

Reference Speech by Hon'ble Mr.Justice S.S.Shinde, Chief Justice, Rajasthan High Court, Jodhpur on the eve of retirement on 1<sup>st</sup> August, 2022.

1. Hon'ble Mr.Justice M.M.Shrivastava,  
Acting Chief Justice designate
2. My Esteemed Colleagues on the Bench,
3. Shri M.S. Singhvi,  
learned Advocate General and his entire team.
4. Shri Sunil Beniwal,  
Chairman, Bar Council of Rajasthan  
and other members of Bar Council of Rajasthan.
5. Shri Nathu Singh Rathore,  
President, Rajasthan High Court Advocates Association,  
Jodhpur and other office bearers of said Association.
6. Shri Ravi Bhansali,  
President, Rajasthan High Court Lawyers Association,  
Jodhpur  
and other office bearers of said Association
7. Mrs. Nidhi Khandelwal,  
Vice President, Rajasthan High Court Bar Association, Jaipur.  
and other office bearers of said Association
8. Shri Kamal Kishore Sharma  
President,  
The Jaipur Bar Association, Jaipur  
and other office bearers of said Association
9. Learned Senior Advocates
10. Learned Members of the Bar
11. Members of Judicial Service and officers of the Registry.
12. My wife and daughter
13. Respected Bhabhijis present here
14. PS/PAs from Aurangabad
15. Ladies & Gentlemen.

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Today, after rendering more than 14 years of service to the temple of justice, I would be retiring as Chief Justice with

utmost satisfaction as whatever I did, it was for betterment of the judiciary, living like a hermit and working like a horse.

At the outset, I am extremely grateful and feel honoured for the kind and humble words spoken so highly with magnanimity and generosity highlighting my performance, virtues and abilities with extra glitter. I sincerely convey my gratitude and heartiest thanks to the speakers for the compliments and sentiments expressed so graciously and benevolently.

Rajasthan '*The Land of the Kingdom*' is the largest State of India by area and is synonymous to heroism, royalty and honour. It is blessed with unique vibrant culture, colourful regions, stunning palaces, massive forts, monuments, lakes, deserts, wildlife sanctuaries and warm people. From its royalty oozing cities to vibrant festivals underlining its lively cultures, Rajasthan is a dream destination of every human being seeking a luxurious experience. The Rajasthan in-fact is the priceless jewel in the crown of India. Saying "*Khamma Ghani*" has the beauty which never betrays and it is deeply rooted in humility and Rajasthan's culture of hospitality. "*Padharo Mahrey Des*" means to welcome to our land and invites to unravel its opulence and unbeatable grandeur. Jaipur, which is renowned as "Pink City" is the capital of Rajasthan and Jodhpur, which is popularly known as "Sun City", is the capital of the Rajasthan judiciary. I had heard about the hospitality of the gracious people of Rajasthan in general and Jodhpur and Jaipur in particular and Almighty provided me a chance to experience it. When I came here as Chief Justice, I was extended a warm, graceful and affectionate welcome. I was deeply touched and overwhelmed by the

humbleness, submissiveness and kindness shown by all persons whom I met. I will never ever forget such kind of hospitality.

With the blessings of God, my grand father, who was devotee of Lord "Vitthal", my parents and best wishes of the persons associated with the legal profession and common citizens of the State of Maharashtra and Goa and State of Rajasthan and due to my devotion in profession, I became the Judge of the Bombay High Court on 17<sup>th</sup> March, 2008 and thereafter, was appointed as the Chief Justice of the Rajasthan High Court on 21<sup>st</sup> June, 2022.

