

FAREWELL REFERENCE ADDRESS BY HON'BLE MR. JUSTICE D.K.
UPADHYAYA, CHIEF JUSTICE, HIGH COURT OF DELHI ON THE
RETIREMENT OF JUSTICE A.K. MEHNDIRATTA

Brother Justice Anoop Kumar Mendiratta,

Gracious family members of Justice Mendiratta,

My esteemed sister and brother Judges at the High Court,

Shri Chetan Sharma, Additional Solicitor General of India,

Shri Ved Prakash Sharma, Member, Bar Council of Delhi,

Shri Mohit Mathur, President, Delhi High Court Bar Association,

Shri Jatan Singh, Vice-President, Delhi High Court Bar Association,

Shri Sandeep Sharma, Secretary, Delhi High Court Bar Association,

Shri Sanjay Lao, Standing Counsel (Criminal), Govt. of NCT of Delhi,

Shri Sameer Vashisht, 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,

Ladies and Gentlemen,

A very Good Afternoon to all of you.

Today, on the day of his superannuation, we have assembled here to bid farewell and to recount the journey of Justice Anoop Kumar Mendiratta, who has been serving as a Judge of this Court from the date of his appointment on 28th February, 2022.

Justice Mendiratta was born on 6th March, 1963 in Delhi. He completed his schooling from Salwan Public School, Delhi and thereafter, he enrolled for graduation at the Delhi University. After his graduation, he enrolled for LL.B. from the Campus Law Centre, Faculty of Law, Delhi University in 1984 and completed the same in 1987. In the same year, Justice Mendiratta came on the roll of the Bar Council of Delhi and started his practice from the chamber of late Justice Valmiki J. Mehta. Later, he got associated with late Shri R.K. Sharma, popularly known in the legal circles as Naseem Saheb. As a practitioner, Justice Mendiratta practiced extensively on both civil and criminal sides and appeared before the Delhi High Court as well as the District Courts.

In 1992, he joined the Delhi Judicial Service and after serving for over 11 years, he was promoted to Delhi Higher Judicial Service in the year 2003. While being in service, Justice Mendiratta gained immense exposure in diverse subject matters of law. In addition to the regular civil and criminal courts, he presided over various designated courts dealing with matters relating to Central Bureau of Investigation, Delhi Development Authority, Land Acquisition, Narcotic Drugs and Psychotropic Substances, Electricity, Motor Accidents Claims Tribunal etc. He also

handled matrimonial disputes while serving as Principal Judge, Family Courts. In 2019, he joined as the Principal District & Sessions Judge, North-East District, Karkardooma Courts and served in that capacity from 30.05.2019 to 24.10.2019.

In addition to his exposure on the judicial side, Justice Mendiratta also gained immense administrative experience by serving in diverse portfolios on deputation. He served as the Joint Secretary (Law, Justice & Legislative Affairs), Govt. of NCT of Delhi for a period of more than three years from 1999 to 2002. From November, 2017 to April, 2019, he had his second stint in the Department of Law, Justice & Legislative Affairs, Govt. of NCT of Delhi where he served as the Principal Secretary. Justice Mendiratta also chaired several committees and was involved in preparation of the report relating to bifurcation of Delhi into judicial Districts in the year 2000. As a Judicial Officer, Justice Mendiratta also showed keen interest in alternate modes of dispute resolution and conducted various mediation proceedings as a trained mediator while working as the Working Chairperson of the Delhi Dispute Resolution Society (DDRS). Justice Mendiratta also took interest in policy matters and played an active role in drafting of several Bills, formulation of policies, in addition to tendering advice on various constitutional issues.

Justice Mendiratta became the first serving judicial officer from the higher district judiciary to be appointed as Law Secretary, Ministry of Law and Justice, Government of India. He also handled an additional charge as Secretary, Legislative Department, Ministry of Law and Justice and also served as the Member Secretary,

Law Commission of India. While serving in the Ministry of Law and Justice, he played a key role in legislative drafting and formulation of several Bills and enactments including Mediation Bill, 2021 as well as finalization of intricate policies of Union of India concerning various sectors including Petroleum, Mines, Electricity, Insolvency etc. He was also instrumental in dealing with various administrative and legal issues regarding the implementation of the provisions of the Arbitration and Conciliation Act, New Delhi International Arbitration Centre Act, Commercial Courts Act, Notaries Act, only to name a few.

Justice Mendiratta also served as a Member of the Committee to formulate an Action Plan for Online Dispute Resolution as well as of the Review Committee under the Information Technology Act. He possesses great organizational skills and was associated in organizing the 7th Meeting of Ministers of Justice and Prosecutors General Conference of the Shanghai Cooperation Organization (SCO).

With a vast judicial and administrative experience, Justice Mendiratta was appointed as a permanent Judge of this Court on 28.02.2022 and he has been serving on the bench of this Court ever since. As a Judge of this Court, Justice Mendiratta has been known to be a calm and composed Judge, who is always willing to give a patient hearing to the parties, irrespective of the merits of the matter. His temperament on the bench has been truly commendable and he always confined his opinions to his judgments. He handled various sensitive issues arising before this Court and his rulings have always enhanced public faith in this institution. While

dealing with a plea of a 16 years' old rape survivor, Justice Mendiratta directed the Union of India to issue appropriate instructions to the hospitals for ensuring that the identity of a minor rape victim is not disclosed by the hospitals while carrying out medical termination of pregnancy. In another matter concerning false allegations of child sexual abuse, Justice Mendiratta emphatically observed that the social stigma and blot of being accused as a child abuser are even more painful than the rigours of trial and imprisonment. In a matter involving the right of the citizens to have access to truthful information, Justice Mendiratta observed that a political party cannot be permitted to sponsor the print media for political purposes for making false and defamatory imputations on the rival parties. In addition to his contributions on the judicial side, this institution has also benefitted greatly from his administrative wisdom in dealing with issues emerging from time to time before various committees. When a Judge with over three decades of judicial experience leaves the system, it is certainly a loss for the entire system. But it is heartening to note that Justice Mendiratta is leaving the system better than he had found it three decades ago.

His contributions shall always be remembered not only by the Judges of this Court, but also by the Judicial Officers of the district judiciary, members of the bar and public at large.

Brother, on behalf of this Court, I wish you the very best for all your future endeavors. We pray for your good health for all times to come.

Thank you.