



25th July, 1959 – 14th September, 2025

Full Court Reference in the memory of

Late Col. R. Balasubramanian

Senior Advocate

held on Wednesday, the 21st January 2026

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

Kuntal Sharma Pathak
Registrar
Supreme Court of India



Mobile – 9435110065
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F.No.99/Ref/2026/SCA(Gcnl)
22nd January, 2026

Madam,

A Full Court Reference was held in the memory of late Col. R. Balasubramanian, Senior Advocate on 21st January, 2026 in the Hon'ble Chief Justice's Court. Rich tributes were paid to Shri Balasubramanian by Shri Tushar Mehta; Learned Solicitor General of India; Shri Vikas Singh, President, Supreme Court Bar Association and Hon'ble Mr. Surya Kant, the Chief Justice of India. After the references were read, two minutes' silence was observed in his memory.

I humbly forward 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,

Kuntal Sharma Pathak
22/1/26

Registrar (Court & Building)

To,

Mrs. A. Anita,
A-6 (FF), Jungpura Extension,
New Delhi -110014.

*List of Business for 21st January, 2026 in respect of
Full Court Reference*



SUPREME COURT OF INDIA

LIST OF BUSINESS FOR WEDNESDAY THE 21ST JANUARY, 2026

CHIEF JUSTICE'S COURT

AT 10.30 A.M.

FULL COURT REFERENCE IN THE MEMORY OF
LATE COL. R. BALASUBRAMANIAN,
LATE SHRI PRAMOD SWARUP
AND
LATE SHRI KAUSHAL SWARAJ,
SENIOR ADVOCATES

Coram of Hon'ble Judges at the Full Court Reference

- ❖ *Hon'ble Mr. Justice Surya Kant, Chief Justice of India*
- ❖ *Hon'ble Mr. Justice Vikram Nath*
- ❖ *Hon'ble Mr. Justice J.K. Maheshwari*
- ❖ *Hon'ble Mrs. Justice B.V. Nagarathna*
- ❖ *Hon'ble Mr. Justice Pamidighantam Sri Narasimha*
- ❖ *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*

- ❖ *Hon'ble Mr. Justice N. Kotiswar Singh*
- ❖ *Hon'ble Mr. Justice R Mahadevan*
- ❖ *Hon'ble Mr. Justice Manmohan*
- ❖ *Hon'ble Mr. Justice K. Vinod Chandran*
- ❖ *Hon'ble Mr. Justice Joymalya Bagchi*
- ❖ *Hon'ble Mr. Justice Nilay Vipinchandra Anjaria*
- ❖ *Hon'ble Mr. Justice Vijay Bishnoi*
- ❖ *Hon'ble Mr. Justice Atul S. Chandurkar*
- ❖ *Hon'ble Mr. Justice Alok Aradhe*
- ❖ *Hon'ble Mr. Justice Vipul M. Pancholi*

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Reference made on 21st January, 2026

by

Solicitor General of India

Shri Tushar Mehta

in the memory of

Late Col. R. Balasubramanian,

Late Shri Pramod Swarup and

Late Shri Kaushal Swaraj,

Senior Advocates

Hon'ble the Chief Justice of India, Hon'ble Judges of the Supreme Court, the Learned Additional Solicitor Generals of India, President and Office Bearers of the Supreme Court Bar Association, President and Office Bearers of the Supreme Court Advocates on Record Association, Learned Senior Advocates, members of the Bar, family members of Col. R Balasubramanian, Shri Pramod Swarup and Shri Swaraj Kaushal, ladies and gentlemen.

Today, we gather to honour the lives and legacies of Late Col. R Balasubramanian, Late Shri Pramod Swarup and Late Shri Swaraj Kaushal, who have served the cause of justice with distinction.

Col. R. Balasubramanian, Shri Pramod Swarup, and Shri Kaushal Swaraj each walked different paths in life, yet all three converged on the same noble vocation of law, becoming pillars of our legal fraternity. In remembering them today, we also remind ourselves of the values they stood for – integrity, service, learning, and humility.

Col. R. Balasubramanian

Born on 25th July 1959, Late Col. R Balasubramanian was an exceptional individual and a distinguished legal luminary. He was enrolled as an Advocate with Bar Council of Tamil Nadu on 15th December 1982 and practiced as an Advocate before the Hon'ble Madras High Court and District Courts before joining the Indian Army in 1983. Driven by a deep passion for law, he was commissioned in the Judge Advocate General's

Department of the Indian Army in 1985. Col. Balasubramanian took voluntary retirement in 2007, giving him the rare dual legacy of being both a soldier and a lawyer.

