

**FAREWELL SPEECH**

*Justice Gita Mittal,  
Acting Chief Justice*

*8<sup>th</sup> August, 2018*

*My esteemed sister and brother colleagues,*

*Smt. Maninder Acharya, Additional Solicitor General of India,*

*Sh. Kirti Uppal, President, Delhi High Court Bar Association,*

*Sh. J.P. Sengh, Vice- President, Delhi High Court Bar Association,*

*Sh. Amit Sharma, Secretary, Delhi High Court Bar Association,*

*Sh. Ramesh Singh, Standing Counsel (Civil), Govt. of NCT Delhi,*

*Sh. Rahul Mehra, Standing Counsel (Criminal), Govt. of NCT Delhi,*

*Other Standing Counsels of the Central and State Government,*

*Executive Members of the Delhi High Court Bar Association,*

*Presidents, Secretary & Office Bearers of all Bar Associations of Delhi,*

*President, Secretary & Office Bearers of Bar Council of Delhi,*

*Senior Advocates,*

*Registry of the Delhi High Court,*

*Law Researchers & Interns,*

*Learned Members of the Bar,*

*Print and Electronic Media,*

*And everyone present*

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1. Lincoln once said that the best thing about the future was that it came one day at a time. The day has arrived when I have to thank this institution and all of you for the valuable contribution each one of you has made in my professional and so many of you, to my personal life as well.

2. I have the great satisfaction of having spent each day in an unceasing quest to learn the law. Not only did I have the incredible experience to secure justice as a lawyer but also an unbelievable opportunity to deliver justice. These have given real meaning to my very existence.

3. I was always intrigued by the picture of Lady Justice, a personification of a blindfolded Goddess holding scales in her hand, weighing and balancing rights.

4. I joined the legal profession because of a burning desire to be a part of a system which challenges those who adversely impact the rights of the others. This was subconsciously guided by an aspiration to contribute towards welfare of the society.

Towards this end, I truly hope that I have never overlooked my duty during the 23 years at the Bar and the last 14 years at the bench.

5. I have been blessed with relationships that are life long. Present in this room are persons with whom I have taken baby steps in school, shared laughs in college and crossed hurdles in the profession. Therefore, I know nothing as a farewell.

I sincerely believe that the journey ahead will hold greater opportunities

and be yet another milestone of growth in my life.

6. Three such significant milestones have coincidentally been situated on the 16<sup>th</sup> of July. On the 16<sup>th</sup> of July 1981, I was enrolled as a lawyer with the Delhi Bar Council. On the 16<sup>th</sup> of July 2004, I was sworn in as a judge of this court and it is the 16<sup>th</sup> of July 2018 that has brought my recommendation for appointment as the Chief Justice of the Jammu & Kashmir High Court.

7. Going a little back in history, I would like to share little known facts about my life. I was committed to the study of economics in the year 1978, after which, a comedy of errors guided my admission into the Faculty of Law at the Delhi University. I was miserable at being compelled to take this admission and I must admit that I made no effort to learn any element of law in my three years at the faculty. The only conscious decision which I took was not to take the civil services examinations and to opt for a career in law. What a critical choice that has prove to be.

8. My tryst with social development began in the year 1968. I used to cross this little road called the Sher Shah Road twice every day in the school bus No.8 of the Lady Irwin School. As I travelled back and forth, I used to ponder why a huge hole was being dug up in the middle of – then – nowhere.

9. As the building came up, little did I know that from that hole would come up the Delhi High Court, which in 1981 would become my *Karma-bhoomi*.

10. Sitting on the pavement of the Cornwallis Road (now Dr. Zakir Hussain Marg), waiting at the bus stop after practice at the National Stadium, for DTC

bus no. 401 to go home, I used to watch the bungalows across the road and wonder who lived there. I had never even dreamt that in 2004, I would be appointed a judge and be offered one of those very bungalows as a residence.

