



***16th January, 1935 – 21st March, 2026***

*Full Court Reference in the memory of*

***Late Hon'ble Mr. Justice S.P. Kurdukar***

***Former Judge, Supreme Court of India***

*held on Thursday, the 9th April 2026*

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



## **INDEX**

<b>Sl. No.</b>	<b>Description</b>	<b>Page Nos.</b>
1.	<i>Letter from the Registrar, Supreme Court of India</i>	1
2.	<i>List of Business at 10:30 A.M. for 9th April 2026 held in the Chief Justice's Court</i>	2
3.	<i>Coram of Hon'ble Judges at the Full Court Reference</i>	3 - 4
4.	<i>Reference made by Hon'ble the Chief Justice of India</i>	5 - 7
5.	<i>Reference made by Ld. Attorney General for India</i>	8 - 10
6.	<i>Reference made by the President, Supreme Court Bar Association (SCBA)</i>	11 - 13
7.	<i>List of Attendees at the Full Court Reference</i>	14
8.	<i>Family members of Late Hon'ble Mr. Justice S.P. Kurdukar, Former Judge, Supreme Court of India</i>	15



## Letter from the Registrar, Supreme Court of India

**Kuntal Sharma Pathak**  
Registrar  
Supreme Court of India



Mobile – 9435110065  
Tel: - 011-23112536

F.No.99/Ref/2026/SCA(Genl)  
10<sup>th</sup> April, 2026

Madam,

A Full Court Reference was held in the memory of late Hon'ble Mr. Justice S.P. Kurdukar, former Judge, Supreme Court of India on 9<sup>th</sup> April, 2026 in the Hon'ble Chief Justice's Court. Rich tributes were paid to His Lordship by Hon'ble Mr. Surya Kant, the 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 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,

A handwritten signature in blue ink, appearing to read 'Kuntal S. Pathak', with the date '10/4/26' written below it.

Registrar(J)(Court & Building)

To,

Mrs. Mandakini Kurdukar,  
8-B, 'Samate', Gen J. Bhosle Marg,  
Near Y.B. Chavan Centre,  
Nariman Point,  
Mumbai.

*List of Business for 9th April, 2026 in respect of  
Full Court Reference*



**SUPREME COURT OF INDIA**

LIST OF BUSINESS FOR THURSDAY THE 9TH APRIL, 2026

CHIEF JUSTICE'S COURT

AT 10.30 A.M.

**FULL COURT REFERENCE IN THE MEMORY OF  
LATE HON'BLE MR. JUSTICE S.P. KURDUKAR,  
FORMER JUDGE, SUPREME COURT OF INDIA**

***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 M.M. Sundresh*
- ❖ *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 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 K. Vinod Chandran*
- ❖ *Hon'ble Mr. Justice Joymalya Bagchi*
- ❖ *Hon'ble Mr. Justice N. V. Anjaria*
- ❖ *Hon'ble Mr. Justice Vijay Bishnoi*
- ❖ *Hon'ble Mr. Justice Atul Sharachchandra Chandurkar*
- ❖ *Hon'ble Mr. Justice Alok Aradhe*
- ❖ *Hon'ble Mr. Justice Vipul Manubhai Pancholi*

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*Reference made on 9th April, 2026*

*by*

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

***Shri Surya Kant***

*in the memory of*

***Late Mr. Justice S.P. Kurdukar,***

***Former Judge, Supreme Court of India***

*My esteemed sister and brother Judges, Shri R. Venkataramani, Attorney General for India, 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, Learned Senior Advocates and distinguished members of the Bar, and Secretary General, Supreme Court of India and other members of the Registry, Most respected family members of the Late Honourable Mr. Justice Sudhakar Panditrao Kurdukar including: His wife, Smt. Mandakini Kurdukar, and His daughters, Smt. Sunita Kurdukar Kumar & Smt. Sujata Kurdukar.*

