

Address by

**HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA**  
on his retirement as Judge of Rajasthan High Court  
on 30/05/2019

1. Hon'ble Mr. Justice Ajay Rastogi & Madam Madhulika Ji
2. Mr. Justice S. Ravindra Bhat, Hon'ble the Chief Justice
3. My Esteemed Colleagues on the Bench.
4. Brother Deepankar Dutta, Judge, Calcutta High Court &  
Bauma Juma Ji
5. Brother Joymala Bagchi, Judge, Calcutta High Court
6. My Seniors who earlier adorned Bench of this Court and  
whose fraternity I am going to join soon.
7. My Bhabhis who have especially come to attend this  
Reference.
8. Mr. Mahendra Singh Singhvi  
Advocate General, State of Rajasthan
9. Mr. Chiranji Lal Saini  
The Chairman, Bar Council of Rajasthan, Jaipur.
10. Mr. Anil Upman  
President, Rajasthan High Court Bar Association, Jaipur.
11. Mr. Rajesh Karnal  
President, The Jaipur Bar Association, Jaipur.
12. Senior Advocates & Members of the Bar
13. Members of Judicial Services & Officers of the Registry.
14. Friends and Members of Family
15. Respected Ladies & Gentlemen

REFERENCE SPEECH

*'Hukum Khamaghani', 'Hukum Dhok De Rio Hu', 'Mehinder Sa Mujro Sa'* these idioms have become part of my life. I have learnt *'Rama Shyama', 'Manvar'* of Marwar. *Ker Sangri, Dal Bati Churma, Mirchi-Bada, Kota Kaachori, Mishri Mawa* have become part of my food habit. Instead of taking food now I do *'Jimana'*. I have acquired bluntness of Bharatpur, Pani of Chambal has made me withstand rough and tough of life. In last six years I have been part of numerous *'Sawamani'* at various temples more at *'Khole Ke Hanumanji'*. I have attended ceremonies of birth, marriage anniversaries, birthdays and *'baithak of Tiya'*. I have shared joys and sorrows of life with you. As of today, my heart lies in Rajasthan. Rajasthan flows in my blood and veins and it shall continue to do so in future. May I say in Jodhpuri way - **'MEIN THASO DOOR NAHI'**.

Twenty-five and half years active practice at Bar, eleven and half years on Bench as High Court Judge of three premier high courts of India, I have interacted with stalwarts of Bar and Bench, sparkling young lawyers, persons of great learning both at Bar and Bench. They gave me an insight that whatever office of eminence you may hold, however, wise and profound you may be, it is good to be a humble human being. All these persons have nurtured me, moulded me by showering their goodness upon me in abundance, their pearls of wisdom, wit, sarcasm, humour, anecdotes and quotes have made a small fry like me to evolve as a person, who perceives himself to be man full of life, love and zest but a man of little knowledge.

I seek permission of this house to remember those whose contribution in my life is unique.

Sardar Jaswant Singh Ji Tej my father being son of soldier of erstwhile princely Ahluwalia Kapurthala state, started his life as a clerk, which culminated into Superintendent or Section Officer of a Government Department. He was a man of letters, a rationalist who taught me not to be in awe of men of wealth or high office. He told me rich and mighty are also human beings, stature, wealth are of no consequence, what is important is how you conduct yourself and not who others are. I bow in reverence before him.

Sardar Dara Singh Ji my senior, a man of distinction and achievement, mentored me. He as a friend, guide and philosopher, cultivated my faculty to analyze each and every event of history, occasion and issues which confronted me in course of life. I imbibed from him how to remain grounded, stay close to your roots and not to forget your past or moorings. My शत शत नमन (*Shat Shat Naman*) to Guruvar Sardar Sahib Ji.

15  
In early 1982, I enrolled myself and joined Punjab and Haryana Court Bar Association. At that time, it used to be catalyst of politics and of all events touching both the states of Punjab and Haryana. It was a nerve centre of social and political thought.

