



9th July, 1936 – 30th August, 2023

Full Court Reference in the memory of

Late Shri R.D. Agrawala

Senior Advocate

held on Wednesday, the 8th May 2024

at 10.30 a.m. in the Court of The Hon'ble The Chief Justice of India

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Letter from the Registrar, Supreme Court of India

Mahesh T. Patankar
Registrar
Supreme Court of India



Supreme Court of India
Tilak Marg, New Delhi-110001
reg.mtpatankar@sci.nic.in
011-23112524

F.No.99/Ref/2024/SCA(Genl)
9th May 2024

Madam,

A Full Court Reference was held in the memory of late Shri R.D. Agrawala, Senior Advocate on 8th May 2024 in the Hon'ble Chief Justice's Court. Rich tributes were paid to Shri R.D. Agrawala by Shri R Venkataramani, Learned Attorney General for India; Dr. Adish C. Aggarwala, President, Supreme Court Bar Association and Hon'ble Dr. Dhananjaya Y. Chandrachud, the Chief Justice of India. After the references were read, two minutes' silence was observed in his memory.

I have the honour of forwarding a booklet containing memorial speeches delivered at the Full Court Reference, as aforesaid, along with heartfelt condolences of the Officers and members of the staff of the Supreme Court Registry to you and other members of the family.

Encl.: as above.

Yours sincerely,

M. Patankar
09/05/24
Registrar (Court & Building)

To,

Smt. Saroj Agrawal,
B-138, Sector-30,
Noida - 201303.

*List of Business for 8th May, 2024 in respect of
Full Court Reference*



SUPREME COURT OF INDIA

LIST OF BUSINESS FOR WEDNESDAY THE 8TH MAY, 2024

CHIEF JUSTICE'S COURT

AT 10.30 A.M.

FULL COURT REFERENCE IN THE MEMORY OF

LATE SHRI K.P. DANDAPANI,

LATE SHRI R.D. AGRAWALA,

LATE SHRI D.K. AGARWAL AND

LATE SHRI BHAGWAN DATTA,

SENIOR ADVOCATES

Coram of Hon'ble Judges at the Full Court Reference

- ❖ *Hon'ble Dr. Justice Dhananjaya Y Chandrachud, Chief Justice of India*
- ❖ *Hon'ble Mr. Justice Sanjiv Khanna*
- ❖ *Hon'ble Mr. Justice Bhushan Ramkrishna Gavai*
- ❖ *Hon'ble Mr. Justice Surya Kant*
- ❖ *Hon'ble Mr. Justice A.S. Bopanna*
- ❖ *Hon'ble Mr. Justice Hrishikesh Roy*
- ❖ *Hon'ble Mr. Justice Abhay S. Oka*
- ❖ *Hon'ble Mr. Justice Vikram Nath*
- ❖ *Hon'ble Mr. Justice J.K. Maheshwari*
- ❖ *Hon'ble Ms. Justice Hima Kohli*
- ❖ *Hon'ble Mr. Justice C.T. Ravikumar*
- ❖ *Hon'ble Mr. Justice M.M. Sundresh*
- ❖ *Hon'ble Ms. Justice Bela M. Trivedi*
- ❖ *Hon'ble Mr. Justice Pamidighantam Sri Narasimha*
- ❖ *Hon'ble Mr. Justice Sudhanshu Dhulia*
- ❖ *Hon'ble Mr. Justice J.B. Pardiwala*
- ❖ *Hon'ble Mr. Justice Dipankar Datta*
- ❖ *Hon'ble Mr. Justice Pankaj Mithal*
- ❖ *Hon'ble Mr. Justice Sanjay Karol*
- ❖ *Hon'ble Mr. Justice Sanjay Kumar*
- ❖ *Hon'ble Mr. Justice Ahsanuddin Amanullah*
- ❖ *Hon'ble Mr. Justice Manoj Misra*

- ❖ *Hon'ble Mr. Justice Rajesh Bindal*
- ❖ *Hon'ble Mr. Justice Aravind Kumar*
- ❖ *Hon'ble Mr. Justice Prashant Kumar Mishra*
- ❖ *Hon'ble Mr. Justice K.V. Viswanathan*
- ❖ *Hon'ble Mr. Justice Ujjal Bhuyan*
- ❖ *Hon'ble Mr. Justice Sarasa Venkatanarayana Bhatti*
- ❖ *Hon'ble Mr. Justice Satish Chandra Sharma*
- ❖ *Hon'ble Mr. Justice Augustine George Masih*
- ❖ *Hon'ble Mr. Justice Sandeep Mehta*
- ❖ *Hon'ble Mr. Justice Prasanna Bhalachandra Varale*

xxxxx

Reference made on 8th May, 2024

by

Attorney General for India

Shri R. Venkataramani

in the memory of

Late Shri K.P. Dandapani,

Late Shri R.D. Agrawala,

Late Shri D.K. Agarwal and

Late Shri Bhagwan Datta,

Senior Advocates

Hon'ble the Chief Justice of India, Hon'ble Judges of the Supreme Court, the Solicitor General of India, Additional Solicitors General, President and Office Bearers of the Supreme Court Bar Association, President and Office Bearers of the Supreme Court Advocates on Record Association, members of the Bar, family members of Shri K P Dandapani, Shri R D Agrawala, Shri D K Agarwal, and Shri Bhagwan Datta, Ladies and Gentlemen.