11. I entered the Bar at a time when the stalwarts at the profession included:

- Mr. Sardari Lal Bhatia
- Mr. Dilbag Rai Sethi
- Mr. R.D. Mehra
- Mr. K.K. Sud
- Mr. Ishwar Sahai – Bawa Gurcharan Singh and Bawa Shiv Charan Singh

12. It is difficult to visualize that there were so many young upcoming lawyers of that time who've evolved to be great leaders, some of them being -

- Mr. Dinesh Mathur
- Mr. Ravinder Sethi
- former Chief Justice of India – Justice Y.K. Sabharwal;
- Justice Mahender Narain
- Justice A.B. Saharya
- Justice Usha Mehra
- Justice Arun Kumar
- Justice D.K. Jain
- Justice Swatanter Kumar
- Justice Manmohan Sarin
- Justice Mukul Mudgal
- Justice Vikramjit Sen
- Justice Madan B. Lokur
- Justice Arjan Sikri
- Justice Anil Kumar
- Justice Rekha Sharma
- Mr. A.S. Chandhiok
- Mr. Arun Jaitley
- Mr. Mukul Rohatgi
- Mr. Rajiv Nayyar
- Ms. Chander Mani Chopra
- Ms. Usha Kumar

- Ms. Swarana Mahajan
- Ms. Sadhna Ramachandran
- Ms. Neelam Grover

What lessons we got to learn from them!!

13. Those were days when

- Justice Sanjay Kishan Kaul
- Chief Justice Pradeep Nandrajog
- Justice Kailash Gambhir
- Justice V.K. Rao
- Mr. Satish Tamta
- Mr. Kirti Uppal
- Mr. Neeraj Kishan Kaul
- Mr. Sandeep Sethi
- Mr. Anil Sapra
- Mr. J.P. Sengh
- Ms. Veena Ralli
- Ms. Maninder Acharya
- Mr. Anup Bagai

were still taking nascent steps into this hallowed precincts.

History repeats itself and I have learnt from actual experience. I can never forget the lessons in values and law that I have imbibed from them and many more who I have not been able to name.

14. I learnt the finest traditions from these stalwarts. I can never forget Mr. Dinesh Mathur's punctuality, his strictness about the uniform, and the discipline of being available at his office irrespective of whether a client was there or not. All these great seniors were known for the support that they gave to every

member of the Bar and never ever charged a fee for doing any litigation in which a lawyer was personally involved. The dignity which they attached to maintenance of the decorum of the court and the grace with which they conducted themselves in and outside it, remains unparalleled.

15. From Mr. Chandhiok, I have learnt that there can be no substitute to hard work. It does not matter whether you have a case in court or not, your commitment to your office and the law has to remain supreme.

16. From Satish Tamta, I learnt how to read police files and the distinction between DD 'A' and DD 'B'.

17. My erstwhile senior Justice Swatanter Kumar always said that '*everything is a habit*'.

18. I taught myself the habit of honesty, hard work, commitment to principles and a cause. But for these habits, I would not have been here. As a first generation lawyer, and as a woman, the path was not without obstacles.

19. I had neither any ambition nor expectation that a person like me could ever be considered for judgeship. I thoroughly loved my work as a lawyer which evolved with time. I was stunned and rendered speechless when on a cold morning of December, 2000, I was invited to the Bench by Chief Justice Arijit Pasayat.

20. I shall eternally remain grateful to Chief Justice Arijit Pasayat; Chief Justice S.B. Sinha; Acting Chief Justice Devender Gupta and Chief Justice B.C. Patel for having reposed their faith and confidence in me and recommending me

for judgeship.

21. It gives me immense pride that the final seal of approval on my appointment was put by Justice R.C. Lahoti as the Chief Justice of India.

22. During my journey as a lawyer and a judge, I am grateful to the Almighty for having given me so many opportunities to delve into diverse issues, particularly looking at the protection of the rights of the marginalized and the vulnerable.

23. I have personally and professionally grown leaps and bounds with every passing day. From my Brothers and Sisters on the Bench to the members of the Bar who have appeared before me; from the several litigants in my court to the understanding members of the Registry as well as my law researchers who gave me such energetic and enthusiastic assistance all throughout, I am deeply grateful for all your love and untiring support.