Maharashtra, a land of Marathas and Marathi speaking people and wealthiest State, is one of India's largest commercial and industrial centres, which has led to its being called the "*Gateway of India*". It has a long history of Marathi Saints in the Warkari religious movement like Dnyaneshwar, Namdev, Chokhamela, Eknath and Tukaram, which was the foundation of Maharashtra or Marathi culture. Maharashtra is naturally a beautiful lively place with the arabian sea on its western coast and its dominant physical features divide it into three distinct regions: the Konkan coast; the mountainous Sahyadri Range; and the "Desh" Deccan plateau. The State is home to four UNESCO World Heritage Sites: Ajanta, Ellora and Elephanta Caves and the Chatrapati Shivaji Maharaj Terminus (formerly Victoria Terminus). The State comprises of many well known destinations from the blur of lights that is Mumbai to the historic city that is Kolhapur. Great legends like Raja Shivchatrapati, Mahatma Jyotiba Phule, Dr.B.R.Ambedkar, Shahu Maharaj, Bal Gangadhar Tilak, Gopal Krishna Gokhale were born here. Some of the temples are over 1000 years old. Amongst

others, most important temples are Lord Vitthal at Pandharpur, Shirdi Sai Baba, Ashtavinayaka temple of Lord Ganesha and Jyotirlingas (Bhimashankar, Trimbakeshwar and Grishneshwar).

Mumbai, which is one of the most populous and cosmopolitan and biggest cities of Maharashtra and India as well and popular as the entertainment and financial capital, is fondly called as the "City of Dreams" or "Mayanagri". It is also a city with strong historical links, wonderful British architecture, museums, beaches, places of worship etc. Aurangabad, which is a popular tourism hub, is known as "city of gates". Nagpur, which is a tiger capital of India and sub-capital or winter capital of Maharashtra, is also known as "orange city of India". Pune holds the status of the cultural capital of Maharashtra. It is Bastion of Maharashtrian culture and hosts amazing aesthetic festivals like Ganesha Chaturthi & Janamashtmi. The famous Dagdu Seth Ganapathi Temple in the city is one of the most popular religious places in India. It is widely regarded to be the second major IT hub and the most important automobile and manufacturing hub in India.

Jalgaon and other adjoining districts are famous for production of banana and Nasik is famous for grapes and is also known as the grape capital of India. Alphonso Mangoes of Ratnagiri is very famous across the country. It is renowned for production of mangoes called hapus. Marathawada is renowned for 'Keshar' mango. Mahabaleshwar, which is hill station, is famous for strawberries.

Goa, which is renowned as the Pearl of the orient and tourist paradise, is located in India's coastal belt on the western called the Konkan coast. Its territory is bathed by two great rivers,

namely, the Mandovi and Zuari. It has an alarming scenic beauty. The real essence of Goa lies in its rich history, unique culture and the original natural beauty. There is traditional mixture of Portuguese and Goa which offers a unique feature to witness a pure blend of Portuguese and goan culture in architecture of villas, forts houses and churches.

It is noteworthy that the Bombay High Court, which is one of the three High Courts in India established at the Presidency Towns by Letters patent granted by Queen Victoria, enjoys high esteem, reverence and prominent place in the Indian judiciary. The multi-talented and versatile personalities like Sardar Vallabhbhai Patel, Dr.B.R.Ambedkar, N.A.Palkhiwala and even Mahatma Gandhi practiced law in Bombay High Court at some point or the other. A galaxy of eminent legal luminaries were produced by the Bar and Bench, who not only adorned the Bombay High Court, but became Chief Justices of various High Courts, Judges of the Supreme Court of India and even Chief Justice of India. It is really a matter of pride for me to be appointed as the Judge of such a premier institution, which in-fact is my legal Janmabhumi.

As a Judge of the Bombay High Court, I shared the Division Benches with various Chief Justices and seniormost puisne Judges, who were symbol of commitment, humility, wisdom, erudition, monumental patience and uprightness and sitting with such great visionary, towering personality and legal wizard, I have learnt a lot. Apart from sitting singly, I also presided over the Division Benches and Full Benches, besides being part of some of the Full Benches. All my benchmates provided me immense

strength and courage in performing my duties. On this occasion, I respectfully remember them and convey my heartiest thanks to them for extending their fullest support, assistance and cooperation in discharging my judicial functions smoothly and efficiently.