When we gather to pay homage to counsel of eminence, who have carved out a niche for themselves, stood by the highest values of the profession, showed us the importance of values in other public callings, we find it difficult to gather all chronicles about them and compress them in a brief while.

I say so as I had the opportunity of knowing all the four counsel, to whom we pay homage today.

Shri K P Dandapani, Senior Advocate

1. I am one of many who have had the privilege of knowing the vibrant and distinguished Senior Advocate, Mr K. P. Dandapani, and I can attest that his life embodied the qualities of a lawyer envisioned under all ethical codes.

2. It is not unusual that persons who stand by the commitment to the basic values of the legal profession, become examples of several accomplishments.

3. In the early days of his career, Shri K P Dandapani was drawn to legal reporting in more than one way. What he used to pen down everyday about the courtroom proceeding occupied the pages of Malayala Manorma the next day. This led to a natural transition to becoming a seasoned judgment reporter, and so he became the reporter for Kerala Law Times for a good period. In 1973 when he was appointed as an advocate commissioner for supervising the conduct of the well known Santosh Trophy Football Tournament held in Kerala, it acquitted him well for further court recognitions.

4. One of his former chamber colleague, Shri K Jaju Babu Senior Advocate, pithily conveyed the qualities of Mr Dandapani in his reference speech in honour of Shri Dandapani, as under:

“He had qualities that no one expected and few had ever seen. He was a multi-tasker par excellence. His passion (to reach his goals), optimism (belief in himself), persistence (to face setbacks), creativity (original thinking), self-discipline (to avoid distractions), desire to improve (never considering himself perfect) and commitment to learning (searching for another when you have one decision in your favour), made him a Senior having unconventional ways to success.”

5. Transitioning seamlessly from the Bar to the Bench for a short while and back, and later serving as the Advocate General for the State, Mr Dandapani's legal career has touched people from all walks of life, in demonstration of his public esteem and his eminence.

6. Senior Advocate S. Gopakumaran Nair, the then President of the Kerala High Court Advocates Association on occasion of elevation of Shri Dandapani as an Additional Judge of Kerala High Court said “Shri. K. P. Dandapani is a self-made man. There is no word as ‘impossible’ in his life’s dictionary. Even as a college boy, (he) has met all challenges with some sort of vengeance to conquer them. That un-surrendering nature has brought (him) to this momentous junction in his life.”

7. Having apprenticed in the chambers of legendary late S Easwara Iyer, he earned his due laurels.

8. His profound understanding of law spread into several legal domains, including constitutional, civil, criminal, and corporate law, ultimately led to his appointment as a Judge of the Kerala High Court in 1996. He chose to return to the Bar

after just three months, persuaded perhaps by true call. Both before and after his appointment as Advocate General, I had occasion of sharing professional engagements with him most memorably being together in the company of Justice V R Krishna Iyer, during my several visits to Kerala.

9. Serving as the Advocate General for the State of Kerala from 2011, his five-year tenure exemplified his unwavering but well balanced commitment to both the judiciary and the government. In the words of the eminent American lawyer W.R. Ruddle, "learning begets courage," and K. P. Dandapani epitomized this courage by steadfastly standing by his convictions, even when they conflicted with the State Government's stand, notably in the famous Mullaperiyar's case. It must be stated to the credit of Mr Dandapani that he truly belonged to the special class of Advocate Generals who stood by the values of objectivity, independence, and depth of understanding of the status and role of an Advocate-General.

10. Among his many notable achievements spanning over five decades, the handling of the Italian Marines case in 2012 stands out. Despite immense international pressure, it was known that the Chief Minister's trust in his capabilities that entrusted him with the case, resulting in substantial compensation for the victims' families. While Mr Dandapani was on Bench with Justice John K. Mathews, the Bench went into the Limca Book of Records by disposing off 38 thousand cases of revenue recovery claims of a chit fund company which went into liquidation.

11. Being gifted with those special endowments demonstrating multitasking abilities, K. P. Dandapani's passion, optimism, persistence, creativity, self-discipline, desire for improvement, and commitment to learning set him apart as a Senior Advocate with unconventional paths to success and he has thus truly earned a coveted place in annals of the Bar.

12. His mentorship nurtured a generation of successful lawyers, including Senior Advocates Jaju Babu and G. Shreekumar, who flourished before the Kerala High Court. Many of his former associates went on to hold prestigious positions in the legal and administrative realms.

13. His mortal remains stay as a study material for budding medical professionals at the Medical College, Kalamassery. This courageous decision during his lifetime

reflects one layer of his multifaceted personality. His legacy lives on, serving as a source of inspiration.

14. Survived by his wife, Senior Advocate Sumathy Dandapani, daughter Mittu Dandapani, son Millu Dandapani, son-in-law Manoj Gopalan, daughter-in-law Archana, and granddaughters Maneesha, Meghna, and Ameya, K. P. Dandapani leaves behind a cherished legacy that will endure through his family and professional achievements.

15. May his grieving family, including his beloved wife Senior Adv. Sumathi Dandapani, find peace and solace as they navigate this loss.

Shri R D Agrawala, Senior Advocate

1. Mr. R D Agrawala, Senior Advocate, a vibrant personality, leaves behind a distinguished legal career, and a legacy cherished by all who had the privilege of knowing him.

