

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

Justice Rekha Palli,

Gracious family members of Justice Palli,

My esteemed sister and brother Judges at the High Court,

Shri Chetan Sharma, Additional Solicitor General of India,

Shri Ramesh Gupta, Sr. Advocate & 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,

Members of Print and Electronic Media,

Ladies and Gentlemen,

A very Good Afternoon to all of you.

Today, we have assembled here to bid farewell to Justice Rekha Palli, who has been serving as a Judge of this Court since 15th May, 2017.

Justice Palli was born on 9th March, 1963. She graduated in Science from the Hindu College, University of Delhi and was a topper of her batch. Thereafter, she enrolled in LL.B. at the Campus Law Centre, University of Delhi and completed the same in 1986. In the same year, she commenced her legal journey and started practicing at the bar. In 1991, she was appointed as an Advocate-on-Record at the Supreme Court of India and in April, 2015, she was designated as a Senior Advocate by this Court. As a practitioner, Justice Palli was a fierce advocate of gender equality and took up various causes for creating just working conditions for women. She played an instrumental role in securing permanent commission for women in the armed forces.

On 15th May, 2017, Justice Palli graciously accepted the call of duty and was elevated on the bench of this Court. As a Judge of this Court, Justice Palli handled various subject matters including constitutional law, criminal law, family law, service law, banking law and arbitration. She handled the cases with great sensitivity and compassion. In a matter concerning a female candidate, Justice Palli called upon the central armed forces to use a gender neutral nomenclature for the posts open for female candidates to instill greater sensitivity towards gender equality. In various matters concerning the service conditions of the employees working in the armed forces and other government departments, Justice Palli adopted a humane approach

and her judicial philosophy was marked by great compassion and empathy, to the extent permissible within the confines of the law. In a matter involving a claim of right to privacy in disclosing the evidence of adultery, Justice Palli adopted a purposive interpretation of the statute and observed that since the Hindu Marriage Act specifically recognizes adultery as a ground for divorce, it would be contrary to public interest to permit the suppression of evidence of adultery on the ground of privacy. She observed that the right to privacy, which is no doubt a fundamental right, is also subject to certain restrictions and is not absolute. In a recent case involving the concerns associated with the implementation of the victim compensation provisions of Cr.P.C., a 5-Judge bench of this Court headed by Justice Palli, called upon the Trial Courts to adopt a victim centric approach and streamlined the procedure to be adopted by the Trial Courts for considering the grant of compensation under Section 357 of Cr.P.C.

Justice Palli was also a part of the bench which dealt with the matter involving shortage of medical facilities for the citizens of Delhi during the COVID-19 pandemic. In a time when the country was facing an unprecedented challenge and resources were under great strain, this Court effectively reviewed the medical infrastructure of Delhi and issued suitable directions for equitable access to medical facilities for all the citizens. Throughout her judicial career, Justice Palli also took keen interest in the alternate modes of dispute resolution. She has been serving as a member of the Delhi International Arbitration Centre and has played a key role in various policy initiatives meant to improve the quality and desirability of institutional

arbitration under the aegis of the Delhi High Court. She was instrumental in the formulation of rules and procedures regarding the conduct of arbitrations, fees, infrastructural requirements etc. and her presence has certainly benefitted the Centre. Justice Palli also chaired the organizing committee of the inaugural edition of the Delhi Arbitration Weekend, an event that saw the footfall of arbitration experts from over 14 countries. In April, 2023, Justice Palli also represented India at the regional symposium on Forest and Protected Areas Legislation and Jurisprudence in Nepal. She was also a part of the Indian Delegation at the Bilateral Judicial Dialogue with Germany held at the Supreme Court. During the bilateral dialogue, Justice Palli discussed the concerns surrounding climate change and the role of the judiciary in combating it.

In addition to her judicial work, Justice Palli has contributed immensely on the administrative side as well. She has been a part of various committees of this Court and took interest in the resolution of issues emerging from time to time. Justice Palli's commitment to the values and ethics of the profession was acknowledged by the bar as well as the bench. She always upheld the dignity of the chair that she sat on and her work and conduct reflected great regard for the judicial discipline. Her absence is certainly going to leave a void in this institution. But at the same time, it is a moment to acknowledge and congratulate Justice Palli on the successful completion of her innings as a Judge of this Court. Her contributions shall always be remembered not only by the stakeholders in this Court but also by those countless souls whose lives were touched by her work.

On my behalf and on behalf of this Court, I wish you the very best for all your future endeavors. As they say, every ending is the foundation of a new beginning. We pray for your good health for all times to come.

Thank you.