



25th March, 1932 – 2nd March, 2023

Full Court Reference in the memory of

Late Hon'ble Mr. Justice A. M. Ahmadi

Former Chief Justice of India

held on Thursday, the 11th May 2023

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

Vivek Saxena
Registrar



Supreme Court of India
Tilak Marg,
New Delhi-110 001
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F.No.99/Ref/2023/SCA(Genl)
New Delhi, dated the 06th July, 2023

Sir,

A Full Court Reference was held in the memory of late Hon'ble Mr Justice A.M. Ahmadi, former Chief Justice of India on 11th May, 2023 in the Hon'ble Chief Justice's Court. Rich tributes were paid to His Lordship by Hon'ble Dr D.Y. Chandrachud; Chief Justice of India, Shri R Venkataramani; Learned Attorney General for India and Shri Vikas Singh; President, Supreme Court Bar Association. After the references were read, two minutes' silence was observed in His Lordship's 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, -


Registrar (Court & Building)

To

Shri Huzefa Ahmadi,
5, Sri Aurobindo Marg,
Near I.I.T. Gate Flyover,
New Delhi - 110 016.

*List of Business for 11th May, 2023 in respect of
Full Court Reference*



SUPREME COURT OF INDIA

LIST OF BUSINESS FOR THURSDAY THE 11TH MAY, 2023

CHIEF JUSTICE'S COURT

AT 10.30 A.M.

**FULL COURT REFERENCE IN THE MEMORY OF
LATE HON'BLE MR. JUSTICE A.M. AHMADI
FORMER CHIEF JUSTICE OF INDIA**

Coram of Hon'ble Judges at the Full Court Reference

- ❖ *Hon'ble Dr. Justice D.Y. Chandrachud, Chief Justice of India*
- ❖ *Hon'ble Mr. Justice Sanjay Kishan Kaul*
- ❖ *Hon'ble Mr. Justice K.M. Joseph*
- ❖ *Hon'ble Mr. Justice Mukeshkumar Rasikbhai Shah*
- ❖ *Hon'ble Mr. Justice Dinesh Maheshwari*
- ❖ *Hon'ble Mr. Justice Bhushan Ramkrishna Gavai*
- ❖ *Hon'ble Mr. Justice Surya Kant*
- ❖ *Hon'ble Mr. Justice Aniruddha Bose*
- ❖ *Hon'ble Mr. Justice A.S. Bopanna*
- ❖ *Hon'ble Mr. Justice Krishna Murari*
- ❖ *Hon'ble Mr. Justice S. Ravindra Bhat*
- ❖ *Hon'ble Mr. Justice V. Ramasubramanian*
- ❖ *Hon'ble Mr. Justice Hrishikesh Roy*
- ❖ *Hon'ble Mr. Justice Abhay S. Oka*
- ❖ *Hon'ble Mr. Justice J.K. Maheshwari*
- ❖ *Hon'ble Ms. Justice Hima Kohli*
- ❖ *Hon'ble Mrs. Justice B.V. Nagarathna*
- ❖ *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*

xxxxx

Reference made on 11th May, 2023

by

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

in the memory of

***Late Mr. Justice A. M. Ahmadi
Former Chief Justice of India***

My esteemed colleagues at the Bench,

Mr. R. Venkataramani, Attorney General for India,

Mr. Tushar Mehta, Solicitor General of India,

Mr. Vikas Singh, President of the Supreme Court Bar Association,

Mr. Manoj K. Mishra, President of Supreme Court Advocates-on-Record Association

Members of the family of Late Justice AM Ahmadi who are present here and those have joined us virtually

Ladies and Gentlemen

In assembling together we pay our homage and tribute to one of the finest minds and friend of our legal fraternity—Justice Aziz Mushabber Ahmadi, former Chief Justice of India. He completed his mortal journey, having led a full and fulfilling life on 2 March. Our country has lost a jurist of a historic stature.