2. In the fabric of legal fraternity of Supreme Court Bar, the name Mr. R.D. Agrawala occupies a due space as a model of excellence, integrity, and warmth.

3. Mr Agrawala belonged to a class of person who could with ease secure entry into judicial service, and that too in more than one state judicial services at about the same time. On being selected for judicial service in the States of Bihar and Rajasthan, Shri Agrawala chose the Rajasthan Judiciary.

4. In the year 1970 with the opening up of the Delhi Judicial Service, Mr. Agrawala joined the Delhi Judicial Services, and began yet another chapter of serving the Judiciary. After serving a full tenure of office, he returned to practice, and on selection by the UPSC, he came to be appointed as Senior Government Advocate, and took charge of the Central Agency Section for the Ministry of Law and Justice. The responsibilities of this office, which he discharged with great amount of dedication also opened up the scope for demonstration of his capacity and competence to represent various government and public bodies, both before the Supreme Court of India, and the Delhi High Court as well.

5. Being a person with relentless passion for work and pursuit of excellence, after completing his tenure as senior government advocate, he continued with his private practice in many fields, and thus got designated as Senior Advocate by Delhi High Court, in April 2001.

6. Before his thriving legal practice, Shri R. D. Agrawala served in various esteemed positions throughout his career. Besides becoming Member of the Delhi Higher Judicial Service, where he functioned as a District Judge, he also served as Senior Judicial Member of the Income Tax Appellate Tribunal, where he presided over the U.P Benches with distinction as Judicial Secretary, Chief Vigilance Officer, I.G. Prisons of the notorious Cellular Jail in Andaman and Nicobar Islands, Registrar Appellate Side of the Hon'ble High Court of Calcutta, and Joint Secretary and Legal Advisor to the Government of India. Each of these roles showcased Shri R.D. Agrawala's versatility, competence, and dedication to the principles of justice and fairness.

7. Mr. Agrawala cultivated a thriving legal practice and emerged as a highly sought-after counsel, particularly by Public Corporations for their Service and Arbitration Cases before the Hon'ble Supreme Court.

8. As a prominent member of the Supreme Court Bar Association, he was renowned for his popularity and could often be found regaling his peers and juniors with anecdotes and poetry in the corridors of the court. Music, especially ghazals, held a special place in his heart, serving both as solace and expression. His great sense of humor endeared him to friends and colleagues of all ages. Additionally, Shri R.D. Agrawala undertook numerous pro bono cases throughout his 25-year practice.

9. Shri R.D. Agrawala was a man of manifold passions. While his professional achievements were remarkable, his personal life was enriched by diverse interests, each reflecting a different facet of his vibrant personality.

10. Throughout his illustrious career, Shri R.D. Agrawala epitomized the highest standards of legal professionalism, integrity, and ethical conduct, leaving an indelible mark in pages of Supreme Court Bar.

11. Shri R.D. Agrawala's unwavering commitment to his family was central to his identity. He cherished his role as a devoted husband, father, father-in-law, and grandfather, finding immense joy and fulfillment in the company of his loved ones.

12. Known for his jovial nature, zest for life, and ability to connect with people from all walks of life, Shri R.D. Agrawala's door was always open to those seeking guidance or support.

13. I recollect many a matters where we held briefs either together or opposing

each other. The disarming smile he used to wear and the way he could pull you to his side was one of his special characteristics, which one would always feel jealous about.

14. Mr Agrawala often expressed his desire not to pass away in a state of incapacity, and his wish was granted as he continued to work tirelessly until his final days, embodying his unwavering spirit and dedication to his profession.

Shri D K Agarwal, Senior Advocate
(Shri Devendra Kumar Agarwal)

1. Mr. Agarwal, born in 1929, in Najibabad, District Bijnor, U.P, hailed from a prominent business family and despite his family's expectations for him to join the family business, he opted for an entirely different path, choosing to pursue higher education outside Najibabad and later into law.

2. Evolving over time through exposure to diverse political ideologies, expanded social circles, and extensive reading of leftist literature, Mr. D.K. Agarwal transitioned into a labor leader, advocating for the rights of workers in textile mills such as Birla Mills and DCM Mills, among others. He earned the moniker 'Comrade DK' through his deep involvement with the CPM, consistently championing the cause of the marginalized and the weaker sections of the community.

3. Mr. D.K. Agarwal was enrolled with the Bar Council of the Punjab High Court in 1958 and admitted as an Advocate of the Supreme Court of India in 1960. The initial years it is said were marked by struggle and perseverance as he endeavored to establish himself in the legal profession particularly in the field of Labour law. By 1975, he had emerged as a respected advocate with a thriving practice, specializing in labor and industrial laws, education law, constitutional law, and corporate law too. His designation as Senior Advocate by the Delhi High Court on April 29th, 1989, underscored his stature in the legal fraternity. Throughout his career, Mr. Agarwal provided expert testimony before Wage Boards and appeared before National and State-level Arbitration Boards tasked with determining wages for workers in cement and textile industries. He was also invited by prestigious universities to assess LL.M and PhD candidates.

4. He belonged to a cadre of legal practitioners who tirelessly advocated for the rights of the working class.

5. As he aged, Mr. Agarwal gradually reduced his courtroom presence, transitioning to academia. He devoted his efforts to scholarly pursuits, notably contributing to the monograph on the Constitution titled 'India' in the International Encyclopedia of Laws: Constitutional Law, published by Kluwer Law International.