1. *There is a saying, attributed to the old Inns of Court, that a lawyer never truly leaves the Bar; he merely moves on to a higher bench. Today, we have gathered to bid farewell to one of us who lived that truth entirely: a man who spent more than four decades in devoted service to the law, who sat in judgment on life and liberty with a steady hand, and who carried with him, at every stage of that journey, a rare and quiet grace.*

2. *Justice Kurdukar's professional journey was an exercise in excellence. He entered the Bombay Bar in 1961, an institution which has given this country some of its finest jurists, practising chiefly in civil and criminal matters. He went on to serve as Assistant Government Pleader and Public Prosecutor, and importantly he even devoted time to engage in academia and lecture at the storied Government Law College, Bombay.*

3. *He was subsequently elevated to the Bombay High Court as an Additional Judge on 25th of April 1978, and confirmed as a Permanent Judge in January of the following year. That High Court was his first home on the Bench, and it is there that the essential*

*contours of his judicial character were drawn: a preference for evidence over rhetoric and an unwavering insistence on procedural fairness as the lifeblood of any just outcome. The courtroom, for Justice Kurdukar, was not an arena for grand gestures. It was a place of solemn duty.*

4. *From the Bombay High Court, destiny (and of course, the Collegium) carried him to Chandigarh. On the 16th of January 1994, he was appointed Chief Justice of the Punjab and Haryana High Court.*

5. *I was then a young advocate at the Punjab and Haryana High Court and had the great fortune to frequently appear before Court No. 1. There was hardly a working day when I did not appear before Chief Justice Kurdukar's bench in some matter or another. And I can say, from personal experience, that the encouragement he extended to young lawyers was exceptional and unparalleled.*

6. *Justice Kurdukar taught by example that talent must be noticed early, that the Bar renews itself by providing such support, and that the dignity of a Court is enhanced, not diminished, when young voices are heard with seriousness.*

7. *After his stint at the High Court, Justice Kurdukar was elevated to this Court on 29th of March 1996. He spent nearly four years on this Bench, adjudicating some of the most consequential questions that come before any court of law. In particular, his engagement with capital punishment jurisprudence was marked by unmatched rectitude. And there are still those who invoke the calculus that Justice Kurdukar applied while attempting to properly wrestle with the "rarest of rare" doctrine.*

8. *Beyond the Bench, his service did not cease at retirement. He took on the work of the Dabhol Commission of Inquiry in 2001 with the same fiery commitment he had brought to every prior assignment: methodical, fearless, and indifferent to pressures.*

9. *In my experience, a judge is ultimately known by two things: the quality of his reasoning, and the quality of his character. Justice Kurdukar was graced with both. His judgments reflect a mind that was careful, principled, and scrupulously honest about the limits of judicial power. His character — as I experienced it, and as those who practised before him will attest — was that of a man who wore his authority lightly, and who was never harsh if he could be kind.*

10. *From Bombay to Chandigarh, from Chandigarh to this Court, across seventeen years at the Bar and more than two decades on the Bench, Justice Kurdukar served the law faithfully and with distinction. And he served this institution — our institution — with a fidelity that will be honoured for generations.*

11. *To his family, who are with us this morning: I want you to know that grief is the tribute we pay to those who mattered and by that measure, this gathering is proof of how very much Justice Kurdukar mattered; to this Court, to the Bar, and to the life of Indian law.*