Col. R. Balasubramanian's legal career was marked not only by exceptional success but also by an undying pursuit of excellence. He was a true champion of justice, and his diligence, integrity, and work ethic were unparalleled. While in service, he was awarded the Vishist Seva Medal for Distinguished service rendered in the Indian Army by Hon'ble President of India on 26th January 2006. He was also awarded the Chief of Army Staff Commendation thrice, as well as, Vice Chief of the Army staff and Army Commander Eastern Command Commendations for outstanding service rendered to the Indian Army. He had also held the position of Assistant Solicitor General for AFT (Principal Bench).

Col. R. Balasubramanian's life was defined by service, first to the nation in the armed forces, and then to the cause of justice in the courtroom. He was the first ever service officer to be designated as a Senior Advocate by this Court. As a Senior Advocate, Col. Balasubramanian was revered for his deep expertise in constitutional law, administrative law, civil law and service laws. He argued cases that have shaped legal precedents, where his disciplined approach and clarity of legal thought set a benchmark for professional excellence. Those of us who saw him in court recall his poised demeanour and the methodical precision with which he presented arguments, qualities no doubt honed by his military background.

I had the distinct honour of appearing together with Col. Bala, as he was fondly known, in many Central Government matters. Col. Bala was a man of many passions, but perhaps the most defining of all was his deep commitment to society.

He actively contributed to the growth of the Bar, treating everyone with unfailing courtesy and respect. He was also a distinguished member of Executive Committee of Supreme Court Bar Association. Col. Balasubramanian's demise on 14th September 2025 left us all in grief. The legal fraternity lost a distinguished member of the Bar, and many of us lost a dear friend. Truly, his departure leaves a void in the hearts of all who had the privilege of working with him.

Col. Balasubramanian's legacy lives on in his family. He is survived by his wife, Mrs. A. Anita; son, Mr. B. Venkatraman who continues the family's legal legacy as an Advocate of this Hon'ble Court, and daughter in law, Mrs. Gayatri V.

I on behalf of the Central Government, all my fellow law officers and on my behalf offer my deepest condolences to his family. May the warm memories of Col. Balasubramanian tide them over in this time of profound grief.

Shri Pramod Swarup

It is with a deep sense of reverence and profound sorrow that we also honour today the memory of Late Shri Pramod Swarup, a distinguished Senior Advocate whose immense contribution to the legal profession, unwavering dedication to the cause of justice, and exemplary character continue to inspire all of us.

Born on 16th June 1942, Shri Pramod Swarup's journey is a shining testament to the power of hard work, humility, and determination. He completed his Masters in Mathematics from Allahabad University. However, from an early age, he exhibited an insatiable passion for the law, which he undoubtedly inherited from his father, Shri Jagdish Swarup, a revered veteran lawyer and the former Solicitor General of India. His unwavering pursuit of knowledge led him to the prestigious University of Allahabad, where he completed his LLB and enrolled as an advocate on 02nd March 1962, laying the foundation for a career that would leave an indelible mark on the Indian legal landscape.

Shri Pramod Swarup's legal journey commenced after his graduation when he initially joined the Bihar Judiciary as a Magistrate. However, early on in his judicial career, he realised that his true calling was advocacy and started practicing in the Hon'ble Allahabad High Court. Later, Shri Pramod Swarup moved to New Delhi. It was here that his legal expertise flourished, and he became known not only for his formidable knowledge of the law but also for his impeccable ethical standards. Later, Shri Pramod Swarup was designated as a Senior Advocate - a fitting acknowledgement of his contributions to the legal community and his outstanding service to justice.

Beyond his legal acumen, Shri Pramod Swarup was also a beloved mentor and a friend to many, both at the Bar and on the Bench. His humility, and willingness to guide those around him made him a cherished figure in the legal fraternity. As Honorary Secretary of the Supreme Court Bar Association for three terms (1988, 1993 and 1994), he worked tirelessly to support his colleagues and ensure that the interests of the Bar were upheld, while maintaining the highest degree of integrity and professionalism.

Despite his tremendous professional success, Shri Pramod Swarup remained a humble man, grounded in the values of integrity, fairness, and dedication to justice. His

exemplary conduct as an advocate, his compassion as a mentor, and his unshakable commitment to public service made him a beloved figure in the legal community.

