

RETIREMENT SPEECH

July 14, 2014

Thank you all for the kind remarks. I am most grateful.

1. My journey to the Supreme Court has been fascinating. It started on a bicycle and ended in Court Hall No. 4. This has given me tremendous satisfaction. But, my decision to join the legal profession was an accident. I actually wanted to be an engineer. I sacrificed that ambition to fulfil my mother's desire to see me an accomplished doctor. Her

choice was driven by practical considerations – she nurtured a large family that often required medical attention. Of course, the fact that the medical profession was highly respected in society was an added consideration. As fate would have it, I failed to secure admission to a medical college and, clichéd though it may sound, I decided that my last option was to read law. Soon after enrolment, my father, who incidentally always wanted me to be a lawyer, took me to Mr. Thakur Prasad, a renowned senior advocate of the Patna High Court. ‘Thakur dada’, as my children called him, decided to test me. He gave me a piece of paper and dictated a few sentences. After seeing what I wrote and being satisfied, he permitted me to join his chamber.

2. My senior's practice was rather strange – he was known as an accomplished criminal lawyer in one part of Bihar and a successful civil lawyer in another. This happy mix gave me excellent training in the fundamentals of both, civil and criminal law. He was also a man of impeccable integrity, who truly believed that work was worship and tried to instil that ethic in every member of his chamber. Consequently, as every senior does, Mr. Thakur Prasad shaped my career and whatever I have achieved thus far is a result of his keen interest in my professional pursuits. Words cannot describe the gratitude I will always have for him, though he is not with me today.

3. As a judge serving at our Nation's highest court I have had as much opportunity to follow precedent, as to create it. However, I was forever conscious that my words would be binding law for the entire country, and, as the final arbiter of the fate of millions, I had the responsibility of not only deciding the case at hand, but also anticipating the potential impact of a case on the rest of the citizens of our country; an overwhelming majority of whom may not even have the resources or the means to petition this Court. Being part of this unique institution has therefore been an experience like none other.

4. In my time here, I tried to live by the simple rule that has guided me throughout 41 years that I have spent in the legal profession – to give my very best in every case before me. This mantra has held me in good stead whether as a lawyer winning some cases and losing many, or as a judge whose decisions were invariably bound to disappoint a party. It is my firm belief – as I am sure it is of every member of the profession – that a litigant must never go home thinking he got less than a fair deal from his lawyer or the judge.
5. Over the years, however, my professional commitments have left me precious little time to share with my family and friends. Needless to say, this never prevented them

from extending unwavering support all through these years and the night will fall short if I was to thank each one of them. My wife and children deserve a special mention. My wife never made any demands when I was a struggling lawyer. In fact, it was *she* who worked to look after our family and it was *her* monthly salary that gave me the strength to overcome the particularly turbulent times that I faced early in my career. My children on the other hand grew up seeing me spend most days in my chambers and adjusted their lives to meet my schedule. As every judge who has stood before me at this podium will attest to, the chance to spend the rest of one's days with family and friends more than fills the great

void that one feels when the profession is no longer the preoccupation in life.

6. My sincere thanks also extend to members of the Supreme Court Registry, my law clerks and my staff both, past and present. Their untiring efforts helped me discharge my judicial duties to the best of my ability and many of them functioned as part of my family.

7. Before I leave you, I must briefly highlight one practice that has particularly troubled me as a judge of this Court and of the High Courts. I suppose I could have found a more suitable occasion to dwell on what I am about to say, but, in my experience, a

farewell speech is always a great event to give some parting advice. I have often noticed that cases involving death sentences seldom attract the attention of the senior members of our Bar. I emphasise this area of law because death sentence cases are some of the grimmest cases that a judge is asked to handle during his tenure on the Bench. A death reference calls upon the judge to decide whether a fellow human being must live or die – a power that some say only the Almighty must exercise. A lawyer's inexperience in such cases can therefore be fatal. It is here that skill, knowledge, forensic ability and acumen really count and the senior advocates of our Courts have that in abundance. I therefore urge the senior

members of our Bar to voluntarily take on more such cases, particularly because most litigants in such cases can hardly afford their services, so that no innocent man or woman is wrongly sent to the gallows.

8. While I have the chance, I also have a few words of advice for the young members of the Bar. This profession is not easy. Besides facing intense competition, you have to stay up working late night after night; often missing out on your children's school functions and trying to accommodate your spouse as best as you can in the little time at your disposal. It involves a lot of sacrifice and while it is never possible to compensate that fully, one must make it worthwhile.

Take a keen interest in your professional development, get your basics right and embellish it with the finer points of law. Many young lawyers have argued before me. I found a number of them to be excellent advocates with a bright future. One thing I can say with confidence that if you are committed to the profession, it will never let you down. You are bound to succeed, it may come late in few cases, but it will come.

9. With this, I thank you all for your time and your kind words of appreciation. I wish each one of you the very best in life and in the years that you spend at this great institution.
