

FAREWELL REFERENCE SPEECH

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Esteemed brother Hon'ble Mr. Justice Sanjay Yadav, Senior Judge,
Allahabad High Court,

My sister and brother judges,

My most precious guest, adorable friend and companion Hon'ble
Justice Ajay Rastogi, Judge, Supreme Court of India,

Shri Shashi Prakash Singh, Additional Solicitor General of India,

Shri Raghvendra Singh, Advocate General, State of Uttar Pradesh,

Shri Amrendra Nath Singh, President, High Court Bar Association,

Shri A.D. Saunders, President, Advocates' Association,

Sri Ashok Nigam, Chairman, Elders Committee, Awadh Bar
Association

Learned Senior Advocates at Allahabad and Lucknow,

Other Members of the Bar at Allahabad and Lucknow,

Officers of the Registry,

Ladies and Gentlemen.

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Our hearing buds always wish to taste good sweet words of
praise. Embellished version of your abilities, virtues and qualities gives
us a deep satisfaction. A courtesy thus, developed in Courts too to
applaud performance of a retiring Judge.

Brother Justice Sanjay Yadav and all other respected
representatives of Bar are highly generous in projecting my
performance and abilities with extra glitter.

My humble gratitude to Hon'ble Mr. Justice Sanjay Yadav and revered speakers.

Ladies and gentlemen,

Its time to say good-bye.

Good-bye not to Uttar Pradesh,

Good-bye not to Allahabad or Lucknow.

Good-bye not to any of my friend,

but yes, its time to say good-bye to my constitutional adjudicating authority.

In future, I may have any other authority on this globe but will not have this pious adjudicating authority under the Constitution of India. On being tested COVID-19 positive, unfortunately I lost my precious last five working days, I am attending this ceremony too from my residence. I am not having the opportunity to sit in Court on my last working day. What can be more unfortunate than this?

I had a long tenure as a Judge. I am fortunate to be chosen for appointment as a Judge of Allahabad High Court and then its Chief Justice. It was the year 2010 when I made a request in writing to the President of India through the then Chief Justice of India, Sri S.H. Kapadia to transfer me from my parent High Court. I reiterated my request and that culminated into my transfer to this Court.

On 21st November, 2017, I became Judge of Allahabad High Court, the Court then celebrating its Sesquicentennial year.

On 23rd October, 2018, I was appointed as Acting Chief Justice of this Court and on 14th November, 2018 I occupied the office of Chief Justice. From the day first I noticed great warmth and affection for me among the Judges and members of the Bar at Allahabad as well as Lucknow. In this warmth, I find Allahabad as my home, but the truth is that I have to go to my motherland on completing my tenure as a Judge.

I have invested good 3 years and 5 months on this most loving part of our beloved country and earned most cherishable memories.

Each spring, the petals of the flowers blossom, to decorate the barren and the deserted fields.

The butterflies return. The nights shorten, and the days increase.

Life continues to resolve in set cycles.

Behind the stage, time flies past; and as the clock ticks away, suddenly, one day realization dawns, that you have aged, and it is time for you to move on.

Time has arrived to move on. While moving on, I am having a complete account of my last three and half years, but, I am not entering into the account books as those are to be examined in due course by the Bar and the coming generation of Judges.

While demitting the office, my sole anxiety is that let I be gazed on the scale of my commitment to our constitutional values. Let I be assessed with most strict standards of honesty and integrity. Let I be judged by the eyes of the people demanding justice. If I pass these standards, then only give a space to me in your memory lane.

My dear sister and brother Judges,

My dear members of the Bar,

It is just a matter of chance that I share my date of birthday with Bharat Ratna Dr. Bhimrao Ambedkar. I heard the name of Dr. Bhimrao Ambedkar first time somewhere in 1970's at Bhusawal, Maharashtra, where my "Bua" used to live. One day in an outhouse, where a maid 'Narmada' was residing, I saw a picture of Dr. Ambedkar, who was introduced to me as a God of Gareeb. Since then he is a God of Gareeb for me. I cherish his ideals which are reflected in our constitution.

Ours is a multi class society and our constitution takes care of every segment of people, and when it refers to sovereignty, secularism, socialism and democracy, then the eco in atmosphere is upliftment of poor, dignity to deprived and equal status to every citizen.