His legacy in the legal profession is being carried forward by his son, Mr. Praveen Swarup, Advocate-on-Record and his daughter, Pareena Swarup, Advocate former Honorary Secretary of the Supreme Court Bar Association. He is survived by his grandchildren, Ms. Payal Swarup and Mr. Rohit Swarup, both of whom have followed in his footsteps to become advocates, ensuring that his legacy continues in the legal profession.

Shri Pramod Swarup peacefully ascended to his heavenly abode on 25th November 2025, but his service to the institution will continue to guide and inspire us for years to come.

Shri Swaraj Kaushal

Shri Swaraj Kaushal was born on 12th July 1952 in Solan. He was a man whose contributions to law, public life, public welfare, and the betterment of society were immeasurable. He needs no formal introduction, for his legacy is etched in the annals of this Hon'ble Court and in the hearts of those who had the privilege of knowing him.

Shri Swaraj Kaushal's journey in the legal profession is nothing short of inspiring. He was an eminent lawyer on the criminal side, a public servant, and above all, a lover of justice and equality. He navigated an exceptional career that spanned across courtroom and the highest levels of public life.

Shri Swaraj Kaushal's legal career was marked not only by exceptional success but also by an undying pursuit of excellence. He was a true champion of justice, and his diligence, integrity, and work ethics were unparalleled. In recognition of his outstanding legal acumen, this Hon'ble Court designated him as a Senior Advocate on 20th December 1986 at just 34 years of age, a title few can attain at that stage and in that era.

On 08th February 1990, he made history by becoming India's youngest Governor, assuming charge of the state of Mizoram at 37 years of age, a role he fulfilled with dedication until 09th February 1993. These twin milestones illustrate his calibre, but beyond the titles and offices, it was the purpose to which he put these positions that truly defines him.

His tenure as a Senior Advocate at the Supreme Court of India was characterized by numerous landmark cases, thereby enabling him to wield his profound influence on

the legal fraternity. In the pages of history, Shri Swaraj Kaushal will forever be remembered for his courage and conviction during trying times. As a young lawyer during the period of Emergency (1975–1977), he took on the formidable task of defending Shri George Fernandes in the famous Baroda Dynamite conspiracy case. During a period of suspended rights and widespread distrust, Shri Swaraj Kaushal acted to uphold the rule of law.

Besides being an advocate par excellence, his legal and administrative prowess was further recognized when he was appointed the Advocate General of Mizoram in 1987. He helped to lay down sound legal foundations for the then-newly formed state of Mizoram. As a statesman, his impact was unmatched. He had taken active part in the peace negotiations with the Mizo National Front, which eventually led to the signing of the Mizoram Accord in 1986. His career in public service continued as he later served as a Member of Parliament in the Rajya Sabha from 1998 to 2004.

Shri Swaraj Kaushal's life was a vibrant tapestry woven with many threads. Shri Swaraj Kaushal spoke impeccable Punjabi and often quoted verses, particularly the work of Shiv Kumar Batalvi - a reflection of his love for India's diverse cultural fabric.

Despite the fame that surrounded him, he was known to shun the limelight, preferring a quiet life dedicated to family, friends, and his intellectual pursuits.

To describe Shri Swaraj Kaushal in a few words is no easy task, for his life was one of extraordinary versatility, hard work, and dedication. He was a man who never gave up, one who faced adversity with courage and determination, and believed that justice was not just an abstract concept but a force for positive change in society. Shri Swaraj Kaushal will always be remembered for his unfailing politeness, true warmth and amiability.

Shri Swaraj Kaushal is survived by his daughter, Ms. Bansuri Swaraj, a Senior Advocate and a Member of Lok Sabha who is carrying forward his legacy in law and public service. As we honour Shri Swaraj Kaushal's memory, we celebrate a life that broke barriers and uplifted others. His courage in court, his leadership in public service, and his humility in personal interactions serve as an inspiration to all of us. I convey my deepest condolences to his daughter and the entire family. From him, we learn that a lawyer's role in society extends beyond the courtroom – it is also to heal, to reconcile, and to lead by example.

The passing of Late Col. R Balasubramanian, Late Shri Pramod Swarup and Late Shri Swaraj Kaushal has served as an inclement reminder to the legal world of the proximity of death to life- even lives so full, rich and meaningful. As we stand here today, united in our sorrow, let us remember that their true legacy is not merely in the cases they argued or the accolades they received, but in the lives they touched, the values they embodied, and the example they set for all of us. May their soul rest in eternal peace, and may their memory remain a source of inspiration for all who seek to serve justice with honour and dedication.

xxxxx

Reference made on 21st January, 2026

by

Shri Vikas Singh (Sr.)