*May his soul rest in eternal peace! Om Shanti.*

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Reference made on 9th April, 2026

by

**Ld. Attorney General for India**

**Shri R. Venkataramani**

*in the memory of*

**Late Mr. Justice S.P. Kurdukar,**

**Former Judge, Supreme Court of India**

1. *Hon'ble Chief Justice of India, Hon'ble judges of Supreme Court, Sri. Tushar Mehta respected Solicitor General, learned Additional Solicitor Generals, Sri Vikas Singh, President and, office bearers of the Supreme Court Bar Association, Sri .V. Nair president and office of SCAORA, learned members of the Supreme Court Bar, members of the family of late Justice Kurdukar, Justice Sudhakar Panditrao Kurdukar has served the institutions of justice for good 22 years and true to his unwavering commitment to serving with purpose has left imprints of an enriching mind. My pen pictures of Justice Kurdukar portray an amiable, and accommodative but demanding preparedness, soft but assertive, and sitting in the company of two judges of emergence in Criminal Justice Justice. K. T. Thomas, and Justice. S. Mukherjee he was a perfect addition to the benches which heard criminal matters.*

2. *On My memories of appearance before his court and sitting in his court I can recollect the working of a sharp mind ready to pierce the mass of evidence and reaching the core of the case with ease. Cases of weak evidence and no evidence saw their exit from his court in no time. It was indeed a pleasure and learning experience and with my designation happening while he was on the bench I received many days of encouragement. It is my duty to place my sincere appreciation of a keen intellect and unwavering dedication to doing justice. Justice Kurdukar entered the Bombay High Court bar at the age of 25 and soon enough earned a respectable name followed by a lucrative practice a matter of fulfillment for a lawyer with no pedigree or venerable genealogy to support him. While practice demanded his time, his passion for teaching drove him to be a part time teacher in the Government Law College Bombay.*

3. *It is reported that his service both as assistant government pleader and as public prosecutor in the High court were of equal excellence and competence and carried the*

worthy dimensions of a passionate teacher. We could find the imprints of such excellence in the reflective insights that he could share in the large number of judgments penned by him. Though he deserved to enter the bench earlier, having become a judge of the high court around the age of 47, he served the Bombay High Court with distinction. In January 1994 he was appointed as chief justice of Punjab and Haryana high court. Elevated to Supreme Court in March 1996, Justice Kurdukar served this court with distinction till his retirement in January 2000, a three year tenure being a short time spent on the bench.

4. As I have said earlier, Justice Kurdukar's engagement in the application of the rarest of rare cases principle maintained a deductible balance. For instance in *Shri Ram & Shiv Ram v. State of U.P.* (21 October 1997), a bench comprising Justices Kurdukar and K. T. Thomas upheld death sentences for Shiv Ram and Shri Ram, two of 24 accused in the premeditated massacre of 11 family members. Conversely, in *Bullu Das v. State of Bihar* (3 November 1998), Justices G. T. Nanavati and Kurdukar commuted the death sentence of the appellant, convicted for a contract murder, guided by the absence of broader societal threat or exceptional depravity beyond a single victim homicide. In all those matters, which involved reviews under ss.302 and 376 IPC, he was insistent on emphasizing empirical evidence of intent and perceived impacts and did not press presumptive deterrence beyond a degree. Following his retirement, services of Justice Kurdukar were sought after as a sole Arbitrator in wide ranging civil and commercial as well as family disputes.

5. He discharged his services in several statutory oversight roles having been appointed by the Company Law Board. Though the one man commission of enquiry headed by him to investigate the Dabol Power Projects agreements with Enron, following unseemly controversies, in the fitness of things, Justice Kurdukar declined his engagement in the commission. This was certainly a hallmark of ethics and integrity and the importance of maintaining the high standards of a former judge of this Court. Needless to say that this was in keeping with the general traditions of former judges who are called upon to head commissions of enquiry.