We are a part of most reputed and responsible institution. Millions of Indian people are having deep faith in us. It is only the judiciary that can firmly stand for constitutional morality. It is the judiciary that can protect our constitutional values, it can be the most effective tool to carry India as a best place for every living being, being the carrier of justice.

Our constitutional values are not table creation but are the needs noticed after several experiments and long experience. These are the constitutional morals, which are essential to impart justice. These are the standards that make a society civilized. It is said that it was the judiciary that civilized Europe. In the words of Justice Faisal

Arab “take away justice and you take away civilized behaviour from the society”.

Friends, to have a most civilized India, it is our constitutional responsibility to strengthen judiciary. Our constitution provides a strong foundation to have an independent judiciary. To have independent judiciary Judges must remain free of every influence except law. It is not only for Judges but the Lawyers, who are second pillar of the edifice of justice delivery system, must exhibit apposite judicial character. The qualities of integrity, uprightness, patience, open mindedness, understanding, compassion, humility and courtesy are inseparable from the personality of Judges as well as Lawyers.

Fortunately, Allahabad High Court has great traditions. The Judges and Lawyers here are most courteous. They are equipped with all the qualities I just referred. I firmly believe that Allahabad High Court will keep the flag of Indian judiciary high. This Court will always be a premiere institution in protecting constitutional morals and to ensure Indian citizens that it is the rule of law that shall prevail.

While demitting my office, I wish to say that the Allahabad High Court is not only the largest High Court of the country, but is a Court that is dealing with variety of litigations. It is catering the thrust of justice of 1/6th part of population of the country. It is having huge territorial jurisdiction running from Saharanpur to Ballia. This Court, looking to its own specialties and volume, demands an independent road map to streamline judicial work in the State. The policies and plans enacted for other Courts cannot be adopted for this Court.

This Court is mostly criticized for huge pendency of cases. No doubt huge pendency exists, but as a Chief Justice of this Court, I have noticed that disposal of cases in this Court and the courts subordinate to it is much more higher than any other Court in the country. The Judges of subordinate judiciary as well as the Judges of High Court are discharging their duties with great commitment, dedication and honesty. The pendency here is to be compared with influx of cases. In fact looking to the variety and volume of work undertaken, every member of judicial system of Uttar Pradesh must feel proud for their capacity to meet the same. I am having absolute faith in them for carrying justice delivery system ahead effectively despite all odds.

When I am talking about streamlining of judicial work, It would be appropriate to state that the State of Uttar Pradesh is having great role in it. The State is supposed to extend perfect infrastructure for smooth functioning of Courts and for a user friendly judiciary. Fortunately, the Government of Uttar Pradesh during my tenure extended its full support to the High Court in accomplishing its important projects. I am personally thankful to the Chief Minister of Uttar Pradesh, Sri Yogi Adityanath for always keeping the words given. Beside the other things, at the instance of High Court the biggest gift of the U.P. Government to the city of Prayagraj is National Law University at Prayagraj.

I would also like to refer all technical promotions under the aegis of Allahabad High Court for making the judicial work techno friendly. I can proudly say that all Courts of Allahabad High Court are e-courts and are also complete in all regards for every kind of virtual adjudication of disputes. The Allahabad High Court in last three years has also successfully introduced various portals to bring ease in administrative functioning.

In my tenure as Chief Justice I received valuable support from all the Judges. It is usually said that its impossible for the Chief Justice of Allahabad High Court to know his all Judges by name. I think this is not a correct version of facts. The Judges of this Court has extended a great support to me, therefore, I can introduce each and every Judge of this Court by name. Every Judge is an asset for the institution.

In last one year, during pandemic I received unprecedented support of Judges, Lawyers and staff. 18th March, 2020 was the day crucial when a decision was taken to close down judicial functioning to combat the threat of Corona Virus. On 24th April, 2020 nation wide lockdown was applied. During the period of lockdown the Court had special Benches and the work was done through virtual mode. On 8th May, 2020, after consulting Administrative Committee a decision was taken to open the district courts in hybrid manner. From 8th June, 2020 the High Court started its functioning by physical appearance of Lawyers before the Courts. This was an important decision and that was carried out successfully with the help of our Judges. For running Courts physically, I am also thankful to entire staff of the High Court, each and every Officer of the Registry and the members of the Bar at large. I am having no doubt that the Allahabad High Court is capable to address any eventuality to meet the requirements of justice.