President, SCBA

in the memory of

Late Col. R. Balasubramanian,

Late Shri Pramod Swarup and

Late Shri Kaushal Swaraj,

Senior Advocates

Hon'ble the Chief Justice of India, Justice Suryakant; Hon'ble Judges of this Court; Learned Attorney General for India, Shri R. Venkataramani; Learned Solicitor General of India, Shri Tushar Mehta; Law Officers of the Government of India; Respected family members of Late Col. R. Balasubramanian, Late Shri Pramod Swarup and Late Shri Kaushal Swaraj; Members of the Executive Committee of the Supreme Court Bar Association; Shri Vipin Nair, President, SCAORA; Members of the Executive Committee of SCAORA; Members of the Bar; Ladies and Gentlemen.

The strength of an institution is often measured not only by its judgments, but by the lives of those who serve it with conscience and conviction. Institutions endure because individuals of character give them meaning beyond structure and procedure. Today, we are solemnly assembled to honour the memory and legacy of Late R. Balasubramanian, Late Pramod Swarup, and Late Kaushal Swaraj, three distinguished members of the legal fraternity whose lives reflected service, constitutional courage, and integrity. Their passing is a profound loss to the Bar and to the justice delivery system, for they were not only eminent professionals, but also valued colleagues and mentors, with whom many of us shared years of association, learning, and respect.

Late Col. R. Balasubramanian

Col. R. Balasubramanian was born on 25 July 1959 at Coimbatore, Tamil Nadu. He was nurtured in a family environment that placed paramount value on education, discipline, and public service, principles that remained the North Star of his character and guided his professional life for decades. He is survived by his wife, Smt. Anita Balasubramanian, and his son, Shri Ashwin, to whom this Hon'ble Court and the legal fraternity extend their deepest condolences.

He pursued his legal studies with singular focus and academic rigour, obtaining a Master's degree in Law (LL.M.) and enrolling as an Advocate with the Bar Council of Tamil Nadu on 15 December 1982. Commencing his journey in the Madras High Court and District Courts, he handled matters across criminal, civil, and labour law, and even as a young lawyer, he demonstrated early promise through diligence, meticulous preparation, and a disciplined approach that set him apart from his peers. He authored articles and books on a number of legal issues relating to rule of law and peacekeeping operations, and actively participated in national and international seminars on these subjects.

In 1983, he answered the call of the nation, and in 1985, he was commissioned into the Judge Advocate General's (JAG) Department of the Indian Army, marking the beginning of a distinguished military legal career spanning more than twenty-three years. Rising to the rank of Colonel, he served the nation with exceptional dedication in various high-level judicial and administrative appointments. He possessed vast expertise in handling conduct and disciplinary cases, and in defending and monitoring Writ Petitions, SLPs, Civil Suits, and MACT cases before the Supreme Court and High Courts.

His professional competence received international acclaim when he served as Legal Advisor to United Nations Missions (UNMEE) in Ethiopia and Eritrea, and in 2002, he was awarded Special Commendations by the UN Secretary-General's Special Representative and the Force Commander for his exceptional devotion to peacekeeping operations in conflict-prone environments. His devotion to UN peacekeeping duties

earned him rare recognition, with commendations highlighting his contribution to international rule of law.

In recognition of his sustained excellence, integrity, and distinguished service to the Indian Army, he was the recipient of numerous prestigious awards, including the Vishisht Seva Medal (VSM), awarded by the Hon'ble President of India on 26 January 2006 and he was thrice awarded the Chief of Army Staff Commendation, in addition to commendations from the Vice Chief of Army Staff and the Army Commander, Eastern Command, underscoring his outstanding service to the Indian Army.