As a young adult, Justice Ahmadi wanted to join the Merchant Navy and was selected. However, the selection letter was opened by his father, who himself was a judge in the district judiciary under the erstwhile State of Bombay. His father disapproved of the idea, and as fate would have it, Justice Ahmadi ended up following his father's footsteps. He often said that he did not choose law, but rather the law chose him.

Justice Ahmadi was a man of many parts. He played cricket with the noted cricketer Salim Durani, who passed away exactly a month after him on 2 April 2023.

Justice Ahmadi began his legal career in 1954, when he started his practice at the bar in Bombay, and later enrolled as an advocate of the High Court of Gujarat in 1962.

As a member of the Bar, he was among the pioneers of the legal aid movement in Gujarat.¹ His legal acumen and advocacy skills were recognized soon enough, and he came to be appointed as a Judge in City Civil and Sessions Court of Ahmedabad in 1964. Appointment to the City Civil Court in those days was a stepping stone to a call to the Bench of the High Court. In an interview, Justice Ahmadi narrates that he had no inkling of his appointment and when Chief Justice JM Shelat offered him judgeship, he took some time to consult his family, and especially his wife. He wanted to know whether his wife would be willing to live “the life of a judge's wife”.² In the end, Mrs Ahmadi agreed.

His children – Huzefa and Tasneem told me that Justice Ahmadi had a poor sense of direction and would often rely on his wife to guide him to the destination. His wife, Amena, was truly his 'guiding light' in life. With her support and partnership, Justice Ahmadi rose from the ranks and was elevated to be a Judge of the Gujarat High Court in 1976, and thereafter a Judge of this Court in December 1998. Justice Ahmadi holds the distinct honour of handling the judicial process at all three levels of the judiciary. Justice Ahmadi served this Institution with consummate dedication and a fierce devotion to fairness, equality and justice for nine long years. He assumed the mantle of the Chief Justice of India on 25 October 1994 and became the 26th Chief Justice of India. The records of the Supreme Court registry reflect that Justice Ahmadi was a member of the Bench in 811 judgments, of which he himself had authored 232 judgments. Justice Ahmadi was at his inimitable best in the courtroom. As a judge of exceptional intellectual abilities, he made significant contributions to the development of law, advancing the cause of secularism, substantive equality, freedom, dignity and liberty. Some of his notable judgments include SR Bommai, L. Chandra Kumar, Indira Sawhney and Keshub Mahindra dealing with the Bhopal Gas Tragedy.

- In SR Bommai v. Union of India, Justice Ahmadi wrote a separate 37-page judgment in which he emphasised the importance of accommodation and tolerance towards vulnerable religious, social, and linguistic groups, and concluded that adequate provisions had been enshrined in the Constitution “to keep divisive forces in check.”*
- In L. Chandra Kumar v. Union of India³, writing for the Bench, Justice Ahmadi held that the power of judicial review vested in the High Courts and in the*

¹ George H. Gadbois, *Judges of the Supreme Court of India: 1950-1989*

² Anuj Agarwal, *In Conversation with former Chief Justice of India, Aziz Mushabber Ahmadi, Bar and Bench*

³ 1997 (2) SCR 1186

Supreme Court, enabling legislative action to be subjected to the scrutiny of superior courts, was an integral and essential feature of the Constitution, constituting part of its basic structure.

- In *Allauddin Mian v. State of Bihar*,⁴ he laid down the procedure to be followed by judges in the matter of sentencing in terms of Section 235(2) of the CrPC. He said that this provision is “salutary and must be strictly followed”. He held, and I quote, “When the Court is called upon to choose between the convict's cry 'I want to live' and the prosecutor's demand 'he deserves to die' it goes without saying that the Court must show a high degree of concern and sensitiveness in the choice of sentence.”.... “It need hardly be mentioned that in many cases a sentencing decision has far more serious consequences on the offender and his family members”

Justice Ahmadi was not one to shy away from writing a dissenting opinion where he believed it was essential. He, along with Justice S P Bharucha, dissented with the majority view in the *Acquisition of Certain Area of Ayodhya Act* holding the Act to be unconstitutional.