6. Assuming roles as Co-Patron and General Secretary of AILU (Association of Indian Labour Unions), Mr. Agarwal edited their journal, the 'Popular Jurist,' showcasing his commitment to secularism and egalitarianism.

7. Mr. Agarwal was characterized by his pleasant demeanor, infectious positivity, and unwavering courtesy. Known for his hospitality, he remained unflustered even in challenging situations, often responding to inquiries about his well-being with a cheerful statement - "on top of the world."

8. A polymath with a deep interest in Philosophy, Theology, Social Sciences, History, Literature, and Law, Mr. Agarwal also harbored a profound love for classic melodies and ghazals. He embodied the epitome of a gentleman in every sense.

9. He peacefully departed on January 27th, 2024, just four weeks after the passing of his wife, Smt. Pushpa Agarwal, on December 30th, 2023.

10. He has left behind three grand sons and a granddaughter and a worthy son in law all as members of the Bar

- i. Mr. Suryakant Singla, Advocate: Son - in - law
- ii. Aditya Singla, Advocate: Grandson
- iii. Mrs. Supriya Juneja, Advocate on Record: Granddaughter - in - law
- iv. Master Shaurya Singla, Great Grandson
- v. Mr. Udayan Singla, Advocate: Grandson

Mr. Bhagwan Datta, Senior Advocate

1. The life of Mr. Bhagwan Datta born in 1935 in a small village in District Muzafargarh in West Punjab, now part of Pakistan is an inspiring story of perseverance, and an indomitable will to survive and grow. His early schooling took place at the local Sanatan Dharam School. The partition upheaval in 1947, disrupted his education like it did in the case of a large number of people. It is recorded that notwithstanding the immense challenges the family faced, like the multitude of displaced people, the family made their way to Delhi, and like many others, they found their shelter in a refugee camp.

Like the stories of the multitude of displaced people, the resumption of his education, is stated to be a matter of challenge. The demise of his father at an early stage, brought several responsibilities on his shoulders, being the eldest son in the family, and one among 12 siblings. In 1950, the family relocated to Ambala Cantonment, and around 1955, Mr Datta moved to Delhi in search of employment and pursued his study of law in evening classes.

2. For a person with perseverance and dedication, obstacles did not stop him from working his way ahead. It was apparently the scoresheet of his student days and his engagement in social and political activities, earned him the possibility of joining the esteemed chambers of the renowned lawyer, Mr G. S. Pathak, initially as an office assistant. His dedication and hard work, soon earned him opportunities to actively and ably assist his senior in significant number of matters. The then well known and unchallenged law firm of J B Dadachandji & Co, is said to have pleasingly engaged his services for drafting petitions in view of his drafting skills and acumen. He frequently briefed eminent Senior Counsel such as Mr. C.K. Daphatary, Mr. H.R. Ghokale, and Mr. Ashoke Sen, and was thus bestowed with the opportunity of enhancing his forensic skills and enlarging his practice. We find his name as counsel for parties in many matters including the Bank Nationalization and the Privy Purses case, where he ably assisted the senior counsel.

3. Mr Datta had also earned considerable work in the then emerging areas of education and service law. He represented universities and colleges in matters relating to medical education and the reported orders show that his forensic contribution in these fields do stand high.

4. His legal career gained momentum as he established a successful practice as an Advocate-on-Record in the Supreme Court, and regularly appearing in the Delhi High Court and various other High Courts. Despite his busy schedule, he remained active in the bar association and bar council activities, serving as Secretary of the Supreme Court Bar Association and holding multiple terms as a Member and Chairman of the Bar Council of Delhi.

5. In May 1983, Mr. Datta was designated as a Senior Advocate, both by the Supreme Court of India and the Delhi High Court on the same day, a rare honor indeed. He served as the Additional Solicitor General of India from 1985 with the quality and standard of assistance to the Court, expected of such office. He later became preoccupied

in international arbitration matters across different jurisdictions. From 2004 to 2009, he resumed his role as Additional Solicitor General in the Supreme Court.

6. He used to express his firm view that in cases where an ordinary citizen was pitted against the State, it is the foremost duty of the Bar to address the grievances of the citizen. Although Mr. Datta was involved in significant commercial litigation, including international commercial arbitration, he was most enthused about cases where he could bring succor and relief to ordinary citizens, especially students and members of the armed forces. Many such instances he fondly used to recount frequently.

7. Some lighter moments of his position as Secretary of Supreme Court Bar Association, included installation of a television set in the bar library hall and it is said that the then Hon'ble Chief Justice Y V Chandrachud was invited by him to visit the bar room to allay the concerns raised in the bar, and that the visit of the Hon'ble the Chief Justice brought down the curtain on the issue.

8. Health issues led him to scale back his practice after 2010, opting to spend more time with his family and pursue writing. During this period, he has worked and written on many subjects of law, which the family is desirous of publishing. He is survived by his wife Prem Bhagwan Datta, daughters Sangeeta Vohra and Neerja Kapur (both members of the SCBA), son Sachin Datta (a judge in the Delhi High Court), and grandson Madhav Datta, who is studying law.

9. I had the pleasure of appearing with, watching, and moving with all the four eminent counsel, and I miss each one of them in one way or the other. I must say with sadness that many from whom I learnt in many ways, are no longer with us.