I remember, I had less than one year standing at Bar, when I was arguing the matter, the Hon'ble Judge was not agreeing with me. He was belittling me. A designated Senior who later became Judge of Supreme Court stood up and said 'My Lord you are wrong and young boy is right'. I never knew

that senior before, but he encouraged me. Those were the seniors of times of our initial days. I profoundly bow before him today. As a young lawyer, I picked up a fight with a judge hearing my matter. Another designated senior of repute, who also later became judge came and said "*Chhotte Veer judge nal larde nahi, judge nu morde hun*", You don't quarrel with a judge, but you mould him. My tribute to him for teaching me a lesson, which stood in good stead for times to come.

I express my gratitude to all seniors in age and profession, designated or otherwise, who gave me an opportunity to rub shoulders with them, if they lost case to me, they were gracious, if they won they taught me to follow them by being more meticulous. I am also indebted to all young lawyers of my times, who now are professionals of eminence, for briefing and assisting me. It was their hard work, which brought success, but laurels exclusively came to me.

मैं अकेला ही चला था जानिब-ए-मंजिल मगर  
लोग साथ आते गए और कारवां बनता गया

**Mein Akela Hi Chala Tha Janib-e-Manzil Magar  
Log Saath Aate Gaye Aur Karwaan Banta Gayaa...**

Sung, unsung heroes of my life, who toiled and strived for my success are close to my heart. After retirement I am going to be part of their company where gossip will galore with unaccounted cups of tea and coffee.

How can I miss Judges, before whom I had privilege to appear. There were Judges, who thought young boy wearing not good attire, lacking expression and command over language, but overflowing with over-confidence, ought to be encouraged.

They pushed me, to be polished later. I am beholden to them. There were populist judges, who gave relief to all and to me also, which made me earn my bread and butter. I am thankful to them. There were harsh judges, they were hard task masters, they could ridicule counsel, their scathing comments will make you look small in court room, but they were true teachers, who threw challenges, they made young lawyers including me work hard. Today, down memory lane I remember them more, relish those scenes of court to say that they shaped me, nudged me to improve and grow. My gratitude to them shall remain for ever.

For more than three decades being integral part of administration of criminal justice system, today I am a worried man. In the past, death sentence being rarest of rare was awarded once in two years or twice in a year. In year 2019, till month of March alone eight murder references were registered at Jaipur Bench. Are presiding officers of our subordinate courts filled with anger or are they suffering from frustration? My brother Judge being Bench partner shall bear with me that for injuries caused on hands for offence under Section 307 IPC, life imprisonment was awarded. I implore Hon'ble the Chief Justice, brother and Sister Judges to sensitize judges of subordinate judiciary so far sentencing is concerned.

A 'Safe Syndrome' has crept in the lower judiciary, which perceives that it is safe to deny bail or convict accused and leave everything at the doorsteps of High Court. A bail which ought to be granted by the Magistrate is denied upto Sessions Court. It unnecessarily causes explosion of docket. I am sure sister and brother judges led by Hon'ble the Chief Justice

shall empower lower judiciary to grant bail or acquit accused. There should be fairness in the system of criminal administration of justice.

My innings of one year at Calcutta High Court is glorious part of my life. Calcutta High Court Bar, Brother and Sister Judges enriched my thought and changed my outlook. Intellectually stimulating, creative period of life belong to Bengal. I shall always cherish my stay at Calcutta and shall fondly remember my association with Calcutta High Court.

Justice Joymala Bagchi is a learned sage. He is an intellectual genius so is Justice Deepankar Dutta. Bold orders passed by them have often shook people out of slumber. Justice Indira Benerjee is royalty overflowing with compassion. To be their friend is a great honour. I pray I shall continue to cherish their friendship.

Gujarat has a special place in my life. Justice Bela Ji Trivedi was already Judge of this court, when me and Jass arrived, she was residing in same lane, how we became friends and part of her family, depicts her large heartedness. In a mighty ocean, two logs come together (with stroke of wave) they float together for sometime and in due course get separated, such is association of human beings. Thanks to Justice Bela Ji Trivedi for introducing Justice Sonia Gokani and her family, who now are also our family. From Gujarat also came Justice Kalpesh Jhaveri an angel to Jaipur. Association with him is unique. He takes care of me as an elder brother and I hope he will continue to do so. He is one who is born to take

care of everyone. May he live long and be happy. I am obliged to him.

