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FAREWELL SPEECH DELIVERED BY HON'BLE MR. JUSTICE MOHAMMAD RAFIQ, JUDGE, ON THE EVE OF TRANSFER OF HON'BLE MR. JUSTICE PRADEEP NANDRAJOG, THE CHIEF JUSTICE, RAJASTHAN HIGH COURT

Hon'ble Mr. Justice Pradeep Nandrajog, the Chief Justice  
My esteemed Brothers on the Bench  
Mr. M.S. Singhvi, the Advocate General, State of Rajasthan  
Mr. Chiranji Lal Saini, Chairman, the Bar Council of Rajasthan,  
Mr. Ranjeet Joshi, President, Rajasthan High Court Advocates Association, Jodhpur  
Mr. Sunil Joshi, President, Rajasthan High Court Lawyers Association, Jodhpur  
Learned Senior Advocates  
Learned Members of the Bar  
The Registrar General and other Members of the Registry  
Ladies and Gentlemen

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We have assembled in this Court hall today to bid farewell to the illustrious Chief Justice of this Court - Hon'ble Mr. Justice Pradeep Nandrajog, on the even of his transfer to Bombay High Court. He was born on 24th February, 1958 as the third child to Mr. Justice Prithvi Raj and Shrimati Urmila Devi. Justice Nandrajog had his schooling from Auckland House School and St. Edward's School, Shimla.

Mr. Justice Prithvi Raj, father of Justice Nandrajog, was a leading lawyer at Shimla. On elevation of Mr. Justice Prithvi Raj as a Judge of Delhi High Court in the year 1970, the family shifted to Delhi. Justice Nandrajog graduated in

Chemistry from University of Delhi in the year 1978. And three years later, in the year 1981, he obtained the Bachelor's Degree in Law from Delhi University. He got himself enrolled as an Advocate with the Bar Council of Delhi in that very year. Soon he made a mark at the Bar. He picked up large practice in various branches of law, especially, Constitutional, Arbitration, Commercial, Service, Election, Land Revenue and Corporate Laws.

After an outstanding career as a lawyer for almost 21 years, Justice Nandrajog was elevated as an Additional Judge of Delhi High Court on 20th December, 2002. He then became a Permanent Judge of that Court on 16th April, 2004. He was elevated as Chief Justice of this Court on 2nd April, 2017.

Justice Nandrajog has always remained firm in his beliefs and true to the oath of his office. This has earned him immense respect from the Bench and the Bar alike. His distinguished career of 17 years as a Judge of Delhi High Court and Chief Justice of this Court is marked by landmark judgments almost on all branches of law. His concern on varied nature of issues affecting the society at large is reflected from his judgments, a few of which, I shall mention presently:

(1) In **State Vs. Mohd. Afzal**, the famous Parliament Attack Case, speaking for the Court, he observed and I quote,

“Every criminal trial is a voyage of discovery in which truth is the quest.....”

He then further wrote that the attack on Parliament, when it was in session, was attack on the sovereignty of the country.

(2) In **Neelam Katara Vs. Union of India, (2013) SCC Online Del 952**, emphasizing on the need of having a witness protection scheme in place, he said and I quote,

“The edifice of administration of justice is based upon witness coming forward and deposing without fear or favour, without intimidation or allurement in Courts of Law. If witnesses are deposing under fear or intimidation or for favour or allurement, the foundation of administration of justice not only gets weakened, but in cases it may even gets obliterated.”

(3) In **Department of Electronic and Information Technology Vs. Stat India Pvt. Ltd., R.P. 131/2016**, Justice Pradeep Nandrajog authored a judgment by which the High Court ordered blocking of 73 “pirate” websites.