6. Justice S.P. Kurdukar's judicial philosophy emphasized adherence to statutory text, judicial restraint in reviewing executive actions, and a measured application of discretion in sentencing, particularly in criminal and constitutional contexts. His approach reflected a commitment to the rule of law as a cornerstone of equality and fairness, cautioning against arbitrary state or judicial overreach. In *Modi Cements Ltd. v. Kuchil Kumar Nandi* (1998), the bench including Kurdukar observed that any breach

*of the rule of law negates the constitutional guarantee of equality under Article 14, underscoring the need for consistent and principled governance. In administrative and constitutional matters, Kurdukar advocated restraint to preserve separation of powers. This stance aligned with a philosophy prioritizing legal certainty over expansive activism. Regarding criminal jurisprudence, especially sentencing under stringent laws, Kurdukar's contributions highlighted a philosophy balancing retribution with proportionality. We join the members of the family of Late Justice Kurdukar in their bereavement and pray that this soul rest in heavenly peace.*

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*Reference made on 9th April, 2026*

*by*

***Shri Vikas Singh (Sr.)***

***President, SCBA***

*in the memory of*

***Late Mr. Justice S.P. Kurdukar,***

***Former Judge, Supreme Court of India***

*Hon'ble the Chief Justice of India, Justice Surya Kant, 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 Justice S.P. Kurdukar, 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 permanence of our judicial system is not merely found in letter of the law, but in the warmth and wisdom of the individuals who breathe life into it. We gather here today with heavy hearts to pay tribute to a man whose journey from the rugged terrains of Marathwada to the highest bench of our land serves as a beacon of perseverance and judicial integrity. Late Justice S.P. Kurdukar was a custodian of fairness and a paragon of humility.*

*On behalf of the Bar, I extend a particularly warm and respectful welcome to the family of Justice Kurdukar. We are honored by the presence of those who have joined us physically today: his daughter, Ms. Sujata Kurdukar, Solicitor and Advocate-on-Record; his son-in-law, Mr. Neeraj Kumar, Advocate and Partner at Dua Associates; his daughter-in-law, Mrs. Tejal Subodh Kurdukar, Advocate at the Bombay High Court; and his grandchildren, Mr. Vedant Subodh Kurdukar and Ms. Lavanya Bhalla.*

*We also extend our deepest respects and a warm welcome to those joining this reference through virtual mode: his wife, Mrs. Mandakini Kurdukar, and his daughter, Mrs. Sunita Kurdukar Kumar, Solicitor and Advocate-on-Record.*

*Your family's enduring commitment to the legal profession is a testament to the profound influence of Justice Kurdukar's values.*

*Justice Sudhakar Panditrao Kurdukar was born on 16 January 1935 in a small town of Ambajogal, Beed District, Maharashtra. Having obtained his Bachelor of Arts*

and Bachelor of Laws from Marathwada University, he chose to build upon the legacy of his father and his grandfather, who were seasoned lawyers of their time. Yet, rather than resting on their laurels, he chose the path of independence. Upon enrolling on 31 August 1961 at Bombay Bar Council, he ventured into the challenging legal corridors of the Hon'ble High Court at Bombay as the first in his family to practice in the city, a move that demanded immense courage, sacrifice, and an indomitable spirit.

The early years of his career were shaped by real struggle. At a time when the Bar was extremely competitive, he stood out because of his hard work and his unwavering commitment to ethics, honesty and sincerity. His practice covered a wide range of work, civil and criminal matters on the appellate side as well as writ petitions. Whether he was teaching at New Law College as a part-time Professor or representing the State as Assistant Government Pleader and later as Public Prosecutor, he carried the same sense of responsibility and integrity into every role. His influence as a mentor was equally enduring. Many distinguished legal minds, including the Late Justice A.B. Naik, began their careers in his chambers. Justice Naik, who joined him in 1970 and worked alongside him for over a decade, often credited his own judicial discipline and depth of learning to the rigorous training he received under Justice Kurdukar's guidance.

His elevation to the Bombay High Court Bench in 1978 and his subsequent appointment as the Chief Justice of the Hon'ble Punjab and Haryana High Court, and his tenure as Acting Governor of Punjab in 1996, highlighted his versatility as a constitutional statesman.