Aside from being one of the finest jurists, Justice Ahmadi was a great administrator; for the case pendency dipped to an all-time low during his term as the CJI. When Justice Ahmadi joined the Supreme Court, he noticed that the total use of computers in those days was hardly 3% of its optimum capacity, and they were merely being used as word processors. When he took over as a Chief, he transformed the way the Supreme Court used technology. He introduced computerised causelists and made formal and extensive use of computers in routine functions of law.

He built on the skills and management principles which he had devised during his time in the trial court, and developed a method of categorization and classification of cases. After the successful categorization of cases, he got the docket pendency analysed and took the challenge head-on. He often had the slogan — “Don't get scared by numbers”. Lord Justice Harry Woolfe (the then Chief Justice of England and Wales), who welcomed Justice Ahmadi as the Honorary Master Benchers of the Middle Temple London,⁵ referred to him as the 'case cracker' due to his success in reducing pendency of cases in the Indian Supreme Court. Justice Ahmadi has set the bar really high for his successors to follow.

⁴ (1989) 3 SCC 5

⁵ In 1996

Justice Ahmadi extended active support to young advocates and encouraged them to appear before him. He made digital copies of judgments available so that junior members of Bar, in particular those who could not afford the high costs of procuring books, could access the floppies and the CDs prepared by the Supreme Court. In an interview, he said that the basic idea was to ensure that “junior members will have the advantage of a well equipped library for that matter”. His first step in increasing access to the judgments of the Supreme Court aided in increasing access to justice.

Justice Ahmadi firmly believed in promoting young talent. In 1995, he formally introduced the system of judicial clerkship at the Supreme Court by employing a then fresh graduate, Arun Kumar Thiruvengadam as a judicial clerk.⁶ Justice Ahmadi often relied on the judicial law clerks to assist him in research and was open to their ideas and opinions. His dedication and devotion towards law coupled with the aim of imparting quality education, and encouraging young law students did not let him stop after his retirement, and he accepted the position of Chancellorship at the Aligarh Muslim University.

He was conferred with several international recognitions and honorary degrees. He was a Member of the American Inns of Court,⁷ and was conferred a Degree of Doctor of Laws (Honoris Causa) by the University of Leicester, England.⁸ He was nominated to various International Committees and led several delegation and missions to East Timor, Liberia, Bangladesh and Zimbabwe.

When I had been offered judgeship, I had the opportunity to seek the advice of Justice Ahmadi. He was one of the arbitrators of a three-member Arbitral Tribunal where I was representing the Reserve Bank of India in a dispute with the Canadian Bank Note Company. On the last date of the arbitration in Ottawa, Canada, I sought an appointment with Justice Ahmadi for a personal matter. With a heart ready to help, he readily gave me sage words of wisdom. As I was still contemplating on whether to continue with my decision to accept judgeship, I asked him whether after having spent his entire career in service, he still thought it was all worth it. Without a moment of hesitation, Justice Ahmadi said, “absolutely worth, I have not regretted a moment.” He said to me, “Do not look back. For I have never looked back”. The life, so well lived by Justice Ahmadi shows

⁶ Professor Arun Kumar Thiruvengadam was the first law clerk.

⁷ (May 1995)

⁸ (July 1998)

that the value of a true leader lies in the next generation which he inspires and mentors through his words and actions.

Justice Ahmadi has influenced multiple generations of lawyers and judges, including me, with his exceptional life. Throughout his illustrious career, Justice Ahmadi was known for his tireless work ethic, sharp intellect and unwavering fidelity to the highest constitutional ideals. He was a beacon of hope for those seeking redressal through the legal system and was respected by all for his integrity and impartiality.

Justice Ahmadi shared an unbreakable bond with his wife, who pre-deceased him by six months. There is an abiding photograph of both of them sharing a tender coconut – a dab in Bengalior Shahala in Marathi and smiling contently and peacefully. Two straws sipping a single tender coconut. About his wife, he once said, “She is an unsung hero who always believes in work and not credit. To me, she is a great life partner, friend and guide who also had a great sense of understanding and respect. She has indeed made my life easy and happy. I am highly grateful to Allah for giving me such a nice life partner.”