During the span of more than 14 years in the justice delivery system, I have seen the joys and pains in the eyes of litigants, who reached the Court in search of justice, which may be delayed but never denied. I always treated the Court as a temple of justice and discharged my pious duties to the best of my abilities and responsibilities maintaining high standards, discipline and decorum in the Court. I feel pleasure in saying that in our Court, no litigant has ever gone saying that justice has not been done, rather even the losing side used to say that real and complete justice has been done. I always administered justice keeping in mind the Judge's prayer: "Give me grace to hear patiently, to consider diligently, to understand rightly and to decide justly. Grant me due sense of humility, that I may not be misled by my willfulness, vanity or egotism". Besides protecting constitutional values and upholding judicial independence and rule of law, my endeavour has always been to ensure speedy justice to all, especially downtrodden, under-privileged and weaker sections of the society so that the faith and confidence of the public in judiciary is greatly enhanced. In this perspective, I used to often sit in Court beyond court working hours some times till 8.30 PM or exceptionally till 9.00 PM. This was only possible with the support and cooperation of my bench partners, the members of the Bar, which was vibrant and strong having been equipped with so many

able, competent, diligent, proficient, cooperative and eminent lawyers and my staff members who tirelessly worked to assist me.

Coming to the Rajasthan judiciary, it is worthwhile to mention here that Rajasthan High Court, since its establishment, has produced uncounted number of distinguished legal luminaries both on the Bench and the Bar, who have rendered meritorious and commendable services to serve the cause of justice and to develop jurisprudence. It is enjoying a very high position in the hierarchy of the High Courts in the Country. Its reputation and prestige is the fruit of the dedication, sincerity and perseverance of those great lawyers and judges who have practised and advanced the cause of justice. Adorning such a prestigious Institution as its Head is a matter of great honour conferred on me.

During my tenure spanning about 42 days, I presided over the Division Benches on civil and criminal side both at the Principal Seat at Jodhpur and the Bench at Jaipur. It was a glorious and dignified moment for me to preside over the Division Benches as Chief Justice in the newly constructed High Court building equipped with all modern amenities and technologies and looks very beautiful, amazing, attractive, unique and stupendous. The manner in which it is designed and constructed displays a classic grandeur and dignity for the State's highest court. Whosoever enters the building will certainly realize that it is the symbol of "Majesty of the Law" and "umbrella of shelter". The building of the High Court at Jaipur Bench is also magnificent and equipped with all the latest and modern infrastructural and technical facilities including spacious court rooms. There is a museum in the old high court building showcasing important

material including Constitution, original judgments, brief life sketches of the Chief Justices and statues of Judges who were elevated to the Supreme Court.

Besides deciding a number of civil and criminal cases in a short span of time, I visited Nathdwara and Kumbalgarh court premises and upon interaction with the Judicial Officers and President of the Bar Association, I found that relationship between the bar and bench was cordial. I also got the opportunity of doing plantation in the Court premises of Nathdwara. On being asked, the Judicial Officers assured that special attention will be paid on reduction of pendency and old cases would be heard and decided on priority basis. I may point out here that in the High Court I have constituted as many as eight (8) benches for hearing of 30 years old appeals numbering about 622 (more than 500 criminal and about 100 civil cases) and such benches shall continue to work till the disposal of such appeals. I am happy to share that some of old cases have been disposed of by various Benches including the Bench presided over by me.

On 16<sup>th</sup> and 17<sup>th</sup> July, 2022, the 18<sup>th</sup> All India Meet of State Legal Services Authorities was successfully organized at Jaipur under the aegis and guidance of National Legal Services Authority. The Meet was inaugurated by Hon'ble Chief Justice of India and graced by 14 Judges of Supreme Court, 20 Chief Justices and 60 Judges of various High Courts and other delegates, Union Law Minister, Minister of State, Law, Government of India and Chief Minister of Rajasthan. The Meet yielded desired fruitful results for accomplishment of various legal aid schemes and



programmes to ensure and fulfill the vision and goal of free legal aid and access to justice for all especially poor and weaker sections of the society. Action Plan was also prepared by the Rajasthan State Legal Services Authority to accomplish the said vision.

A meeting of the Administrative Committee presided over by me was held on 6.7.2022 in which many important decisions in the interest of administration were taken including transfers and postings of Judicial Officers and for providing benefits to the staff members.