Upon taking voluntary retirement in 2007, he returned to active practice, seamlessly transitioning "from uniform to gown" and soon emerged as a preeminent luminary and an institutional bridge in Service Law and Armed Forces jurisprudence, bringing military precision to constitutional advocacy. In 2019, the Supreme Court of India designated him as a Senior Advocate, a moment of profound historic significance, as he became the first-ever service officer in the seventy-year history of the Court to be conferred with this prestigious distinction. As an 'A' Panel Counsel for the Government of India and the former Assistant Solicitor General for the Armed Forces Tribunal (Principal Bench), he represented the Union in matters of national importance, including the Rafale deal litigation. He earned the profound respect of the nation's highest law officers, frequently assisting successive Attorneys General and Solicitors General in matters of vital constitutional and national importance. Our professional association traces back many years, I recall with great fondness the period when he served in the JAG Department and would brief me during my term as an Additional Solicitor General of India. His preparation, even then, was marked by the same meticulousness and clarity that later became his hallmark at the Senior Bar. His advocacy was characterized by a rare combination of measured restraint, crystalline clarity of thought, and meticulous preparation, and this dedication to the craft of law is immortalized in his vast body of work, leaving behind an enduring legacy of over 250 reported judgments of the Supreme Court of India.

Beyond the courtroom, he played a pivotal role in mentoring the next generation of lawyers. He was remarkably cool, calm, and composed even in the most high-pressure legal battles, and as a man of immense humility, he maintained a cherished tradition of always sharing lunch with his associates, treating his team with warmth and equality that earned him lifelong loyalty. Members of the Supreme Court Bar Association described him as a "gentleman to the core" one who combined the rigour of a soldier with the compassion of a lawyer. As the Patron of the Armed Forces Tribunal (Principal Bench) Bar Association, he remained an approachable and humble guide to the service-law community until his final days.

Col. R. Balasubramanian passed away on 15 September 2025. He served the nation with distinction both in uniform and in robes, embodying the finest traditions of the Indian Army and the Indian Bar. His life stands as a testament to duty, discipline, and an unwavering commitment to justice.

May his soul rest in eternal peace, and may his memory continue to inspire generations of lawyers and public servants.

Late Shri Pramod Swarup

Late Shri Pramod Swarup was born on 16 June 1942 into a family of immense intellectual and professional stature in Allahabad. He was the son of the legendary Babu Jagdish Swarup, former Solicitor General of India and a renowned legal scholar. His family background reflected pioneering excellence, his grandfather, Rai Bahadur Bishun Swarup, was the first Indian Chief Engineer during the British era, and his father-in-law was the Late Justice Kamla Sahai, Judge of the Patna High Court.

He is survived by a family deeply rooted in his professional values- his son, Shri Praveen Swarup, Advocate-on-Record, his daughter, Ms. Pareena Swarup, former Honorary Secretary of the SCBA; and his grandchildren, Ms. Payal Swarup and Shri Rohit Swarup, who have recently joined the noble profession to carry his legacy forward, to whom this Hon'ble Court and legal fraternity extend their deepest condolences.

He was a man of versatile academic brilliance. He earned his Master's degree in Mathematics (M.Sc.) from Allahabad University before pursuing his Bachelor of Laws (LLB). He was enrolled as an Advocate with the Bar Council of Uttar Pradesh on 2 March 1962. His career began with a brief but insightful stint in the judiciary, serving as a Munsif Magistrate in Gaya, Bihar between 1963 and 1968. However, he was not content with the role and soon realized that his true calling lay in advocacy. With clarity of purpose, he resigned from his judicial post and returned to Allahabad to practice law, setting the foundation for what would become a distinguished and enduring career.

In the early 1970s, when his father, Jagdish Swarup ji, was appointed Solicitor General of India and shifted to Delhi, it opened a new chapter for him. Seizing the opportunity, he immediately moved to New Delhi and began his practice in the Supreme Court, where he successfully carved out his own identity and held his own among the greats of the Bar. He built a towering reputation, known for his exceptional clarity of thought, speed of preparation, and an unwavering commitment to the highest traditions of the profession. Even after his father completed his tenure as Law Officer of the Union and returned to Allahabad, he chose to remain in Delhi, continuing his successful practice at the Supreme Court and establishing himself as one of its most respected figures.

During his illustrious legal career, he primarily handled private litigation, across diverse branches of law. In the later years, he also undertook substantial government work, serving as Standing Counsel for the States of Uttar Pradesh and Bihar, and being empanelled with the Government of Madhya Pradesh as well as several other government bodies and corporations. His practice spanned almost every area of law, reflecting both versatility and depth of expertise. Beyond advocacy, his scholarship enriched the profession, he revised the celebrated book "Making of a Good Lawyer" authored by his late father, Shri Jagdish Swarup, ensuring that its wisdom and guidance continued to inspire new generations of lawyers.