10. May their souls rest in peace.

xxxxx

Reference made on 8th May, 2024

by

Dr. Adish C Aggarwala (Sr.)

President, SCBA

in the memory of

Late Shri K.P. Dandapani,

Late Shri R.D. Agrawala,

Late Shri D.K. Agarwal and

Late Shri Bhagwan Datta,

Senior Advocates

Hon'ble Dr. Chief Justice D.Y. Chandrachud, Chief Justice of India, Other Hon'ble Judges of the Supreme Court, Learned Attorney General for India Mr. R. Venkataramani, Learned Solicitor General of India Mr. Tushar Mehta, Learned Chairman of Bar Council of India Mr. Manan Kumar Mishra and his colleagues in Bar Council of India, Learned Additional Solicitors General of India, Senior Advocates, Office bearers and members of Supreme Court Bar Association, President of Supreme Court Advocates on Record Association Mr. Vipin Nair and other office bearers, Family members of Late Mr K.P. Dandapani, Late Mr R.D. Agrawala, Late Mr D.K. Agarwal and Late Mr Bhagwan Datta, including Mr. Justice Sachin Datta, Judge, High Court of Delhi, Officers of Registry of Supreme Court including Secretary General Mr. Atul Madhukar Kurhekar, and My brothers and sisters in the legal profession.

We have gathered to pay homage to our most distinguished legal luminaries and pure souls late Mr K.P. Dandapani, late Mr R.D. Agrawala, late Mr D.K. Agarwal and late Mr Bhagwan Datta, all distinguished Senior Advocates who practiced before this Hon'ble Court.

Mr K.P. Dandapani

Mr K.P. Dandapani, Senior Advocate, was born on 11.05.1943 to Mr K. Padmanaban and Mrs Narayani. He completed his schooling and study of law at Ernakulam.

Mr Dandapani commenced his practice in law in 1968 as junior to Mr S. Easwara Iyer, who was a highly respected advocate of the Kerala High Court.

He practised in all branches of law, whether it be civil, criminal, constitutional or administrative matters, and had appeared in all courts from the Land Tribunal right up to the Supreme Court. He had groomed an array of junior associates, many of whom are reputed senior counsels with a flourishing practice today. Few of them are also present sitting judges of Kerala High Court.

In 2007, the full court of High Court of Kerala designated Mr K.P. Dandapani as Senior Counsel along with his wife Smt Sumati Dandapani, making them the first lawyer couple of India to become designated “Senior” on the same day.

Mr Dandapani was appointed as the Advocate General of the State of Kerala in 2011, and continued as such till 2016. Mr Dandapani was more than just an expert in law; he was a friend, a mentor, and a family member to all who knew him. Mr. Dandapani was not just a legal luminary; he was a humanitarian at heart. His legacy will live on, not only in the legal community but also in the countless lives he touched with his kindness, generosity, and unwavering commitment to justice. Mr Dandapani will be deeply missed but never forgotten.

Even in death, Mr Dandapani continued to serve humanity. He selflessly dedicated his body to scientific research and medical experimentation, ensuring that even in his passing, he would be of value to society.

Mr R.D. Agrawala

Mr R.D. Agrawala, Senior Advocate, was born on July 9th, 1936, in Farrukhabad. He pursued his higher education at the University of Allahabad, often referred to as the 'Oxford of the East,' where he earned his B.A. and LL.B. Degrees.

Mr Agrawala exhibited exceptional merit by excelling in the Judicial Service Examination for the states of Bihar and Rajasthan in the same year. In 1970, with the establishment of the Delhi Judicial Service, he joined the DJS.

From 1983 to 1987, Mr Agrawala served as Senior Government Advocate. During this period, he served as the In-charge of the Central Agency Section of the Ministry of Law and Justice, representing the Central Government, participating States, Delhi Police, and the CBI before the Hon'ble Supreme Court of India. After 1987, Mr Agrawala transitioned into private practice, where, for over 25 years, he practiced law tirelessly. In April 2001, he was honoured with the designation of 'Senior Advocate' by the Hon'ble High Court of Delhi.

His other notable designations include being Chief Vigilance Officer; Inspector General (Prisons) of the notorious Cellular Jail in Andaman and Nicobar Islands; Registrar Appellate Side of the Hon'ble High Court of Calcutta; Joint Secretary and Legal Advisor to the Government of India and Senior Judicial Member of the Income Tax Appellate Tribunal.

Mr Agrawala's journey was not just about legal precedents and courtroom triumphs; it was about the lives he touched and the hearts he uplifted. His infectious enthusiasm, unwavering principles, and boundless compassion continue to reverberate through the corridors of justice.

Mr Agrawala often expressed his sentiment, saying, "I do not wish to die on a wheelchair." His wish was granted by the almighty, as he continued his work tirelessly until his very last day. He was my Paymaster as I worked as Central Govt. Counsel in Supreme Court when he was incharge of Central Agency.

Mr D.K. Agarwal

Mr D.K. Agarwal, Senior Advocate, was born on 10th August, 1929 in Najibabad, situated in District Bijnor, UP, into a renowned business family. Though his family desired that he should join the family business, Mr Agarwal chose a different course in life and preferred to move out of Najibabad to pursue higher education. He graduated from the University of Allahabad and was conferred the LL.B. degree by the University of Delhi.

