

FAREWELL REFERENCE FOR
HON'BLE MR. JUSTICE SATISH KUMAR AGNIHOTRI
CHIEF JUSTICE , HIGH COURT OF SIKKIM
BY JUSTICE BHASKAR RAJ PRADHAN, JUDGE
HIGH COURT OF SIKKIM

29.06.2018

1. Hon'ble Mr. Justice Satish Kumar Agnihotri,
Chief Justice
High Court of Sikkim
2. Most respected Madam Yogmaya Agnihotri
3. Hon'ble Mrs. Justice Meenakshi Madan Rai,
Judge, High Court of Sikkim.
4. Hon'ble Mr. Justice Anand Prakash Subba,
Former, Judge, High Court of Sikkim & Madam Asha Rani
Subba.
5. Hon'ble Mr. Justice Sonam Phintso Wangdi,
Former, Judge High Court of Sikkim &
(Judicial) Member
National Green Tribunal & Madam Tshering Tashi Wangdi.
6. Mrs. Manasa Priyadarshana Pradhan. A dearly loved teacher
of Manju Shree Public School & my wife.
7. Mr. Karma Thinlay,
Learned Senior Government Advocate.
8. Mr. A. Moulik,
Learned Senior Advocate
9. Mr. A. K. Upadhyaya,
Learned Senior Advocate
10. Mr. Jorgay Namkha,
General Secretary,
Bar Association of Sikkim.

11. Mrs. Kessang Chukie Barphungpa,
Legal Remembrancer-cum-Secretary Law.
12. Mr. N. G. Sherpa,
Registrar General, High Court of Sikkim.
13. Mr. Karma Wangchuk Bhutia,
Registrar, High Court of Sikkim.

Like the cycle of life a judicial life also has a certainty. Our appointment must end in our superannuation. Although Like our birth there is an element of uncertainty in our appointment but there is an absolute certainty in our date of superannuation. Unlike life superannuation is not an end. Neither of these two dates are however, to be given undue importance more than what we do in between. The importance, relevance or the lack of it is much dependent upon the judicial life of a judge and what he does during these two dates. One may choose to be a regular judge and bask in the glory of the exalted position bestowed upon you and superannuate still basking in the same glory. One may also choose to understand that your appointment as a judge is the opportunity provided to serve the cause of truth and justice and work tirelessly till the day of your superannuation with the same zeal and enthusiasm with which you began your carrier as a judge on your appointment. This is what distinguishes the ordinary from the extraordinary.

Humble and Learned Judges, Noble and erudite Lawyers, most distinguished and celebrated guest, respected officers and staff of the High Court of Sikkim, Sikkim State Legal Services Authority, Sikkim Judicial Academy and Ladies and gentlemen. We are assembled here today for a farewell reference and to

celebrate 13 years 1 month and 25 days exactly of the Hon'ble the Chief Justice's selfless service to the nation with the unflinching and dedicated support from his wife, Madam Yogmaya Agnihotri- a lady with the most contagious smile I have ever seen.

The Chief Justice to my mind is an ordinary man with extraordinary abilities. He is ordinary in his humility and extraordinary in his approach. I have had this unique opportunity to gauge him as a member of the Bar and thereafter as a junior colleague at the Bench. The Hon'ble Chief Justice would have spent 2 years 1 month and 3 days exactly as the Chief Justice of the High Court of Sikkim on the day of his superannuation and this tenure is not a rather long one for someone who may want to believe that it is but the last two years of one's judicial life. Dr. Satish Kumar Agnihotri however, was a restless striver eager to ensure and fulfil the task he was assigned. Besides the uncountable judgements he has rendered it is no small feat to achieve the establishment and inauguration of the Courts of the Civil Judge and Judicial Magistrate at Chungthang, Soreng, Rangpo, Jorethang, Yangyang and Rongli during his tenure as the Chief Justice and to top it all make all of them functional forthwith providing access to justice to the citizens of this country in the remotest area of Sikkim. While doing so he lived up to his own belief that a citizen living in the remotest part of the State was also equally entitled to the same fundamental rights available to those citizens living in the metros.

It is also no small achievement to ensure the completion of the Sikkim Judicial Academy which had been under construction since 2012 and which we inaugurated two days ago on the 27th of June, 2018. I endorse the belief of the Hon'ble Chief Justice that successful administration of justice and the quality of justice

delivery depends upon the wisdom of the subordinate judiciary and therefore continuous legal education to members of the judiciary as well as the legal fraternity is the soul of a vibrant democracy.

It is also remarkable of him to have perceived, planned and had executed the establishment of the High Court of Sikkim Museum at the old Chief Justice's Bungalow on 08.12.2017 which is now firmly landmarked as one of the must visit places in Sikkim. Hithertobefore our judicial history was confined to the memories of the elderly and in scattered records. Today we have judicial museum which catalogues not only the judicial history of Sikkim but also its political history.

To his credit must also go the launch of the Sikkim Law Reports a monthly law journal containing all the reportable judgements rendered by this Court which all of you would be proud to know is not only being subscribed by the lawyers from Sikkim as well as outside but is also demanded by other people too.

Without his vision and determined push the Sikkim Nation Law University may have been a dream for all those who believe that the foundation of Liberty and Justice rests on the edifice of the legal education we impart.

On the personal front I must give him the absolute credit to wake up a rather idealistic lawyer from his ordinary life and give him the chance to make an extraordinary difference to the Society by recommending my elevation. I thank you immensely for the trust and the faith bestowed. I must also put on record my deepest appreciation of the manner in which you have sought to not only encourage a rather novice judge but to give me the

confidence to write my first judgement representing the Division Bench led by you - a Judge of far more experience and legal acumen and to push me further to pen the Judgement on behalf of the Full Court in spite of the fact that I was the junior most. This judgement is not landmark and historical because I penned it and it was unanimously agreed by my extremely experienced and learned seniors at the bench but due to the fact, and I would stand corrected if I am wrong, that it was for the very first time in its 63 years history that the High Court of Sikkim sat and decided upon a legal issue in its full strength. In all these I have seen in you my lord the extraordinary abilities of a true leader, a visionary and a mentor.

I on behalf of the Institution I represent and my family would wish you kind Sir a successful and fulfilling onward journey. I am sure, knowing you now rather well; you will find some more exciting work to do. I also hope that you would now find the time for your family and friends and to pursue other passions which you have not had enough time for all these years during which you have strived long and hard to achieve the goals your job demanded. I would also like to wish Madam Yogmaya Agnihotri a life time of togetherness with the man you have stood by in his remarkable journey. While I bid adieu to the Chief Justice of Sikkim - Dr. Satish Kumar Agnihotri today, I know I have found a friend, philosopher and guide for life.

Thank you.