Rajasthan gave a daughter to us, who is lakshmi of our home. Ajay ji and Madhu ji being neighbours became Biyai ji and Biyaanji. Later as Bhai Sahab and Bhabhi Sahiba, now they are family. We are honoured to have them on our side.

Chief Justice Sh. S. Ravindra Bhat is Jamai Raja of Punjab. He is goodness personified. He is an intellectual giant, academician of repute, legal authority and last word in many facets of law. He is jurist of eminence, yet above all, he is a good human being. It is some association of past or *purva karma* on my part that he is here to bid farewell to me. I am privileged Sir, to leave this institution in your hands. May you live long to earn accolades and laurels for this institution and yourself.

Bhabhi Seema Rafiq and Rafiq Saheb with their love for literature and poetry, Parminder Saheb and Sabina Ji are integral part of family. Rashmi Bhabhi and Alok are mental and emotional cushions. Usha ji and Veerendr Da as grace personified, Azad Bhabhi and Mahendra Ji as great human beings are part of us. Pushpa Bhabhi and Prakash Ji are friends upon whom I can always depend upon. Vinita and G.R. Moolchandani Saheb as young members of the family have taken care of us. Mamta and Goverdhan Bardhar are puritans. Vidhi and Pankaj are affectionate. Prerna and Sanjeev Prakash are always hospitable, Indu Bhabhi and Ashok accomplish each other, Renu and Inderjeet Singh are made for each other. They all complete the circle where we have lived life, filled with joy and

happiness. A special thank to all of them. Mala Dhaddha and Narendra are now addition to the judicial fraternity.

Suman Mehta and Sandeep Mehta ji are our support system. Sheetal and Arun ji, Nupur ji and Bhati Saheb, Richa Bhabhi and Dinesh Ji, Deepa Bhabhi and Vinit ji, Sangeeta ji and Manoj ji belong to us. Thanks to them for being with us whenever we needed them.

When I and Jasji my wife came to Jodhpur, Govind ji and Abha Bhabhi took us under their wings. Nirmaljeet Ji was there to take care of us. Thanks to all persons named above for making Rajasthan special and integral part of us.

My friends, relations and family members, present in this assembly, were with me when I took first oath as Judge in December, 2007. They were also present at Jodhpur in April, 2013. They have also come today to take me back to Chandigarh. They continue to be part of my life, whether I hold any office or not, they have always stood by me. As on today they are also here to stand by me and they shall continue to do so in future. Taking name of each one will not discharge my debt towards them. My life after retirement belongs to them.

My staff at home, in chamber, court room, protocol and medical services, people at Registry have looked after me and my family very well. I will dispense taking their names as I have personally expressed my gratitude to each one of them. May they outshine in times to come.

Young members of Bar at Jaipur have great future. I wish and foresee that many of you who appeared before me shall become legal luminaries, judges of eminence in times to

come. You have potential to emerge as stalwarts of Bar and Bench. Today I wish that with hard work, patience and due diligence, you will make us proud and keep the flag of this High Court at top in the judicial fraternity.

I am a man of limitations. My follies are many. Sometime I may have been harsh with you. I hope with magnanimity and benevolence at your command you shall overlook my shortcomings and shall continue to shower warmth love and affection upon me for all times to come.

Allama Iqbal in a couplet said that persons of faith and self confidence are like Surya, they set here to rise there, they set there to rise here. He says-

जहाँ में अहल-ए-इमान सूरत-ए-खुरशिद जीते है।  
इधर डूबे, उधर निकले, उधर डूबे, इधर निकले।

Jahaan Mein Ahle-e-Imaan Soorat-e-Khursheed Jeetay hain.

Idhar Doobey, Udhar Nikley, Udhar Doobey, Idhar Nikley.

As I complete my innings as a Judge, to tread upon a new journey, I seek blessings of you all and pray to you to wish for me that whatever endeavour I may undertake, I may rise to come upto your expectations. May I say GOOD BYE to wish you all the best for times to come.

  
KANWALJIT SINGH AHLUWALIA, J.