition has continued till date. Many Hon'ble Judges of this Hon'ble Court, Senior Counsels have delivered lectures in the said lecture series.

Justice Vagyani comes from a family of Inaamdar's from Ashta, Sangli District which has contributed to a large extent in the field of Education in western Maharashtra. His family had close relations with Maharshi Karve as well as Karmaveer Bhaurao Patil, founder of Rayat Shikshan Sanstha, one of the largest educational trust in Asia. Justice Vagyani's family had generously donated lands at Sangli, Satara and Kolhapur to start schools by Rayat Shikshan Sanstha. In fact, the first boarding school of Rayat Shikshan Sanstha was started in Vagyani Wada, house of Vagyani family at Ashta to accommodate children of agriculturist and downtrodden strata of the society.

Justice Vagyani in fact studied in the high school for which 4 acres land was donated by his father for high school and hostel at Ashta. A graduate in Arts from Wellington College, Sangli and law graduate from ILS Law College, Pune, he was best in his academics.

After being retired from this Hon'ble High Court on June 02, 2004, he was appointed as President, College Tribunal of Pune, Kolhapur and Solapur Universities. In 2005 he was appointed as President of Maharashtra State Consumer Disputes Redressal Commission, Mumbai. He worked in that capacity till 2009 and thereafter retired from all the judicial assignments and settled at his native place involving himself field of Agriculture, Education, Co-operative banking etc.

On 03.08.2021 it was a shocking news to know that Justice Vagyani has left for heavenly abode. By his departure it is a great loss not only for the family, legal fraternity but also for the society as he was a great follower of principles of Mahatma Gandhi.

On behalf of Advocates Association of Western India I offer my heartfelt condolences to my friend Abhinandan, Deepa, Smt. Vagyani and whole Vagyani family. May his soul rest in peace.

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**ADDRESS BY SHRI KAIWAN KALYANIWALLA,
PRESIDENT, THE BOMBAY INCORPORATED LAW SOCIETY,
AT THE FULL COURT REFERENCE IN THE MEMORY OF
LATE SHRI JUSTICE BHALCHANDRA B. VAGYANI,
FORMER JUDGE OF THE BOMBAY HIGH COURT,
ON SEPTEMBER 14, 2021 AT 10.00 A.M. IN ROOM NO.46,
CENTRAL COURT HALL, MAIN BUILDING,
HIGH COURT, BOMBAY.**

The Hon'ble Chief Justice,

Hon'ble Judges of this Court,

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

**Shri Ashutosh A. Kumbhakoni,
Advocate General of Maharashtra,**

**Shri Vitthal Konde-Deshmukh,
Member and former Chairman,
Bar Council of Maharashtra & Goa,**

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

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

The members of the Vagyani family,

Esteemed Senior Advocates and other learned members of the Bar,

Members of the Registry and the staff.

Ladies and Gentlemen,

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 Bhalchandra Vagyani hailed from Sangli where he practiced as a civil and criminal lawyer. His career in the judicial service commenced in 1970 as a District Judge and spanned for a period of 34 years when he retired as a Judge of the Bombay High Court. Justice Vagyani's seven year tenure as a High Court Judge saw him deliver judgments which have stood the test of time. Post his

retirement as a High Court Judge, Justice Vagyani continued serving the cause of justice as the President of the Consumer Disputes Redressal Commission of the State of Maharashtra.

Justice Vagyani will be remembered by the Bar not only as a firm and forthright Judge but also as a fine gentleman.

On behalf of the Bombay Incorporated Law Society, I express condolences on the sad demise of Justice Bhalchandra Vagyani.

May his soul rest in peace.

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