Since she provided directions to him when he drove his Fiat car, he would joke that she is his guiding light. What my own elder sister said of my parents describes the relationship of Justice Ahmadi and the spouse: 'They were a package deal'. On a flight from Delhi to Mumbai when I was a young lawyer, I happened to occupy the seat next to Justice Ahmadi while his wife was seated across the aisle. When I offered my seat for her to occupy, Justice Ahmadi waves me to sit by him and tell him something about the legal profession of what he knew. The monsoon flight was bumpy and Justice Ahmadi muffled to me “watch my wife, she will start praying soon. Soon thereafter Mrs Ahmadi pulled out a copy of the Quran and started reading it for protection. He knew her truly well.

Justice Ahmadi had a sense of humour without being trenchant. The noted astrologer Bejan Daruwala was a college friend. When he asked young Ahmadi whether he could read his horoscope, he replied “how much will you pay me if I allowed you to read it?”

Justice Ahmadi is survived by his children Mr Huzefa Ahmadi, a distinguished senior advocate and Ms Tasneem Ahmadi, both leading lawyers at the Supreme Court, daughter-in-law Insia Ahmadi and his beloved grand children Insiyah, Adnan and Ali Asgar. In an article in the IE on 11 March 2023, his grand-daughter Insiyah Vahanvaty

writes that Justice Ahmadi always took out time for his family, whether it was to play a game of table tennis after the 9pm news, or to engage in deep and meaningful conversations about life and law.⁹ His family and confidants had the unique pleasure of observing Justice Ahmadi and learning the “essential lessons of integrity, conviction and courage under fire while maintaining dignity.”¹⁰ Insiyah Vahanvaty, captures the great loss that the legal community and the entire country feels on the passing of Justice Ahmadi. She writes and I quote, “Although he no longer walks amongst us, and the world feels like a light has gone out without him, his legacy and memory live on forever in the hearts of all those who had the privilege of knowing him.”¹¹

We extend our deepest condolences to his family, friends, and colleagues. When our parents are no longer with us fond memories and their values provide sustenance to our lives. We pray to the Almighty to give strength to the members of his family and to bear the loss as well as the wisdom to pursue his values. May we find the strength and courage to carry Justice Ahmadi's legacy forward.

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⁹ Insiyah Vahanvaty, Justice Ahmadi, my grandfather, *The Indian Express* (11 March 2023)

¹⁰ *Id*

¹¹ *Id*

Reference made on 11th May, 2023

by

Attorney General For India

Shri R. Venkataramani

in the memory of

Late Mr. Justice A. M. Ahmadi

Former Chief Justice of India

Hon'ble the Chief Justice of India, Hon'ble Judges of the Supreme Court, the Solicitor General of India, the 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, ladies and gentlemen:

We have gathered here today to pay tribute to the extraordinary life and legacy of Chief Justice A.M. Ahmadi, the 26th Chief Justice of India. When we gather, to remember the life and times of great contributors to administration of justice, we are engulfed by a sublime environment. All minds become keen to gather the enriching memories about the life and the contributions of such persona. I understand that these sublime feelings by themselves are a great persuasion to collectively stand by the noble values and goals passionately pursued by such contributors. Chief Justice Ahmadi, it can be well stated that he dedicated his entire life in the path of administration of justice in its manifold sense. By his extensive contributions in the field of law and justice spread over several engagements and dimensions of such pursuits, the riches that have been added to the field of justice, are immeasurable.

With his passing away on March 2, 2023, we mourn the loss of a great legal luminary.

Destiny assigned various duties to be discharged by him, transitioning from a lawyer to serving as a civil and sessions judge, holding the position of law secretary for the State of Gujarat and in due course getting elevated as the judge at the Gujarat High Court. The sum of all the above contributions marked him as a definite candidate to becoming a Judge of this Hon'ble Court.