Mr Agarwal started law practice as Pleader in 1958 and began to practice in the Supreme Court in 1960. The initial years were those of struggle and efforts to establish himself in the legal profession. By 1975, he was fully established as an advocate with a flourishing legal practice. He specialized in labour and industrial laws, education law, constitutional and corporate laws. Mr Agarwal was designated as Senior Advocate by the High Court of Delhi on 29th April, 1989. Notably, Mr. Agarwal also appeared before the Wage Boards and the National and State level Arbitration Boards engaged in the task of determining wages for cement and textile workers. He was also invited by prestigious universities to examine and interview LL.M. and Ph.D. students.

With advancing age, he reduced his presence in the Courts of Law and dedicated himself to academic pursuits and worked on the Monograph of the Constitution titled 'India' International Encyclopedia of Laws: Constitutional Law, which was published by Kluwer Law International, The Netherlands.

A pleasant, smiling and courteous gentleman, it was hard to find him ruffled. Always at his best in hospitality, his positivity in life was infectious and one can never forget his response, 'on top of the world', when asked 'how are you'?

Well-read in Philosophy, Theology, Social Sciences, History, Literature and Law, and, with great love for old melodies and ghazals, Mr. Agarwal was a perfect gentleman, as one would define a gentleman to be. Mr Agarwal attained eternal peace on 27th January, 2024.

Mr. Bhagwan Datta

Mr. Bhagwan Datta, Senior Advocate, was born in 1935, in a small village in District Muzafargarh in West Punjab, now in Pakistan. His early education was at the local Sanatan Dharam School.

Mr Datta was still in middle school in 1947, when partition struck India. With great difficulty, his family managed to reach Delhi. The family stayed in a refugee camp for a considerable period of time and thereafter house was allotted in Rohtak by the Govt. in lieu properties in West Punjab. His family stayed in Rohtak, which is also my native place. Mr Datta managed to complete his schooling and graduation through a lot of struggle. After completing law, he joined the chamber of Mr. G.S. Pathak, Senior Advocate, who later became Vice-President of India.

Mr Datta got the opportunity to get involved in several significant matters such as the Bank Nationalization Case and the Privy Purse case. Gradually, he developed a flourishing practice as an Advocate-on-Record.

Mr. Datta was designated as Senior Advocate in May 1983. He probably has the distinction of being the only lawyer to be designated as a Senior Advocate by the Supreme Court of India and by the Delhi High Court on the same day.

In 1985, he was appointed as the Additional Solicitor General of India. Since the 1990s, he became actively involved in international arbitration matters in different jurisdictions across the world. From 2004 till 2009, he again served as the Additional Solicitor General in the Supreme Court. He was honoured with the National Citizens Award in 1992 by Vice President of India Mr. K. R. Narayanan for his unique contribution in the field of law.

After 2010, due to health issues, he gradually reduced his practice and preferred to spend time with family and in writing. During this period, he wrote a couple of books, which his family hopes to publish soon.

Mr. Datta was an extremely spiritual person. Not many people know, that besides law, he was a keen student of comparative religion. He was well versed with religious practices of different religions and the rationale thereof. He has even written extensively on the subject.

Mr. B.Datta was an inspirational personality. He overcame tremendous odds to rise in the profession through sheer hard and determination. Despite several constraints he never allowed himself to be bogged down by circumstances or by those who were more privileged than him.

All four Senior Advocates will be remembered as calm, kind and generous persons who motivated many young lawyers.

The demise of these eminent senior lawyers has left a void in the legal profession because they were fearless torchbearers of justice who created a path of their own as champion of rights of the common man.

I will cherish my association with all the four Senior Advocates forever and their demise is a great personal loss to me. Being the President of Supreme Court Bar Association, I offer condolences to their families and respectfully pay homage to them.

Jai Hind.

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Reference made on 8th May, 2024

by

***Hon'ble The Chief Justice of India
Dr. Justice Dhananjaya Y. Chandrachud***

in the memory of

***Late Shri K.P. Dandapani,
Late Shri R.D. Agrawala,
Late Shri D.K. Agarwal and
Late Shri Bhagwan Datta,
Senior Advocates***

My esteemed colleagues, the Attorney General for India, the Solicitor General of India, the Presidents, Secretaries and office bearers of SCBA and SCAORA, distinguished members of the Bar, and the dear family and friends of Mr. K.P. Dandapani, Mr. R.D. Agrawala, Mr. D.K. Agarwal, and Mr. Bhagwan Datta.

We gather here today to commemorate the life and legacy of four Senior Advocates whose insights and advocacy enriched the fabric of our legal system.

Mr. KP Dandapani

Mr. K. P. Dandapani was a skilled and articulate lawyer, renowned for his leadership within the Bar of the Kerala High Court. He was a mentor to all who sought his assistance, and loved for his affable and approachable nature.

K. P. Dandapani was born on 11 May 1943. He began his legal career by acquiring his degree in law from Government Law College, Ernakulam and commenced his practice in 1968 as junior to S Easwara Iyer, who was a respected advocate of the Kerala High Court. He formed a personal and professional alliance with his law college peer, Ms. Sumathy. Together, they established an independent practice and swiftly gained recognition within the legal community. Clients began to throng the office of this lawyer couple who meticulously prepared the briefs and presented them impressively before the

Courts. Their firm "Dandapani Associates," became synonymous with legal expertise. The firm holds the record for the maximum number of company cases filed and disposed of in a single day.