(4) In **Pradeep Vs. State, CRL.A. 1139/2014**, expressing his anguish on murder of the wives in large

number of cases in matrimonial houses, Justice Nandrajog speaking for the Court, lamented that,

"In India, for the reason we find that the every tenth murder appeal we are hearing has the husband before us as the convicted accused. The victim is the wife. The place of the crime is the matrimonial house. The other nine out of ten murder appeals which we are dealing with has the place of the crime outside the house and the victim is a male. It appears that married women in India are safer on the street than in their matrimonial homes."

(5) In **Manoj Vs. U.O.I., W.P. (C) 11979/2015**, dealing with a case where appointment on the post of Constable was denied to a youth for his juvenile delinquency, he observed and I quote,

"Life is too precious to be staked over petty incidents and the cruel result of conviction for petty offences being the end of the career, the future and the present of young and inexperienced persons cannot blast their life and their dreams."

(6) In **Ram Shukla Vs. Union of India, W.P. (C) 9357/2014**, where the petitioner was denied gallantry award for his services in the defence forces, his observations are in tune with the present day mood of the nation and I quote,

"Society owes a debt of gratitude to the brave. A nation which honours the sacrifice and bravery honours itself. By acknowledging and endorsing acts of bravery, sacrifice and exemplary devotion to

duty a nation fosters and encourages similar acts from its citizens and sets high standards of conduct in public affairs. A brave soldier needs to be recognized for his commitment to serve the nation with dignity and honour. It would indeed be a betrayal by the society if a soldier deserving a gallantry is denied the same. A right created must requires its due redemption."

(7) One would find witticism too in his judgments. In **M/s. Hindustan Construction Co. Vs. National Highway Authority of India (FAO (OS) 402/201 decided on 24.02.2016**, highlighting the need of having brief and focused arbitration awards, he wrote and I quote:-

"The majority award is fairly lengthy and written by men with non-legal background and this has a fair amount of diffusion of thoughts, and to a reader does cause some degree of discomfort and one gets the feeling of being taken around the forest and have an experience akin to the one on a Safari on a tiger sighting."

We have had in Justice Nandrajog a chief justice made of a different mettle. When we would meet separately in a group of three or four judges, we would describe him a philosopher Judge. Highly well read, his knowledge on different subjects is vast, which anyone in his company even for a short while would not fail to acknowledge. His photographic memory never fails him. He is a man of learning with a definite vision of life. Being in his company

is always an opportunity to learn something new. I would not be wrong if I say, spending time with him is a treat to one's mental faculties. Whatever time each one of us spent with him, alone or in group, we always found him relating either reference to literary thoughts or anecdotes about courts or lessons of life.

What has impressed us all about his personality is rock-solid self confidence and forthrightness that make him stay calm through adversities, which has been a source of inspiration for all of us. In his tenure as Chief Justice of this Court for two years, he has endeared to us all. Norm of events like these is to say we will miss you but in your case Chief, we say, you will always remain present in our hearts. You will always be remembered for your limitless store of wisdom, your vast treasure of knowledge, your perseverance, your erudition and your patience.

Ralph Wadlo Emerson said and I quote:-

"Life is a journey, not a destination"

Change is rule of life. People come and go. No one is eternal. No individual is permanent here, only institutions are permanent. But there come certain such persons whose contribution brings glory to the institution and whose name

is permanently ingrained in its annals. Here today in the parting of Justice Nandrajog, we have a person like this.

To quote the words of Semisonic "Every new beginning comes from some other beginning's end." The beginning that he made in this Court in 2017 comes to an end but he shall be now making a new beginning in Bombay High Court.

We are saddened by our loss which will definitely be gain of Bombay High Court. But we find solace in the fact that he is going to a premier High Court which is historically known as a Chartered High Court. I would end by reciting a couplet of the famous poet Wasim Barelvi, which is so apt:-

“जहाँ रहेगा वहीं रोशनी लुटाएगा,  
किसी चराग का अपना मकां नहीं होता।”

We all wish him a wonderful journey ahead, a meaningful, healthy and happy life.

THANK YOU.

(MOHAMMAD RAFIQ),J.