His contributions to the development of criminal jurisprudence are noteworthy,

particularly, Keshub Mahindra vs State of M.P on the intent part under Section 304A of the Indian Penal Code in the context of Bhopal gas leak tragedy; Sanjay Dutt vs State, on the infeasible right of the accused to be released on bail, within the tight scope of the scheme of TADA; Amir Shad Khan v. L. Hmingliana, emphasizing the dual obligation of a detaining authority; Niranjana Singh v Jitendra Bhimraj on the strict construction of terms of imprisonment under TADA. These judgments on some of the important dimensions of criminal law and procedure laced with keen insights, continue to shape the law.

In the Pilibhit Police Encounter Deaths matter triggered by the writ petition filed by Mr. R. S. Sodhi Advocate, Chief Justice Ahmadi, stood firmly in endorsement of the intervention by the Court. Justice Ahmadi also found that it is the duty of the Court to keep at bay attempts to stall such proceedings, which happened in the writ petition filed by an Inspector of Police, claiming to act in a representative capacity on behalf of the UP Police force. The opinion of the court is an example of the balance between the credibility and impartiality of an investigation without casting any reflection on the police force. The following statements, simple but elegant demonstrate the keenness of the Hon'ble Judge to draw the balance:

“Fair and impartial investigation by an independent agency, not involved in the controversy, is the demand of public interest. If the investigation is by an agency which is allegedly privy to the dispute, the credibility of the investigation will be doubted and that will be contrary to public interest as well as the interest of justice. This Court was careful enough to state that its order should not be read as a reflection on either the local police or the State Government but that it was actuated by the sole object of ensuring that the outcome of the investigation, whatever it be, is not suspect in the eyes of the people including the family members of those killed in the incident.”

The Court, engaged in a noteworthy analysis of Article 142 of the Constitution, after referring to the Delhi Judicial Service Association Case, and the Union Carbide Corporation Case. This analysis is a further reflection of the Hon'ble Judge's keen perception of the unique feature of Article 142 of the Constitution, elevating its importance consistent with the necessary restraint that will go into invocation of Article 142 of the Constitution.

Two thoughtful opinions penned by Justice Ahmadi deserve acknowledgment. The observation made in R K Jain vs Union of India has set in motion over a period of

time, the importance of looking at sound tribunalisation, with due importance to the independence of the judiciary. The principle of suspension of a conviction or a sentence, in the context of avoidance of disqualification, laid down in Ram Narang vs Ramesh Narang, pertaining to a director of a company anxious to avoid disqualification has now become part of the law of suspension of conviction, with its inroads into election law.

If one has to quickly scan the length and range of fields of law visited by judgments of Justice Ahmadi, we can see that it extends, from the importance of right to know about the affairs of the government, formulated in Dinesh Trivedi's case; the importance of right to exhibit, or broadcast in Doordarshan, a work critical of governmental functions, as propounded in LIC v Manubhai Shah; the question as to whether a person who is not elected as a member of either house of Parliament, can be sworn in as the Prime Minister, touching upon the interpretation of Article 75 amongst other provisions of the Constitution, answered on a fine balance of logic, relevance, and representative democracy, rendered in S P Anand vs H D Deve Gowda, are few indelible dimensions of our jurisprudence.

Justice Ahmadi's dissenting view in NDMC vs State of Punjab, where he voiced his strong opinion against the Court lapsing into dealing with issues not directly raised in the proceedings, is a caution forever to be kept in mind.

The narration will be incomplete if we do not advert to the milestone laid by the Court in the T. N. Seshan Case, which has added strength and substance to the election law of the country, as also, the judgment in NHRC vs State of Arunachal Pradesh, with its unqualified emphasis on the life and liberty right under Article 21 of the Constitution.

How can one close one's attention to three other seminal constitutional contributions, rendered in Bommai, Indra Sawhney, and L Chandra Kumar. No part of the important chapters of our constitutional adjudications remain uninfluenced by these opinions.

In one sense, S. R. Bommai and Ismail Faruqui stand together in the staunch advancement of secularism.