Mr. Dandapani's practice spanned across civil, criminal, constitutional and administrative matters, and he appeared in all forums from tribunals to the Supreme Court. Many statutory corporations, corporate bodies and local self government institutions had him on retainer.

He was elected as the President of the Kerala High Court Advocates' Association in 1995. It was at his instance, as the President of the Association, that display boards showing the status of cases being taken up in various courts were put up for the first time in the Kerala High Court. This proved to be a boon for lawyers anxiously rushing from one court to another anticipating when their cases would be taken up.

In 1996, Mr. Dandapani was elevated to the Bench of the Kerala High Court. However, he could not quite shake the thrill of arguing, and he soon returned to the Bar and resumed his practice. His decision to leave judgeship did not diminish his desire to contribute to the nation, and he would go on to serve as the Advocate General of Kerala.

In 2007, the full court of the High Court of Kerala designated Mr. K.P. Dandapani as Senior Counsel along with his wife Ms. Sumathy Dandapani, granting them, to the best of my knowledge the unique distinction of being the first married couple to be designated as Seniors on the same day.

Mr. Dandapani transcended his role as a legal expert, extending his influence as a confidant, guide, and as an integral part of the lives of those around him. He possessed an exceptional talent for nurturing personal connections with colleagues and associates, regarding them with the same care and consideration as he did his own. Mr. Dandapani spurned the stereotype of a maverick lawyer who was a terror to work with. Instead, he groomed an array of junior associates, many of whom are reputed senior counsel with a flourishing practice today. His unwavering devotion and steadfastness were apparent in all facets of his existence. His legacy will live on, not only in the legal community but also in the countless lives he touched with his kindness, generosity, and commitment to justice.

Mr. R. D. Agrawala

In the tapestry of India's legal heritage, Mr. R.D. Agrawala's name shines bright as a beacon of excellence, integrity, and warmth. Born on 9 July 1936, his formative years in Farrukhabad were shaped by his participation in the Uttar Pradesh Battalion of the National Cadet Corps, instilling in him a commitment to physical fitness and a sense of duty towards his country and fellow citizens—a commitment that remained steadfast throughout his life.

Mr. R.D. Agrawala pursued his higher education at Allahabad University, often referred to as the 'Oxford of the East,' where he earned his Bachelor of Arts degree in 1956, followed by a Bachelor of Law degree in 1959. Upon completing his legal studies, Mr. R.D. Agrawala exhibited exceptional merit by excelling in the Judicial Service Examination for the States of Bihar and Rajasthan in the same year. His performance earned him placements in both States, with the distinction of securing the top position in the Judicial Service Examination for the State of Bihar. He chose to serve in the judiciary of Rajasthan. In 1970, with the establishment of the Delhi Judicial Service, Mr. R.D. Agrawala embraced a new chapter in his career, dedicating his expertise and leadership to the nascent judicial system of the capital city. He transitioned into legal practice with his selection by the UPSC as the Senior Government Advocate in 1983. During this period, he also served as the In-charge of the Central Agency Section of the Ministry of Law and Justice, representing the Central Government, participating States, Delhi Police, and the CBI before this Court.

Mr. R.D. Agrawala remained actively engaged in the legal arena for over 25 years, handling important arbitration and service cases before constitutional courts. In April 2001, he was designated a 'Senior Advocate', by the Delhi High Court, a testament to his legal skills and contribution to the legal fraternity.

His personal life was enriched by a myriad of passions. One of them was music, particularly ghazals. Whether listening to the soul-stirring melodies of legendary ghazal singers, attending live performances, or hosting Karaoke sessions with family and friends, he found immense joy and fulfilment in the world of music. He captivated all with his eloquent quotes, enchanting shayari, and amusing anecdotes.

That even at the age of 87, Mr. R.D. Agarwala remained actively engaged in the legal profession, is a tribute to his unwavering spirit. His door was open to those who sought his guidance or support, and his willingness to share his knowledge and experience was unmatched. His infectious enthusiasm, resolute principles, and boundless compassion continue to reverberate through the corridors of justice.

Mr. D.K. Agarwal

Mr. D.K. Agarwal was born on 10 August 1929 in Najibabad, Uttar Pradesh to a renowned business family. Though his parents hoped that he join the family business, he displayed individual conviction to move out of Najibabad to pursue higher education. He graduated from the University of Allahabad in 1949 and received his LL.B. degree from the University of Delhi in 1952.

Mr. D.K. Agarwal enrolled with the Bar Council of the Punjab High Court in 1958 and as an Advocate of the Supreme Court of India in 1960. By 1975 he was fully established as an Advocate with a flourishing legal practice. Mr. D.K. Agarwal believed in the importance of labour rights. He fought cases for the rights of the workers of textile factories. He specialised in labour and industrial law. He consistently took a stand for marginalised and vulnerable people. He was an expert in the law relating to education, constitutional law, and company law. During the course of his legal career, Mr. Agarwal tendered evidence before the Wage Boards and appeared before National and State level Arbitration Boards engaged in the task of determining wages for cement and textile workers. Mr. D.K. Agarwal was designated as a Senior Advocate by the Delhi High Court on 29 April 1989.