He was an institutional pillar of the Supreme Court Bar Association (SCBA). He was elected as the Honorary Secretary for three terms (1988, 1993, and 1994) and

served as a Senior Member of the Executive Committee. His leadership was defined by a deep concern for the judicial system, where he tirelessly advocated for discipline and the necessity of meticulous preparation.

To younger lawyers, Shri Swarup was both a guide and an inspiration. He believed that advocacy was a way of life, not just a career. He articulated this philosophy with characteristic clarity:

"One should remain honest to their profession. If in the initial years, they have trouble finding cases then they should not get disappointed and should stay dedicated. They should keep reading and strengthening their legal knowledge, along with its practical application to achieve success."

He was a vocal proponent of Constitutional Law and Public Interest Litigation, viewing them as vital tools for societal change. He firmly believed that any determined and sincere individual could carve out a place in the profession through sheer hard work and honesty. Beyond the courtroom, Shri Swarup was a man who embraced life with immense vitality. He was known for his liberal and simple nature, possessing a genuine zest for travel, fine food, and exploring new places. He was a devoted grandfather who cherished spending time with his grandchildren, often accompanying them to markets and enjoying their company.

Shri Pramod Swarup passed away on 25 November 2025. His life stands as a testament to the belief that the cumulative experience of serving justice, day after day, with integrity and discipline, is the true measure of a great lawyer.

May his soul rest in eternal peace.

Late Shri Kaushal Swaraj

Late Shri Kaushal Swaraj was born on 12 July 1952 at Solan, in the then Patiala and East Punjab States Union (present-day Himachal Pradesh), to Shri Madan Lal and Smt. Lajyawati. From an early age, he exhibited intellectual seriousness, independence of thought, and a strong inclination towards public life and constitutional values. He received his foundational education at D.A.V. School, Chandigarh, and pursued his Bachelor of Arts degree at D.A.V. College, Chandigarh. He thereafter completed his

LL.B. from the Faculty of Laws, Panjab University, Chandigarh. His academic training laid a strong foundation in constitutional law, criminal jurisprudence, and public governance.

Commencing practice in New Delhi, he rapidly distinguished himself as a criminal lawyer of exceptional ability. His clarity of reasoning, courtroom composure, and intellectual depth set him apart early in his career. A defining chapter of his professional life unfolded during the Emergency of 1975–77, when civil liberties were gravely curtailed. During this period, he displayed remarkable courage by appearing in defense of Shri George Fernandes in the renowned Baroda Dynamite Case, choosing professional duty and constitutional fidelity over personal safety.

In recognition of his extraordinary skill, professional integrity, and standing at the Bar, he was designated as a Senior Advocate by the Supreme Court of India on 20 December 1986, at the remarkably young age of 34.

His most enduring contribution to the nation lies in his engagement with the Northeast of India, particularly Mizoram. In 1979, he successfully secured the release of Shri Laldenga, the leader of the Mizo National Front, in a conspiracy trial. He subsequently served as constitutional adviser to the organization during negotiations with the Government of India. These sustained efforts culminated in the signing of the Mizoram Peace Accord on 30 June 1986, a historic settlement that ended nearly two decades of insurgency. He played a pivotal role in drafting and shaping this Accord, which remains one of the most successful peace processes in independent India.

In recognition of his contributions, he was appointed the first Advocate General of Mizoram in 1987, becoming the youngest person in the country to hold that office. In 1990, at just 37 years old, he was appointed the Governor of Mizoram, making him the youngest Governor in India's history. His tenure from 1990 to 1993 was marked by restraint, sensitivity to regional aspirations, and a strict adherence to constitutional discipline, earning him trust across political and social divides.

His distinguished legal career transitioned seamlessly into the halls of Parliament when he served as a Member of the Rajya Sabha from Haryana between 1998 and 2004. In the Upper House, his interventions reflected a lawyer's precision and a statesman's

sobriety, particularly on issues of federalism, internal security, and governance. Throughout his life, whether as an advocate, negotiator, Governor, or parliamentarian, he carried his legal conscience into public life with humility and quiet authority.

On 13 July 1975, he married Smt. Sushma Swaraj, in a partnership defined by mutual respect, intellectual companionship, and a shared commitment to public service, which endured until her passing on 6 August 2019. He is survived by his daughter, Ms. Bansuri Swaraj, Member of Parliament and Senior Advocate, who continues the family's distinguished engagement with law and public life.

Late Shri Kaushal Swaraj passed away on 4 December 2025 at the age of 73. He belonged to a rare generation of lawyers who did not merely interpret the Constitution but lived by its deeper values, liberty, dialogue, restraint, and institutional balance. His life stands as a testament to the transformative power of law when guided by courage and constitutional morality.