The post-retirement life of Chief Justice Ahmadi bears testimony to his compassion and commitment to several human causes as well as social interests. He passionately engaged himself in the activities of the Bhopal Memorial Hospital Trust on his appointment as chairman. Records show that Justice Ahmadi played a significant role in the establishment of Bhopal Memorial Hospital and the Research Center. It is said that

the service rendered by him is visible in the commendable quality of medical treatment made available to the gas victims. And the hospital remains even today as an important centre of medical care. It was just a matter of course that he received several international recognitions. His work in the amelioration of Human Rights Violation in East Timor is exemplary.

Justice Ahmadi's contribution to the cause of legal education and laying emphasis on the importance of clinical legal education and attainment of equipment coupled with ethics continue to inform the Bar Council of India in its ongoing engagement, in the cause of legal education.

The recommendations made by the committee headed by Justice Ahmadi towards important amendments to the Protection of Human Rights Act 1993, in strengthening NHRC with least governmental intervention is yet another illustration of the balancing of principles in conflict. His pioneering work as Executive Chairman of the Committee for implementing Legal Aid Schemes opened up new avenues.

I was fortunate to receive an autographed copy of his book, "Flow of Thoughts" at the time of its launch. At a personal level, Chief Justice Ahmadi will be forever remembered by me as the Chief Justice who was instrumental in my designation as Senior Advocate.

In addition to having been chairman of several advisory boards, and Gujarat State Pay Commission, and member of the Ravi and Beas Water dispute tribunal, Justice Ahmadi served as a distinguished chancellor of Aligarh Muslim University for more than a term.

Justice Ahmadi's legacy is not only defined by his remarkable judgments but also by his dedication to nurturing young talent. Through initiatives such as the judicial clerkship program, he actively encouraged and mentored young advocates, providing them with valuable guidance and feedback.

In conclusion, let us remember Justice A.M. Ahmadi as a beacon of justice, a champion of equality, and a tireless advocate for the rights of all. His legacy will continue to guide us as we strive to build a more just and inclusive society.

Thank you.

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Reference made on 11th May, 2023

by

Shri Vikas Singh (Sr.)

President, SCBA

in the memory of

Late Mr. Justice A. M. Ahmadi

Former Chief Justice of India

Hon'ble the Chief Justice of India Dr. Dhananjaya Y. Chandrachud, Hon'ble Judges of this Court, Ld. Attorney General for India Shri R. Venkataramani, Ld. Solicitor General of India Shri Tushar Mehta, Law Officers, Members of the family of late Justice A.M. Ahmadi, Members of Executive Committee of SCBA, Shri. Manoj Kr. Mishra, President SCAORA, Members of Executive Committee of SCAORA, Members of the Bar, ladies and gentlemen.

Today, we have assembled here to honour the legacy and pay homage to Mr. Justice A.M. Ahmadi, who made immense contributions to the constitutional jurisprudence of our nation.

Mr. Justice Aziz Mushabber Ahmadi

(25th Mar 1932 – 2nd Mar 2023)

Mr. Justice A.M. Ahmadi was born on 25th March, 1932 in Surat, Gujarat, hailing from Dawoodi Bohra community. He was the son of a junior civil judge. His father's decision to enroll him into the Science stream, made Justice Ahmadi realise the hard way that science was not his cup of tea. Thereafter, he decided to join the field of law. He did his first year of law from the Sir LA Shah College in Ahmedabad but upon his father's transfer to Surat, he completed law from the Sarvajanic Law College.

Clearing the enrollment examination in his first attempt, Justice Ahmadi began his career as a lawyer in 1954 by enrolling as a District Pleader in Bombay High Court and commenced his practise in Ahmedabad.

It is worthy to mention that Justice Ahmadi donned many hats- from a lawyer to being appointed as a Judge in the City Civil and Sessions Court of Ahmedabad, as law

secretary to the State of Gujarat, then as judge of the High Court of Gujarat and ultimately being elevated to the Supreme Court. I remember reading somewhere that Justice Ahmadi had no inkling for his appointment as City Civil and Sessions Judge. One day, he was called to Chief Justice JM Shelat's chambers. Justice Ahmadi was quite nervous as to why he was summoned. During the meeting, after talking about several things, he was offered the position, thoroughly surprising him. He sought time to consult his family members, especially his wife, as he needed to know if she would be willing to be a judge's wife. Justice Shelat, however asked Justice Ahmadi to not to reveal it to anyone as it was supposed to be a secret. Justice Ahmadi then responded by saying that his answer would then be a no as he could not take such a momentous decision without consulting his wife. Thereafter, Justice Shelat reluctantly allowed Justice Ahmadi to consult his wife.