24. As I leave the Delhi High Court, I am compelled to ponder for a few invaluable losses.

25. **Where will I find**

- the erudition of Brother S. Ravinder Bhat.
- the unflinching dedication and hardwork of Brother Sanjiv Khanna.
- the unmatched humanity, dignity and grace of Brother G.S. Sistani.
- the unique amalgamation of information technology and arbitration expertise balanced against the extreme sensitivity for human rights of the marginalized possessed by Brother S. Muralidhar.

26. **Where will I find**

- the sheer joy, passion, enthusiasm, knowledge and capacity of my

dearest sisters Justices Hima Kohli, Pratibha M. Singh; Rekha Palli as well as brothers Justices Rajiv Shakti, Navin Chawla and Hari Shanker.

- Can I ever forget the sincerity and devotion of Brothers Justices Vipin Sanghi, Manmohan; Rajiv Sahai Endlaw; J.R. Midha; Valmiki J. Mehta; Jayant Nath; Najmi Waziri; Sanjeev Sachdeva; Vibhu Bakhru; V.K. Rao; R.K. Gauba; Yogesh Khanna, and sisters Justices Mukta Gupta, Pratibha Rani and Anu Malhotra.
- Can anyone match the flair for knowledge and friendship and the committed loyalty of my dearest brother Justice Sidharth Mridul.
- Can there be friends like brothers Justices Sunil Gaur; P.S. Teji; I.S. Mehta; Chandra Shekhar and sister Justice Sangita Dhingra Sehgal.
- Where will I find the warmth of positive support of brothers Justices A.K. Pathak, AK Chawla and Vinod Goel.

I owe to each one of you abounding gratitude.

27. A judge lives through the Bar and it is through the Bar that her opinions are approved or modified.
28. I thank the Bar for giving me space to be myself and for guiding me in my quest for truth.
29. I have to acknowledge some names, even at the cost of this address becoming longer. They are my *gurus* in life and in law and I cannot let that happen. Professor Ranbir Singh, Vice Chancellor; Professor G.S. Bajpai, Registrar; Dr. Mrinal Satish; and Dr. Aparna Chandra from the National Law University have assisted every possible legal initiative and taught me about not only law but total dedication, humility and commitment.
30. Ms. Madhu Mehra and Dr. Usha Ramanathan have completely transformed my perspective towards gender issues. I am still learning and owe a real debt to them.



31. Professor Ved Kumari of the Delhi University; Ms. Vidya Reddy of Tulir Chenna; Ms. Bharti Ali of HAQ; Professor Dr. Jagdeesh Reddy, Forensic Expert and Ms. Padma Deosthali of CHEHAT, Mumbai have acquainted me with whole new dimensions of child rights; bias and prejudices, as well as forensics.

32. Dr. Achal Bhagat; Mr. George Abraham; Mr. Arun Rao and Mr. Nipun Malhotra from the Nipman Foundation (a petitioner in several cases) have guided my lessons on disability and the rights of the disabled.

33. I have been enlightened about inequality and discrimination by the most marginalized of the marginalized persons from the LGBT community and sex workers. These include Laxmi Narain Tripathi, a transgender; Mr. Gautam Bhan, a gay rights activist to Ms. Kiran Deshmukh, a sex worker from Sangli, Maharashtra.

34. I shall be eternally grateful to Dr. Mohan Gopal who was a Director at the National Judicial Academy for showing me that everybody who is a poor is not a criminal and that one must look beyond normative stereotypes and prejudices.

35. I cannot forget my learnings on the environment from Mr. M.C. Mehta, the renowned environmental activist and Ms. Sunita Narain from the Centre of Science and Environment.

36. The fact that media can contribute to justice dispensation is proved by the valuable assistance provided by Mr. Ankit Gupta from the ABP News Channel on the issues relating to garbage and solid waste management in Delhi. I hope that they shall continue their responsibility as the 4<sup>th</sup> pillar of democracy. I

thank the media personnel who have proved to be the true surrogates of the citizens of Delhi.

37. Am I sad on leaving Delhi? Yes, but only because I am leaving so many tasks undone and incomplete. And because I am going to miss all of you terribly. Most importantly, I am deeply anxious about all those lives and families who are dependent upon me for support, those who look up to me for strength.