A Full Court meeting in congregation presided over by me was held on 30.7.2022 in which various resolutions were passed for betterment of the institution.

In the discharge of my duties as Chief Justice on judicial as well as administrative side, I was lucky and fortunate enough to receive full support and cooperation from the brother and sister Judges. It was a pleasure to work with them. Apart from doing judicial work, they have also shown keen interest and commitment in performing the administrative works assigned to them. Their esteemed views and valuable guidance helped me to a great extent in deciding complex issues. I shall always remain grateful to them for extending their full cooperation, assistance, encouragement and excellent services.

I may point out here that legal profession is noble one. Since the lawyers possess skills in law besides holding in-depth knowledge in other fields, they are glorified with the title "Learned". I may quote here the seven lamps of advocacy, described by Sir Edward Abbott Parry, a British Judge, namely,

honesty, courage, industry, wit, eloquence, judgment and fellowship. The lawyers should keep in mind these lamps for becoming successful in the legal profession. Being the officers of the Court, the lawyers are part and parcel of the administration of justice. Bench and Bar are the two inextricable wings of the judicial system. They both sink and rise together. One's success is the success of the other and one's failure is the failure of the other. To promote the cause of justice, it is essential that both must work together. While holding court proceedings, I found the members of the Bar of Jodhpur and Jaipur to be very submissive, diligent, intellectual, cooperative and supportive. They assisted me immensely in imparting justice and without their able assistance, I would not have decided the cases with ease and in a healthy atmosphere. The Bars of Jodhpur and Jaipur are reservoir of galaxy of competent, intellectual, skilled and eminent lawyers. I sincerely express my thanks to the members of the Bar for extending support and cooperation in the dispensation of justice. I wish that the Bars, which are full of distinguished and eminent jurists, will continue to shine and flourish and make a mark in the Indian judiciary.

The District Judiciary of Rajasthan is held in high esteem and enjoying a good reputation and prominent position in the country. Despite various difficulties such as shortage of staff and lack of infrastructures, the judicial officers are serving with commitment and dedication and giving their best so as to reduce pendency and produce extremely good results thereby increasing the faith of people in the judiciary.

The Registry of the High Court is also very competent and responsive. Due to paucity of time, it would not be possible for me to mention the names of each and every officer of the registry, but I shall remain grateful to all of them especially Registrar General, Registrar-cum-Principal Secretary, Registrar (Administration) and Registrar (Judicial) for rendering valuable and praiseworthy services.

I place on record the noteworthy and commendable services rendered by my former personal staff at Bombay, Aurangabad and Nagpur and present personal staff attached in Court and residence at Jodhpur and Jaipur. Their assistance was of immense help in discharging my duties as Judge and Chief Justice with ease. I was also impressed by the protocol services provided to me, my family members and other guests, who arrived in Rajasthan.

My parents always taught me to be disciplined, generous, humble and compassionate while discharging whatever duties assigned and their inspiration, guidance and encouragement are the foundation for my entire career and with their grace and blessings, I attained this position of eminence. My wife Smt. Uma shouldered the entire responsibility of managing the family effectively as I was not having sufficient time to pay attention towards my family on account of the onerous duties attached with the office of the Judge. I got fullest support from my wife and daughter Ms. Rutuja and other family members, who never interfered with my judicial functions.

I am successful in my journey because of fullest cooperation of my esteemed sister and brother Judges in the

Bombay High Court and Rajasthan High Court, all Bar Members and their associations, officers and employees of the Registry of both High Courts and also the judicial officers and employees in entire state judiciary and above all, the wishes of citizens of State of Maharashtra and Goa and State of Rajasthan.

Before concluding, I may state here that no person is perfect. I am no exception. I always tried to be calm in my duties. If at all at any point of time, I was harsh to any advocate, especially young advocates, I can only say that I did it in the interest of institution and not otherwise. My sincere apology if I have hurt anybody even remotely. I alongwith my family cheerfully take leave from you treasuring the sweet and fond memories of this High Court and the experience and wealth of knowledge gained here.

It is now the time to say goodbye, but I think goodbyes are sad and I would much rather say Hello. Hello to a new adventure.

Thank you very much to all.

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