

The Federal Court Reports.

PROCEEDINGS AT THE SITTING OF THE
FEDERAL COURT ON APRIL 15, 1941.

[SIR MAURICE GWYER, C. J., SIR SRINIVASA
VARADACHARIAR AND SIR JOHN BEAUMONT, JJ.]

GWYER C. J.—Mr. Advocate-General of India, since this Court last sat, we have had to mourn the sad and untimely death of our colleague, Sir Shah Muhammad Sulaiman; and before we begin our business today I should like to take this opportunity of testifying to our sense of the loss which not only my brother and myself but the whole legal profession in India has sustained. Sir Shah Muhammad Sulaiman, after a short but brilliant career as an Advocate, was appointed a Judge of the High Court at Allahabad at an exceptionally early age, and presided over the Court as Chief Justice from 1932 to October, 1937, when he was appointed one of the first Judges of this Court; and by a sad and unhappy coincidence his own death followed a few days after his successor in that high office had himself passed away by a stroke of fate no less sad and unexpected.

Sir Shah Sulaiman had taken part in every case which has come before this Court, and his Judgments are remarkable examples of his power of analysis and of his immense knowledge of case law. He maintained tenaciously his own view of the law and the facts which the Court was considering and was never prepared to acquiesce in a contrary opinion, merely because it happened to be that of the majority of the Court. His agile and fertile mind led him at times to attempt to convince counsel that the arguments for which they were contending before the Court were unsound, forgetting, it may be, that it is not the business of counsel to be thus convinced; but this was itself a manifestation of his keen desire to arrive at the truth and of his instinct to reject any argument which seemed to him irrelevant or unsound. But he was always the soul of courtesy and patience in his relations with the Bar.

as in his relations with his own colleagues. He listened patiently to every argument and he never attempted to cut it short, no matter how fallacious he might think it to be.

The breadth of his intellectual interests outside his legal work is well known; and he brought to the mathematical studies in which he delighted an imagination and a freshness of outlook which might have elevated him to the higher ranks of scientists, if he had been able to devote all his time and energies to them. He found time also to display a very practical interest in educational problems, as Chairman of the Anglo-Arabic College in Delhi and as Vice-Chancellor for five years of the University of Aligarh, which benefited greatly by his guidance and advice during a difficult period. Nor did he stand aside from any of the activities of the University, and when at his invitation I attended the annual Convocation of the University nearly 18 months ago I remember seeing him in the uniform of a Private in the University Training Corps taking his place with others in its ranks.

He had a singularly equable and gentle temperament; and neither my brother nor myself can ever recall any difference of opinion outside this Court which marred our friendship with him. His simple and unaffected manners attracted friends in every sphere, and it would not be easy to reckon the number of those who were indebted to him for kindness and help.

We have lost a learned, just and upright Judge, and gentlemen of the Bar will, I am sure, desire to associate themselves with the Bench in conveying an expression of heartfelt sympathy to his bereaved family.

Sir Brojendra Mitter, A.-G. of India.—The sudden death of Mr. Justice Sulaiman came as a great shock to the members of the Bar. When the Court last sat, he was in the best of health with many years of brilliant work in front of him. Little did we think that he would be struck down so soon. Not only has the Court lost a great Judge, but the country has lost a great son. He was a man of

versatile talent who achieved distinction in many fields. The universal expression of sorrow testifies to the love and esteem in which he was held by his countrymen. It is not for me to appraise his qualities as a Judge, but I wish to say that he was an erudite lawyer with absolute intellectual integrity, a profound scholar and a distinguished educationist. Notwithstanding a natural shyness and detachment, he had great charm of manners. He treated the Bar with uniform courtesy and patience. I respectfully subscribe to all that has fallen from Your Lordship. The deepest sympathy of the Bar goes out to Lady Sulaiman and other members of the bereaved family in their great sorrow. .