A pleasant, smiling and courteous human being, it was hard to imagine him being ruffled. His positivity in life was infectious and one can never forget his response to the question, 'how are you?', to which he habitually responded 'on top of the world!' Throughout his illustrious career, Mr. D. K. Agarwal exemplified high standards of professionalism, integrity, and the warmth and generosity that made not just a noted lawyer, but a good human being. His legacy continues to inspire generations of legal practitioners, leaving an indelible mark on India's legal landscape.

Mr. Bhagwan Datta

Mr. Bhagwan Datta was born in 1935, in Muzzafargarh in erstwhile West Punjab. He was in middle school in 1947, when Partition took place. After a perilous train journey, his family managed to reach Delhi. The family stayed in a refugee camp for a considerable period of time. Since the financial condition of the family was precarious, Mr. Datta's education was disrupted, and could resume only after a couple of years when his father finally landed a regular job. But this did not hinder his growth or intellectual abilities. Mr. Datta passed his matriculation examination in the early 1950s, completed his B.Sc. from DAV college in Ambala Cantt. He then shifted to Delhi.

After completing law, he joined the chambers of G.S. Pathak, Senior Advocate, who later became Vice-President of India. Initially, he was employed as an office assistant, but through dint of hard work, he caught the attention of his senior and started getting opportunities to actively brief and appear with his senior in important cases. By 1963, his innate talent was finding recognition, and he started getting briefs as a drafting counsel in numerous cases including those filed by the office of J.B. Dadachandji & Co, which was the pre-eminent firm at the time.

He frequently briefed eminent Senior Counsel of the time, including C.K. Daphtary, H.R. Ghokale and Asoke Sen. He was involved in several significant cases during those days including the Bank Nationalization and Privy Purses cases. By this point, his practice gained momentum and there was no looking back. He developed a reputation as an Advocate-on-Record in the Supreme Court and regularly appeared in the High Court of Delhi, and other High Courts.

Mr. Datta kept himself involved in the activities of the Bar Association and the Bar Council. He served as Secretary of the Supreme Court Bar Association. He was elected as Member of the Bar Council of Delhi on multiple occasions, and remained its Chairman for several years.

Mr. Datta was designated as a Senior Advocate of this Court in May 1983. He holds the distinction of having been designated as a Senior Advocate by the Supreme Court of India and by the Delhi High Court on the same day. Two years later in 1985, he was appointed as the Additional Solicitor General of India and represented the Union Government with distinction, being re-appointed from 2004 till 2009.

Mr. Bhagwan Datta was a seasoned lawyer, known for his dedication to law, intellect, and his pursuit of fairness and equity in every case he undertook. His work ethic saw him rise from humble beginnings to the higher echelons of the legal profession. He will remain a source of inspiration for young lawyers beginning their practice, on making the art of the possible a reality.

All four of these eminent individuals possessed a passion for the law, defended the rights of those less fortunate. Each of them gave back to the legal community in their own unique way. They have left the legal fraternity stronger than when they joined it. Their memory will remain present in the hearts of all those who had the privilege of knowing them. As we bid them farewell, let us cherish the memories of their remarkable lives and the influence they had on our profession and society.

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List of Attendees at the Full Court Reference

- ❖ *Shri R Venkataramani*
Ld. Attorney General for India.
- ❖ *Shri Tushar Mehta,*
Solicitor General of India.
- ❖ *Dr. Adish C. Aggarwala, (Sr.)*
President,
Supreme Court Bar Association.
- ❖ *Shri Sukumar Pattjoshi, (Sr.)*
Vice President,
Supreme Court Bar Association.
- ❖ *Shri Rohit Pandey,*
Hony. Secretary,
Supreme Court Bar Association.
- ❖ *Shri Vipin Nair,*
President,
Supreme Court Advocates-on-Record Association.
- ❖ *Shri Amit Sharma,*
Vice President,
Supreme Court Advocates-on-Record Association.
- ❖ *Shri Nikhil Jain,*
Hony. Secretary,
Supreme Court Advocates-on-Record Association.

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***Family Members of
Late Shri R.D. Agrawala
Senior Advocate
at the Full Court Reference***

- ❖ *Smt. Saroj Agrawal, Wife*
- ❖ *Shri Sameer Agrawal, Son*
- ❖ *Smt. Shikha Agrawal, Daughter-in-law*
- ❖ *Ms. Neeti Agrawal, Granddaughter*
- ❖ *Shri S.K. Agrawal, Brother*
- ❖ *Smt. Mukul Agrawal, Sister-in-law*
- ❖ *Shri L. D. Agrawal, Brother*
- ❖ *Smt. Kamlesh Agrawal, Sister-in-law*
- ❖ *Smt. Smita Agrawal, Niece*
- ❖ *Shri Arun Agrawal, Nephew-in-law*
- ❖ *Smt. Amita Singhal, Niece*
- ❖ *Col. Gaurav Singhal, Nephew-in-law*
- ❖ *Smt. Mansi Agrawal, Niece*
- ❖ *Shri Naveen Peswani, Nephew-in-law*
- ❖ *Smt. Priyam Agrawal, Niece*
- ❖ *Shri Ankush Singh, Nephew-in-law*
- ❖ *Smt. Garima Garg, Niece*
- ❖ *Shri Nishant Kumar Garg, Nephew-in-law*

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THE SUPREME COURT OF INDIA

New Delhi - 110001

India