When he ascended to this Hon'ble Court in 1996, he brought with him a balanced judicial philosophy. I had the privilege of appearing before him and witnessing firsthand his tenure, marked by a commitment to merit and institutional integrity. In **Osmania University v. Abdul Rayees Khan**, he underscored that Courts should be slow to interfere with objective academic selections made by experts. Similarly, in **M. Ramachandran v. Govind Ballabh**, he stabilized administrative law by ruling that seniority rules must be applied consistently to prevent arbitrariness in service matters.

Justice Kurdukar's impact on criminal jurisprudence was perhaps his most enduring legacy. He possessed an uncanny ability to sift through the "testimonial potency" of evidence. In **State of Punjab v. Gurmit Singh**, he championed the dignity of the prosecutrix, ensuring that the legal process did not re-traumatize victims of sexual assault. His meticulous eye for detail saved many from the "miscarriage of justice" he often warned against, notably in **Surajdeo Yadav v. State of Bihar**, where he emphasized that the quality of evidence must always outweigh the quantity of witnesses.

*Whether dealing with the nuances of private defense in **Pandappa Hanumappa Hanamar v. State of Karnataka**, or testing the credibility of eye-witnesses in **Ballu v. State of Haryana**, he remained a sentinel of truth.*

*In the realm of public law and governance, he balanced state interests with individual rights. In **Gopi Aqua Farms v. Union of India**, he dealt with the critical balance between aqua culture development and environmental preservation. In the sensitive arena of religious management, his judgment in **Shri Jagannath Temple Puri Management Committee v. Chintamani Khuntia**, clarified the boundaries of secular interference in religious administration.*

*From protecting civil rights in **Union of India v. Praveen Gupta**, to deciding intricate property and tenancy disputes, Justice Kurdukar's pen was as versatile as it was wise.*

*His clarity in commercial and procedural law was equally definitive. In **Modi Cements Ltd. v. Kuchil Kumar Nandi**, he strengthened the Negotiable Instruments Act by clarifying that the "stop payment" instruction does not absolve one of liability, thereby protecting the sanctity of commercial paper. In **CBI v. V.C. Shukla**, he addressed the high-profile "Jam Hawala" case, setting rigorous standards for the admissibility of entries in books of account.*

*Even after laying down his robes on 15 January 2000, his dedication remained undimmed. As a sought-after arbitrator and a trusted administrator, he notably headed the one-man Commission of Inquiry into the Dabhol Power Project and served institutions like Lilavati Hospital. In a legal career spanning over 55 years, he proved that a legal mind of his caliber never truly retires.*

*Justice Kurdukar was a man of immense stature who never lost the touch with his roots. He conducted himself with a dignity befitting his high office, yet possessed a humility that endeared him to his staff and extended family alike. His warmth, honesty, and most of all, his loving presence, will be missed forever by the legal fraternity, his colleagues, his friends, and most dearly by his family.*

*In the passing of Justice S.P. Kurdukar on 21 March 2026, we have lost a titan, but his contributions to Indian jurisprudence will continue to guide us for generations to come.*

*May his soul rest in eternal peace, and may his memory continue to inspire generations to come.*

## *List of Attendees at the Full Court Reference*

- ❖ *Shri R Venkataramani,  
Ld. Attorney General for India.*
- ❖ *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 Hon'ble Mr. Justice S.P. Kurdukar  
Former Judge, Supreme Court of India  
at the Full Court Reference*

- ❖ *Mrs. Mandakini Kurdukar, Wife*
- ❖ *Mrs. Sunita Kurdukar Kumar, Daughter*
- ❖ *Ms. Sujata Kurdukar, Daughter*
- ❖ *Mr. Neeraj Kumar, Son-in-law*
- ❖ *Mrs. Tejal Subodh Kurdukar, Daughter-in-law*
- ❖ *Mr. Vedant Subodh Kurdukar, Grandson*
- ❖ *Ms. Lavanya Bhalla, Granddaughter*

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**THE SUPREME COURT OF INDIA**

**New Delhi - 110001**

**India**