During his tenure as judge of Gujarat High Court, he served as a member of several advisory boards such as the Advisory Board under Conservation of Foreign Exchange, Prevention of Smuggling Activities Act, 1974, Prevention of Black Marketing, Maintenance of Essential Commodities and the Gujarat State Third Pay Commission. He also served as a member of the Ravi & Beas Waters Disputes Tribunal (Punjab Settlement).

He served as the President of the Supreme Court Legal Aid Committee and as an Executive Chairman of the Committee for implementing Legal Aid schemes in India. On 25th October 1994 he was appointed as the 26th Chief Justice of India- the third Muslim Chief Justice of secular India, after Justice Mohammad Hidayatulla and Justice Mirza Hameedullah Beg, and continued to serve in that capacity until his retirement on 24th March, 1997.

Justice Ahmadi was known for his sharp legal mind, his commitment to justice, his integrity and made countless noteworthy contributions in shaping legal education. Widely regarded as a visionary in the legal field, he laid the foundation for modern day legal education and its continued evolution. A judgment should be drafted that, when read, is able explain the complex and vexed question of law and facts to a stranger to law. A perusal of judgments authored by Justice Ahmadi would reveal how complex legalese can be explained in simple and understandable terms. It is no secret that Justice

Ahmadi was a hard taskmaster and an able administrator. His administrative skills bore results when during by the end of his tenure as the Chief Justice, the pendency of cases came down to eighteen hundred from one lac twenty thousand, as told by him in an interview to the Bar and Bench published on 7th August, 2014. As the Chief Justice, he ensured the usage of computers was expanded to their optimum capacity. Notable examples are the classification and categorisation of the cases and making caseload available in digital format. He was aware and sensitive towards the obstacles faced by junior members of the bar in accessing judgments as many could not afford subscription to libraries and purchase expensive books. Thus, an endeavour was made during his tenure to prepare reasonably priced CD Roms and floppy disks to aid them. Justice Ahmadi is also to be credited for the starting of the Judicial Clerkship at the Supreme Court.

Justice Ahmadi was very good to the junior bar. I once overheard him telling someone while he was Chief Justice that, "I can ensure the SLP's come up in three days but that will affect the mentioning briefs which go to juniors. I will only allow them to mention and not dismiss on mentioning. It helps the junior bar." I personally have very fond memories of appearing before Justice Ahmadi as a junior member of the bar then.

*In **Ismail Faruqui v. Union of India** - Justice S P Bharucha and Justice Ahmadi formed part of the minority. In the judgment authored by Justice S P Bharucha, the minority found the Acquisition of Certain Area at Ayodhya Act, 1993 to be unconstitutional. They opined that the Act limited the Muslim Community's ability to seek justice by preventing them from pleading and demonstrating adverse possession. The court determined that such a limitation was against the fundamental principles of the Constitution and antithetical to the notion of secularism. While setting aside the Act, the dissenting opinion noted that "Ayodhya is a storm that will pass. The dignity and honour of the Supreme Court cannot be compromised because of it."*

In 2008, Justice Ahmadi released a book, titled "A Guide to Uplift Minorities", brought out by Jamaat-e-Islami Hind to help and guide the social workers who are active in the field of welfare for minorities. The 207-page book was meant to guide the non-government organisations working for the minority communities to run their programmes effectively with active aid from the government and other funding agencies.

He was a staunch champion of human rights and besides his profound contributions to the Indian Judicial system, he, at the behest of the United Nations, International Court of Justice, World Bank and International Bar Association's Human Rights Institute, led several delegations and missions to East Timor, Liberia, Bangladesh and Zimbabwe respectively.