His memory will continue to inspire generations of lawyers, statesmen, and public servants. May his soul rest in eternal peace.

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Reference made on 21st January, 2026

by

***Hon'ble The Chief Justice of India
Justice Surya Kant***

in the memory of

***Late Col. R. Balasubramanian,
Late Shri Pramod Swarup and
Late Shri Kaushal Swaraj,
Senior Advocates***

- *My esteemed sister and brother Judges;*
- *Shri Tushar Mehta, Solicitor General of India;*
- *Shri Vikas Singh, President SCBA and other Office Bearers of the SCBA;*
- *Shri Vipin Nair, President SCAORA and other Office Bearers of SCAORA;*
- *Secretary General, Supreme Court of India and other members of the Registry;*
- *Distinguished members of the Bar; and*
- *Family members of the noble departed souls.*

1. *We assemble here this morning to render our heartfelt and solemn tribute to three preeminent titans of our legal fraternity—Colonel R. Balasubramanian, Shri Swaraj Kaushal, and Shri Pramod Swarup—who once graced these halls with their inimitable blend of intellectual rigour, piercing wit, and brilliance.*

Colonel R. Balasubramanian

2. *In honouring the memory of Colonel (Retd) R. Balasubramanian, we recall a life defined by the harmonious convergence of martial discipline and jurisprudential mastery. His journey commenced at the Madras High Court, where his early advocacy in*

criminal and civil domains served as a prelude to a distinguished career within the Indian Army. In over thirty-five years of legal service, he navigated the complexities of constitutional and administrative law with a level of precision that became his hallmark. Having served for more than 23 years within the Judge Advocate General's Department, he curated an unblemished record, transitioning seamlessly from the austerities of military discipline to the corridors of the Supreme Court of India.

3. *His post-retirement practice was nothing short of historic; he became the first Service Officer in the history of Supreme Court to be designated as a 'Senior Advocate'. As an 'A' Panel Counsel and Assistant Solicitor General, he was a formidable sentinel for the Union of India, contributing to over 250 reported judgments that now stand as enduring pillars of our legal literature. His intellect was not confined to the courtroom; it flourished in his scholarly contributions to the Rule of Law and service laws, especially in matters pertaining to the armed forces and international peacekeeping, thereby bridging the gap between national service and global legal discourse.*

4. *The accolades bestowed upon him—from the Vishisht Seva Medal awarded by the President of India to special commendations from the United Nations—speak to a devotion that transcended borders. Whether through the Chief of Army Staff Commendations or his work in UN peacekeeping missions, Colonel Balasubramanian exemplified the profound impact of a life dedicated to the service of justice, both in uniform and in robes.*

5. *Beyond the brilliance of his brief, he was celebrated for his rare and refreshing candour. He was one of the most principled advocates, presenting his case with exhaustive ability while possessing the professional integrity to admit a legal deficiency when confronted with an impossible position. This transparency earned him such profound institutional respect that often, instead of addressing him formally as a Senior Counsel, we would frequently refer to him simply—and affectionately—as 'Bala'. On behalf of this Court and the esteemed legal fraternity, we extend our heartfelt condolences to his wife, Mrs. Anita; his son, B. Venkatraman; his daughter-in-law, Mrs. Gayatri V; and her father Mr. V. Viswanathan.*

Pramod Swarup

6. *Pramod Swarupji's life was as much a celebration of the intellect as it was a testament to the enduring values of our profession. Born into a lineage of profound distinction—the son of the venerable Babu Jagdish Swarup and grandson of Rai Bahadur Bishun Swarup—he carried the weight of a great legacy with effortless grace. While his academic journey began with a Master's degree in Mathematics, it was law that ultimately claimed his devotion.*

7. *Though he briefly donned the robes of the Bench as a Munsif Magistrate in Bihar, the clarion call of the Bar proved irresistible. Relinquishing the opportunity of being a part of the Judiciary, he chose the vibrant, often turbulent, arena of advocacy, eventually finding his true home in Chamber No. 25 of the Supreme Court's Old Block. Here, he did not merely practice; he thrived, holding his own, among the legendary figures of his time. His service as the Honorary Secretary of the Supreme Court Bar Association mirrored his commitment to the fraternity, while his diverse practice—spanning from private litigation to serving as Standing Counsel for multiple States—demonstrated a legal mind of rare versatility. He participated in several landmark decisions, including the Constitution Bench ruling in *Sukhdev Singh v. Bhagatram Sardar Singh*,¹ which broadened the concept of 'State'.*