I would like to tender my heartfelt thanks to Hon'ble Mr. Justice Ashok Bhushan, Hon'ble Mr. Justice Vineet Saran and Hon'ble Mr. Justice Krishna Murari, Judges, Supreme Court of India, who always supported me. They always advised me in the interest of institution. I am also grateful to Justice Vikram Nath, Chief Justice, Gujarat High Court and Justice Pankaj Mithal, Chief Justice, Jammu & Kashmir

High Court, who too willingly supported me in discharge of my duties.

In my tenure as a Chief Justice, I had precious assistance of my Chief Private Secretary, Sri Dilip Chandra Srivastava and his team including Vishwamohan Arora, Bhaskar Singh, Shubham and Rameez. I would have not been able to discharge my duties effectively without their effective assistance. I had assistance of Sri Mayank Kumar Jain, Sri Ajai Kumar Srivastava (now Hon'ble Judge of this Court) and Sri Ashish Garg as Registrar General of this Court. All the three Officers with their team supported me with absolute dedication to run the institution effectively.

It would not be possible for me to mention each and every Officer of the Registry by name but I am grateful to every single person as I received support, assistance and help from everyone. I would also like to extend my thanks to complete Protocol Section of the Allahabad High Court. Sri Ashish Kumar Srivastava, Registrar (Protocol), Sri Manvendra Pratap Singh, Chief Protocol Officer, Lucknow and Sri Piyush Kant, Protocol Officer, U.P. Sadan, New Delhi were always available to serve Judges of this Court and also the guests coming from different corners. I am having no doubt in accepting that the Protocol Section of Allahabad High Court is one amongst the most efficient Protocol in country.

I am also thankful to my Bench Secretaries, Sri Kamlakar Dwivedi, Sri Lal Chand, Sri Anup Sachan and Ms. Binu Sonker. They assisted me in smooth functioning of the Court proceedings.

I would be failing in my duty if I do not accept the valuable

services given to me by my drivers Ram Lachhan, Devi Shanker Tiwari and Radhey Mishra.

Similarly my Zamadar, Ganga Prasad Patel, Class-IV employees, Anuj, Atul, Shiv Bahadur Verma, Sujit Kumar Rai, Nitesh extended dedicated services to me.

Unfortunately, my one Zamadar Ram Lakhan died while in service on meeting with an accident. My deep condolences to his family.

At my home, domestic servants Sri Lal Bahadur, Nirranjan, Rajendra Yadav, Shrawan Ram, Smt. Geeta, Ejaz, etc. served me with absolute commitment.

I am also thankful to the State of Uttar Pradesh for providing excellent security to me through my PSO's Sri Bramhanand, Sri Rajesh Kumar and Sri Raju.

I lost my parents in a very young age. Elders of my family supported me and because of that only I am here. My wife Abha was a student of Economics when I was undertaking studies of law. She was throughout a Gold Medalist and I was a normal student, mostly busy in student politics or other extra curricular activities. Her support to me is precious. Whatever shape I acquired, it is because of her touch. My two daughters Anindya and Bakul were brilliant students throughout. Both are Engineers and well settled. I am fortunate to have most lovable Son-in-Laws Abhay and Vivek. The in-laws of my daughters are assets and I am proud of being in relation with them.

An important chapter of my life is going to be closed. My purest regards and thanks to Justice Anil Deo Singh, Former Chief Justice, Rajasthan High Court, who find me a person fit to be recommended for appointment as Judge, Rajasthan High Court. In last about 17 years, I tried to perform my duties to the best of my ability, knowledge and judgment, without fear and favour, affection or ill-will. In short, I tried to live up to the solemn oath, that I took on 2nd September, 2004, 21st November, 2017 and 14th November, 2018. Whether I failed or succeeded, is for all of you to judge. I bow head with reverence. I submit myself to your judgment.

Thank you Sir.

Thank you all.

(Justice Govind Mathur)
Chief Justice
13.04.2021