After retirement, he was invited to speak at various universities and forums worldwide. In India, he used his status to speak out on political issues such as minority rights. He was a man of staunch conviction and beliefs, who remained unfazed of criticism by the media.

He was widely known for his professional qualities, not many know that he was also blessed with a great sense of humour and was full of stories and chuckles. He was occasionally tempted into a game of ludo or table tennis.

Justice Ahmadi had a naughty side to him. During his college days, it was compulsory to have headlamps on the cycles, which were to be switched on during the evening. If not, then the police used to stop and confiscate the cycle. While Justice Ahmadi used to cycle, it used to remain on, but once he used to reach near the police station, he would then purposely turn it off. The police used to stop him, to which Justice Ahmadi used to reply- No, it was working, check it once, the bulb is warm! He used to thoroughly enjoy these episodes with the police as they had no option but to let him go as the bulb indeed remained warm.

Justice Ahmadi was extremely close to his wife, late Mrs. Ameena Ahmadi. She was his tremendous pillar of strength, who stood by him through the difficult and trying times. Her demise in August 2022, was probably the biggest loss in his life. Since her passing away, Justice Ahmadi was dispirited and probably lost the will to live.

Justice Ahmadi was also culturally extremely active. He used to be member of Navratri Committee that used to be there during the Navratri season in Gujarat. He liked and took a lot of interest in gardening. While he was in the High Court, he had bonsai plants of his own. However, due to gruelling work hours in the Supreme Court, he could not pursue his interest in gardening.

His children never practiced in the Supreme Court while he was the judge of the Supreme Court. He was of the firm belief that it was desirable for the institution, that children or relatives of sitting judges to not practice in the Supreme Court.

He left us for the heavenly abode on 2nd March, 2023. He is survived by his son Huzefa Ahmadi, Senior Advocate and his daughter Tasneem Ahmadi, advocate. I offer my deepest condolences to his family on behalf of the SCBA.

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List of Attendees at the Full Court Reference

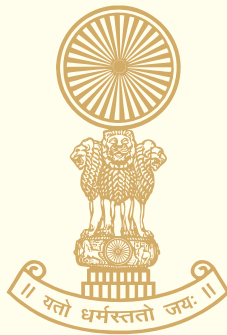
- ❖ *Shri R Venkataramani,
Ld. Attorney General for India.*
- ❖ *Shri Tushar Mehta,
Solicitor General of India.*
- ❖ *Shri Vikas Singh, (Sr.)
President,
Supreme Court Bar Association.*
- ❖ *Shri Pradeep Kumar Rai, (Sr.)
Vice President,
Supreme Court Bar Association.*
- ❖ *Shri Rahul Kaushik,
Hony. Secretary,
Supreme Court Bar Association.*
- ❖ *Shri Manoj K. Mishra,
President,
Supreme Court Advocates-on-Record Association.*
- ❖ *Shri Snehasish Mukherjee,
Vice President,
Supreme Court Advocates-on-Record Association.*
- ❖ *Shri Devvrat,
Hony. Secretary,
Supreme Court Advocates-on-Record Association.*

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***Family Members of
Late Hon'ble Mr. Justice A. M. Ahmadi
Former Chief Justice of India
at the Full Court Reference***

- ❖ *Ms. Tasneem Ahmadi, Daughter*
- ❖ *Mr. Huzeefa A. Ahmadi, Son*
- ❖ *Mrs. Insia H. Ahmadi, Daughter-in-law*
- ❖ *Ms. Insiyah Vahanvaty, Granddaughter*
- ❖ *Mr. Shaurya Roy, Grandson-in-law*
- ❖ *Mr. Yusuf Hatim Muchhala, Brother-in-law*
- ❖ *Mr. Issac Merchant, Brother-in-law*
- ❖ *Mrs. Mehra Srikhande, Niece*
- ❖ *Mrs. Nafisa, Cousin*
- ❖ *Mr. Adnan Vahanvaty, Grandson*

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THE SUPREME COURT OF INDIA

New Delhi - 110001

India