8. *Beyond the courtroom, Swarupji was a man who I am told possessed an enviable zest for life. He was a liberal spirit who found profound joy in the simple elegance of travel, the warmth of a good meal, and the cherished company of his grandchildren. Yet, even in his moments of leisure, his mind remained a restless guardian for justice, constantly seeking that elusive legal point or hidden leverage that could turn the tide of a case.*

9. *Today, as his legacy is carried forward by his son Mr. Praveen Swarup and daughter Ms. Pareena Swarup, along with his grandchildren Payal and Rohit, who are all with us here, we bid farewell to a true gentleman of the Bar—a man who proved that one could be a master of the law while remaining a humble student of life.*

¹(1975) 1 SCC 421.

Swaraj Kaushal

10. *As we speak of Swaraj Kaushalji, we reflect upon a life that moved with extraordinary velocity and purpose, personifying the highest ideals of constitutional commitment and public service. A prodigy of the Indian Bar, his early years coincided with some of the most difficult chapters of our constitutional history. It was during the National Emergency that he first signalled his unwavering devotion to civil liberties in the renowned Baroda Dynamite Case.*

11. *His contribution to the nation, particularly within the North-Eastern frontier, remains not just historic but unparalleled. Possessing a profound mastery of federal principles and conflict resolution, Kaushalji played a pivotal role in weaving the dialogue that culminated in the Mizoram Peace Accord of 1986, which stands as an enduring monument to his exceptional skills in negotiation and mediation.*

12. *His ascent within the profession was also nothing short of meteoric. Designated as a Senior Advocate by the Supreme Court at the early age of thirty-four, he set a milestone that remains luminous in the annals of the Bar. This distinction was followed by a series of historic 'firsts': he became the youngest Advocate General in the country upon Mizoram's statehood, and subsequently, at the age of thirty-seven, the youngest individual to be appointed as a Governor in the history of our Republic.*

13. *Whether he was discharging his duties as the Constitutional Head of the State or enriching the debates of the Rajya Sabha with his characteristic clarity of thought, Kaushalji remained a tireless servant of the Constitution and leaves behind a legacy of peace-making and institution-building that will continue to inspire generations of lawyers and public servants yet to come.*

14. *On a more personal note, my own journey has been profoundly shaped by the grace and mentorship of Shri Kaushalji. Our association dates back to the early 1990s, when I was but a young practitioner at the High Court. In those formative years, I was fortunate to receive not only his professional guidance but also the deep-seated love and affection of both Kaushalji and Smt. Sushma Swaraj.*

15. *Their presence in my life was a rare sanctuary of guidance throughout. We are joined today by their daughter, Bansuri Swaraj — a Senior Advocate and Member of*

Parliament, who, I hope finds comfort in knowing that Swaraj ji's legacy has had an immense impact on this institution today and for the times to come.

16. In concluding our tribute, we are reminded that though the three legal luminaries may no longer be with us physically, the resonance of a life well-lived is never truly extinguished. These three doyens—Colonel Balasubramanian, Pramodji and Kaushalji—enriched the very soul of our legal heritage.

17. As we bid them a final, solemn farewell, we find warmth in the knowledge that their legacies remain alive in the juniors they inspired, the families who carry their names, and the laws they helped refine. They have moved beyond the reach of our arguments, but they shall forever remain within the sanctuary of our respect and remembrance.

18. May the light they ignited continue to illuminate the path for all of us who follow in their footsteps.

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List of Attendees at the Full Court Reference

- ❖ *Shri Tushar Mehta,
Ld. Solicitor General of India.*
- ❖ *Shri Vikas Singh, (Sr.)
President,
Supreme Court Bar Association.*
- ❖ *Shri Rahul Kaushik, (Sr.)
Vice President,
Supreme Court Bar Association.*
- ❖ *Ms. Pragya Baghel,
Hony. Secretary,
Supreme Court Bar Association.*
- ❖ *Shri Vipin Nair,
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 Col. R. Balasubramanian
Senior Advocate
at the Full Court Reference*

- ❖ *Mrs. A. Anita, Wife*
- ❖ *Mr. B. Venkatraman, Son*
- ❖ *Mrs. Gayatri V., Daughter-in-law*

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THE SUPREME COURT OF INDIA

New Delhi - 110001

India