38. My life experiences have shown that whenever God closes even one window, he literally opens the palace doors for you. Just as He has done for me - He commands that my place rests now in the State of Jammu & Kashmir.

39. I go to the land about which it is rightly said in a Farsi couplet:

“AGAR FIRDAUS BAR ROO-E ZAMEEN,  
HAMEEN AST-O  
HAMEEN AST-O  
HAMEEN AST”

अगर फिरदौस बर रू ए ज़मीन  
हमीन अस्तु  
हमीन अस्तु  
हमीन अस्त

Translated, this read ;

“ IF THERE IS A PARADISE ON EARTH,  
IT IS THIS, IT IS THIS, IT IS THIS!”

40. I thank the Almighty for letting me visit this heaven on Earth and for

enabling me to live in the land of the *santoor* in the hands of Pandit Shiv Kumar Sharma and Md. Abdullah Tibat baqal and the (Saz-e-Kashmir) Ghulam Mohammad Kaleenbaaf. The land of *chinar and tulips*, of *dum aloo, chaaman, gustava and roghan josh*. I am going to a beautiful State with talented and beautiful people.

41. At the same time there is a huge sense of excitement, not because I have been entrusted the task of leading the judiciary over there, but because of the huge opportunity which has been provided to share with the judiciary of J&K and its people, the achievements, best practices and the experiences that make the Delhi High Court the best court in India.

42. I hope to build a bridge of equity between the courts at Delhi and in J&K. I hope to inculcate judicious bonding, sharing the values of judicial discipline, honesty, ethics and confidence in the justice dispensation system. Most importantly, I hope that, when needed each individual in this room shall share their knowledge and skills as freely and ably in J&K, as they have done with me the past thirty seven years in this court, even this room.

I want to carry with me the goodness that is Delhi, the abounding spirit of inclusion, equality, non-discrimination and justice of our courts in Delhi.

43. I am told that as I take over as a woman Chief Justice of Jammu & Kashmir High Court, I am breaking a glass ceiling and making history; As a woman, I have constantly questioned myself about the glass ceiling - as to whether I have ever managed to break it? However, life has taught me that the

*'glass ceiling'* is not about arriving at a position - getting a law degree, becoming a lawyer, getting appointed as a judge or even as a Chief Justice. Glass ceilings are broken when you start making a real difference to whatever you do, when you uplift others behind you and empower them to stand as tall as you do, when you enable them to stride ahead of you. So, my dear friends, in this, I have not even begun – I have really miles to go before I sleep.

44. I come from an extremely humble and highly educated background. My life so far has been shaped by the ideologies of my parents, my mentors and my colleagues. My father Dr. I.P. Mittal was an accomplished scholar and academician with the highest standards of probity and fairness. He was an alumna of the Hindu College from 1941 and a Ph.D. from the Delhi University. My mother Dr. Ved Kumari Mittal holds a doctorate in political science and has been one of the most dedicated teachers I have ever known. She has not stopped teaching even today as she teaches children living in the compound of my privileged residence. My parents ensured that my sister and I lived incredible lives and no matter how hard we may try, we cannot even remotely match what we were taught and are still learning. And what were these principles? Honesty to the core, humility epitomized, incessant hard work, punctuality and most significantly, all embracing arms with unending generosity of every kind.

45. The other two persons who have moulded to my life and contribute to every breath I take and, who, most importantly, are my actual strength, are the two healers in my life- my brother in law Dr. Tushar Roy - a Cardiologist by

profession and my sister Dr. Vandana Roy - who is the Dean of the Faculty of Medicinal Sciences at the University of Delhi and the Head of the Department of Pharmacology, MAMC. I have one more important person in my life who many don't know about, my chosen brother Ram Kumar who unflinchingly holds me to walk the principled path.

46. Also in my life are my two endless bundles of joy, innovation, energy and inspiration that is my niece Tanushri and my incredible nephew Saushtav Roy.

