

**FULL COURT REFERENCE HELD ON 5TH MAY, 2022 AT 3:45 P.M.
ON THE SAD DEMISE OF JUSTICE P.N. NAG AND JUSTICE R.P.
GUPTA {FORMER JUDGES OF THIS COURT}**

My Esteemed Sister and Brother Judges;

Mr. Chetan Sharma, Additional Solicitor General of India;

Mr. Murari Tiwari, Chairman (Enrolment Committee), Bar Council of Delhi;

Mr. Mohit Mathur, President, Delhi High Court Bar Association;

Mr. Jatan Singh, Vice President, Delhi High Court Bar Association;

Mr. Abhijat, Secretary, Delhi High Court Bar Association;

Mr. Santosh Kumar Tripathi, Standing Counsel (Civil), Govt. of NCT of Delhi;

Standing Counsels of the Central and State Government;

Executive Members of the Delhi High Court Bar Association;

Office Bearers of Bar Council of Delhi and other District Bar Associations;

Senior Advocates;

Members of the Bar;

Family members of Late Justice P.N. Nag;

Family members of Late Justice R.P. Gupta;

Ladies and Gentlemen.

It is with immense sense of sadness that we have assembled today to condole the demise of Mr. Justice Padam Nabh Nag, former Judge of this Court and the Allahabad High Court; and Mr. Justice Ram Prakash Gupta, former Judge of this Court, Calcutta High Court and Madhya Pradesh High Court.

Justice P.N. Nag was born on 05th March, 1933. He came from a humble background. He did his schooling from Government High School Shahpur, District Kangra, Himachal Pradesh, and graduation from Government Degree College, Dharamshala. His college was located at a distance of 22 kms. from his village, where he would often tread on foot to save on the bus fare. Justice Nag was active in student politics and was elected as the President of the Dharamshala College Students Association. He served as a Direct Recruit “Assistant” in Government of India for 6 years, and thereafter, decided to enrol himself in law in the evening classes of University of Delhi. He would go to the University on his bicycle. Soon the legal profession beckoned him, and Justice Nag resigned from his job to start his legal practice in the year 1965, by enrolling himself as an Advocate. He started his legal practice in the District Court of Dharamshala and, thereafter, he moved to the Himachal Pradesh High Court and Delhi High Court in 1966. From 1981 onwards, he started practice before the Supreme Court of India. As an Advocate, he got an opportunity to appear before stalwarts like Justice H.R. Khanna, Justice Hardyal Hardy and Justice Tatachari.

Justice Nag not only set up a lucrative practice in the Delhi High Court, but he was also appointed as legal advisor to the Himachal Pradesh University, Himachal Pradesh Agricultural University, and Mineral and Industrial State Development Corporation of Himachal Pradesh. He also appeared before the

Supreme Court of India in many cases of importance such as *Pradeep Jain v. Union of India*, which ruled on important issues surrounding reservation of seats in post graduate colleges; and in *Ram v. Ishwar Chand*, which interpreted Order II Rule 2 of the CPC relating to claims and what constitutes relinquishment of claims.

He was popular at the Bar, and was elected as Vice President of the Himachal Pradesh High Court Bar Association. He was appointed as the Advocate General on 5th May 1983 for the State of Himachal Pradesh.

Justice Nag was appointed as a permanent judge of Delhi High Court on 12th October 1988, and after serving here for about 5 ½ years, he was transferred to the Allahabad High Court on 28th April 1994, till his retirement on 5th March 1995. During his tenure as a Judge, he decided many cases on varied issues of social significance.

Post retirement, he was appointed as the President of the Himachal Pradesh State Consumer Disputes Redressal Commission on 9th July 1996, and served for a period of 4 years. He also held additional charge as the Chairman of the Himachal Pradesh State Commission for Backward Classes. He served as the member of the Advisory Boards of the National Security Act, and the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act (COFEPOSA). He also presided over the Unlawful Activities

(Prevention) Tribunal. He was a courageous judge, who did not shy away from taking up assignments. He presided over the Tribunal constituted to ban the dreaded LTTE, and another Tribunal to ban Islamic Seva Sangh (ISS) under the Unlawful Activities Prevention Act.

His finest quality was his innate humility. Those who knew him well would always remember him as such. He took active interest in charity, and even established a Trust in the name of his father to help the distressed. He loved listening to old classics sung by Talat Mahmood and Mohammad Rafi. He would keenly follow international politics.

Justice Nag left for heavenly abode on 11th September, 2021 and is survived by his sons, Anil Nag, who is an Advocate practicing in the Supreme Court; Abhilash Nag, who is an Advocate practicing at Dharamshala; Anuj Nag, who is an Advocate practicing in the High Court of Himachal Pradesh, and their families.

