

**REFERENCE SPEECH BY HON'BLE MR. JUSTICE GOVIND
MATHUR ON 01.05.2015 TO MOURN SAD DEMISE OF
HON'BLE MR. JUSTICE MILAP CHAND JAIN, FORMER
JUDGE OF RAJASTHAN HIGH COURT, WHO PASSED AWAY
ON 29th APRIL, 2015.**

My esteemed colleagues on the Bench,

Dr. (Shri) P.S.Bhati, Additional Advocate General,

Shri Rajesh Panwar, Vice Chairman, Bar Council of Rajasthan,

Shri Ranjeet Joshi, President, Rajasthan High Court Advocates'
Association,

Shri Dalip Singh Rajvi, President, Rajasthan High Court Lawyers'
Association,

Learned Senior Advocates,

Members of the Bar,

Members of the Rajasthan Judicial Service and Officers of the
Registry,

Ladies and Gentlemen.

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We assembled here to pay homage to an icon, a
cattellist and a phenomenon who with his deep knowledge of
law, society and principles of governance gave a sharp edge to
the justice delivery system, a person who strengthened faith of
common people in our Constitution and the system of
governance adopted thereunder.

Born on July 21, 1929, Hon'ble Mr. Justice Milap Chand Jain, after his early education at Sambhar, came to Ajmer for further studies. In his young days Justice Jain participated in left oriented student politics. After obtaining degree in law he joined Bar as Advocate of the Rajasthan High Court in the year 1953 and as an Advocate of Supreme Court in the year 1957. He practiced in civil, criminal and revenue cases at Ajmer, Jaipur and Jodhpur. He has had a distinguished career as advocate and also as a person vigilant and committed to peoples rights. A fine blend of law knowing person and a person committed to democratic values developed him as a crusader for protecting all rights of toiling masses.

After practicing for about 17 years he joined Rajasthan Higher Judicial Service and was appointed as Additional District and Sessions Judge on April 6, 1970. Immediately after completion of the period of probation he was posted as District and Sessions Judge.

In the age of 49 years, on June 15, 1978, he was appointed as an Additional Judge, Rajasthan High Court and was made permanent Judge on November 23, 1978.

As a Judge of this Court he delivered most decisive judgments in every field of law including Election Petitions, Company Petitions, Constitutional matters, Division Bench Criminal matters etc.

Justice M.C.Jain was known for delivering judgments as quick as possible. He pronounced judgment in the Election Petition of Shri Anand Purohit v. Biradmal Singhvi on the day next to completion of arguments. Justice M.C.Jain remained Acting Chief Justice of Rajasthan High Court from 23.5.1989 to 14.4.1990 and Acting Governor of the State of Rajasthan from 3.2.1990 to 14.2.1990. I am fortunate enough to have him as a precious guest in marriage of my sister on 4.2.1990, the day next he became Governor of the State.

Popularity of Hon'ble Justice M.C.Jain among the lawyers community can well be judged by the fact that on 11.1.1990 Hon'ble Mr. Justice S.C.Agarwal, the second puisne Judge of this Court was appointed as Judge of the Supreme Court of India. The lawyer community of the entire State while welcoming elevation of Justice Agarwal found ignorance of Justice Jain unjust, hence proceeded on strike for indefinite period with only one demand that is to elevate Justice M.C.Jain

as Chief Justice of High Court. Hon'ble Justice M.C.Jain, ultimately was appointed as Chief Justice of Delhi High Court on 28.11.1990 and retired from that office on 21.7.1991.

Those were the days of turbulence, Shri Rajeev Gandhi was assassinated at Sriperumbudur during election campaign in the month of May, 1991. On 23.8.1991, Justice M.C.Jain Commission was set up to examine conspiracy aspect in the assassination of Shri Rajeev Gandhi and Justice Jain did his best to accomplish the task assigned, but unfortunate premature leakage of the report of the Commission became a big political issue.

Justice Jain was also a member of Indian Council of Arbitration and he tried several arbitration cases.

Friends, as young lawyer, I, and all my other contemporary lawyers were frequently appearing before Hon'ble Justice M.C.Jain. He always encouraged young lawyers and only because of Justice Jain and the Judges alike a generation of advocates acquired shape and eminence in the field of law. Whenever I remember my young days in legal profession, Justice M.C.Jain is the first Judge who appears on the surface of my memory. I always admired his way of judging issues by

giving patience hearing, objective examination of facts and quick arrival on a conclusion.

From last few months Justice Jain was not well. He suffered a brain stroke also and ultimately left this world on 29th April, 2015.

His death is a great loss to the lawyers fraternity, but all human beings are mortals. Death is inevitable and none escape from it. Every soul shall taste death. All that is on earth shall perish. The demise of Justice Jain is yet another reminder to us that death is divinely with ultimate reality. All humans are having transient existence with short stay in the world, however, we believe that death is not an end of everything, it is only the beginning of another life – eternal life.

At the sad moment, I on my behalf and on behalf of my colleagues convey our heartfelt condolences to Mrs. Ratan Jain, wife of Justice Jain and all his children and other members of the bereaved family. His son Shri Mridul Jain is a practicing lawyer of this Court. Memory of Justice Jain shall remain alive with him.

-6-

May the family members of Justice Jain have courage and patience to bear this irreparable loss.

May the departed soul rests in peace.

Thanking you Ladies and Gentlemen for joining us on this occasion and sharing our grief.

(GOVIND MATHUR)