47. Many of you know Shobhana Takiar, who came into my life as an officer of the Delhi Finance Corporation. Being more than a younger sister, she gave up a solid job in 1994 to join me, then a penniless lawyer. We were later joined by Indrani Ghosh, Arti Bansal, R. Ramachandran and many others.

48. If I have been able to discharge my constitutional duties as a Judge, this task has been possible because of my brilliant team of Law – Researchers. This presently comprises of Rushab Aggarwal, Aparajita Amar and Abhishek Singh, previously of Deepa Liberhan; Parul Tuli; Anuradha Sharma; Tripti Dhar; Nusrat Hussain; Atreyee Sirkar and Devna Arora.

49. My current staff comprising Mr. J.K. Batra, PPS; Mr. Jugal Kishore, Assistant Registrar; Mr. Kapil Sharma, Private Secretary; Mr. Atul Jain, P.S.; Ms. Kamla Rawat, Sr. P.A.; Ms. Manjeet Kaur, P.S. and my former staff Mr. Ravinder Dutt Sharma, Joint Registrar; Mr. D.S. Rawat, Joint Registrar; Mr. Amit Arora and Ms. Shalu Batra have had a pivotal role in facilitating my work.

50. I would also like to thank

- Justice Ruma Pal and Mr. Samaraditya Pal
- Justice Ranjana Prakash Desai
- Justice G. Raghuram
- Justice Prabha Sridevan
- Justice Kanan; for their cherished friendships

51. I must acknowledge with gratitude Dr. C. Raj Kumar and Mr. Arghya Sengupta for their guidance and contributions.

52. It would also have been impossible to have got done anything but for Mastram, Gurucharan, Dharmender, Mahesh Kumar, Prem Bisht, Ramesh Tamta, S.P. Tiwari, Swarupa and Babita Chaudhary as well as my drivers Sita Ramji and Surinder Kumar who have been a constant support to me.

I have been able to achieve much because of the work done by Mr. Anil Kaushal, Mr. Girish, Mr. Grover, Mr. Lorren Bamniyal (Registrars), Ved Sharma, AR, the entire protocol and medical branches. I thank the Registry for the support they provided. I can proudly proclaim that the reputation that the Delhi High Court boasts of is not only because of its talented Bar but also because of its efficient Registry. Ours is perhaps the only Court in the country where a matter filed on one day is placed for hearing on the very next day. In some urgent cases, we are able to list on the same day itself.

53. I have had a special honour and role in this court since 13<sup>th</sup> April, 2017. However, I could have done nothing but for the pillars of this court, namely, Mr.

D.K. Sharma, Registrar General, Dr. Aditi Chaudhary, Registrar (Vigilance); Mr. Reetesh Singh (JR) Rules and Mr. Ajeet Jha (Assistant Registrar) at the library.

54. The entire Delhi judiciary has welcomed every suggestion made by me during this period and this has greatly reduced several concerns affecting justice dispensation. I am also grateful from the core of my heart for the support of all the Bar Associations in making various endeavors fruitful.

55. While I thank the senior members of the bar for their constant and endearing support to me at all times, I would like to give some advice to my young friends at the bar. You must take every challenge graciously. Always endeavour to serve society by using ethical means. Remember that *“No success or achievement in material terms is worthwhile unless it serves the needs or interests of the country and its people and is achieved by fair and honest means”*.

56. I have attempted to do the best I can for the benefit and upliftment of the people of this City, and especially for those groups who are oblivious of the guarantees that the glorious Constitution of this country affords to them. I have faith that my Sister and Brother Judges will continue the crusade. My father once told me that as a judge, I have no choice – I have to follow the law. I remind myself of these words day in and day out.

57. In the words of Douglas Mac Arthur – *“A true leader has the confidence to stand alone, the courage to make tough decisions and the compassion to*

*listen to the needs of others. He does not set out to be a leader, but becomes one by the equality of his actions and the integrity of his intent.”*

58. I would end my address with a beautiful observation by Charles Dickens.-  
“*We forge the chains we wear in life.*” I will therefore, of my own accord want to remain attached to this institution as long as my journey on this Earth continues.

*Thank you.*

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