I, on behalf of my sister and brother Judges and on my own behalf convey our heartfelt condolences to the members of the bereaved family and pray to the almighty to give them strength to bear this irretrievable loss. May almighty bestow peace to the departed soul.

We have also assembled here to condole the passing away of Mr. Justice Ram Prakash Gupta. Justice Gupta was born on 1st December, 1937. He did his Matriculation from a High School in Gurgaon and graduation in B.A. (Hons.) English from Punjab University in the year 1957. He earned his LL.B. degree from University of Delhi, following the footsteps of his father, Late. Sh. Kirpa Ram Aggarwal, a distinguished lawyer. He enrolled as an Advocate of the Bar Council of Punjab. He started practice in the office of his father, who was a leading Advocate on Civil Side in Gurgaon and Palwal. While he was in practice, he cleared the Judicial Services Examination in the year 1964 in the joint Punjab State. He joined the Punjab Public Service Commission in November 1965, as Subordinate Judge-cum-Registrar at Narnaul, and after six months, he was posted at Mahendragarh. In 1967, when the State of Haryana was carved out, Justice Gupta was assigned to Haryana Judicial Services, and thereafter, in the year 1968, he was transferred to Hisar, where he discharged his duties as Judicial Magistrate First Class and Civil Judge First Class. In 1969, he joined the Delhi Judicial Services as Subordinate Judge-cum-Registrar, and was absorbed therein in 1971. He worked as Sub-Judge First Class, Additional Rent Controller, Additional Chief Metropolitan Magistrate, Presiding Judge, Labour Court and Chief Metropolitan Magistrate till 24th March 1979. Subsequently, in March 1979, he was appointed as Additional District & Sessions Judge,

Delhi. He also discharged duties as a Special Judge to try offences under the Prevention of Corruption Act, Narcotics Violation Cases and cases under TADA Act.

On 10th November 1994, Justice Gupta was elevated as an Additional Judge of the Delhi High Court. Soon thereafter, on 16th December 1994, he was transferred to Calcutta High Court, in tune with the policy then in vogue. The loss of this Court was the gain of the Calcutta High Court. After serving as a judge of the Calcutta High Court for a period of one and a half years, he was appointed as Permanent Judge on 21st December 1995. He was later transferred to Madhya Pradesh High Court at main seat at Jabalpur on 6th May 1996. He worked at the Madhya Pradesh High Court till his retirement on 1st December 1999.

He strictly believed in and practiced the *Principle of Exclusivity and Aloofness* for a Judge. As a result, he was averse to the idea of mingling socially with people who were not known to him personally. He was very particular in ensuring that no one ever raises a finger on his impartiality.

After his retirement, he started his practice as a Senior Advocate before the Supreme Court of India. He even presided over Lok Adalats in Delhi High Court, and in the Permanent Lok Adalat for Electric Bill Disputes.

Justice Gupta was a noble soul, an upright Judge, and a warm human being with integrity as his bedrock. He was an open book. His life could be summed up in a few words – simple, virtuous, generous and affable. His judgement of events, people and circumstances were never influenced or clouded by his personal likes/dislikes or preferences. His trait of honesty and integrity is one personality trait, that is remembered by everyone who ever interacted with him.

He was a strict vegetarian and a teetotaler. His exploits in athletics brought many medals to his school and college. In his youth, Justice Gupta was a keen athlete and hockey player. He was the captain of his college hockey team. He took pride in displaying his team photos and trophies that he won in competitions.

Justice Gupta loved travelling, which he continued to undertake till his demise. He travelled the length and breadth of India and there was hardly a State that he did not visit. He was a born naturalist and gardening was his hobby.

Justice Gupta left for the heavenly abode on 1st January, 2022, at an age of 84 years. He is survived by his wife Mrs. Savita Gupta; his daughter Mrs. Anita Aggarwal, a qualified Advocate, currently a home maker; his son-in-law Dr. Satish Kumar Aggarwal, Chairman, Department of Paediatric Surgery, Sir

Ganga Ram Hospital; his son C.A. Anup Kumar Gupta; his daughter-in-law Dr. Rakhi Gupta, Gynaecologist at Max Hospital; and his grandchildren. His sad demise has created a void not just for his family and friends, but to the entire Legal Fraternity at large.

I, on behalf of my sister and brother Judges and on my own behalf convey our heartfelt condolences to the members of the bereaved family, and pray to almighty to give them strength to bear this irreparable loss. May the almighty bestow peace upon the departed soul.

(AFTER REFERENCE BY LAWYERS IS OVER)

As a mark of respect to the departed souls, we shall now observe silence for two minutes. (The Hon'ble Judges will take their respective seats for a moment after the silence, and it will be announced by Hon'ble the Acting Chief Justice as under).

“As a mark of respect to the departed souls, the working in the Court is adjourned for the rest of the day.