



## JUSTICE BHAGWATI AS A LAWYER

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When eminent judges retire, very few pause to think about the learning and experience that has preceded such eminence. The Bar and the public know Judge Bhagwati. They have paid him fitting encomiums on his impartiality, integrity and legal erudition. Few, except his contemporaries, knew him as a practising lawyer. As his colleague at the Bombay Bar for a considerable period, I had some intimate glimpses of Judge Bhagwati as a lawyer.

One figure stands out among my first re-collections of Elphinstone College. The figure was Bhagwati in a white silk turban with a little tuft hanging out at the back. It was not long before I learnt that he was a fellow and had a first class career and my envious admiration was almost unbounded. Later, on occasions, I emulated the white turban but not his first class career. Soon, however, he disappeared from College and we learnt that he was preparing for what used to be one of the stiffest examinations of those days, the examination which entitled one to practise as an Advocate on the Original Side of the High Court.

A few years passed and when I joined the Bombay Bar at the end of 1922, I saw him again minus the turban. I learnt that he had joined the Bar in 1921. Seeing him in practice, which seemed to me to be flourishing—and for a junior it was a flourishing practice—put a heart in me and my fellow juniors. There used to be a joke among us juniors about short causes. Whenever we got one we used to say that it would be long enough before we got another. Bhagwati had passed the mere short cause stage, although I remember him with a stack of them on every Wednesday, or was it Tuesday? He was very often appearing as a junior in long causes and had already gained the confidence of Attorneys for, in those days, one could not expect to get a junior brief unless the Attorney could trust the junior to conduct the case in the absence of the senior, which was, by no means a rare occasion with seven Original Courts going, quite different from the vicious patronage system that has overtaken the Bombay Bar.

He had already established a reputation as a good draftsman

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and a very thorough and trustworthy junior. The story went round that Bhagwati's draft plaint in a complicated matter was submitted to the great B.J. D. for settling. He told the Attorney that it was perfectly useless and will have to be completely re-drafted. Imagine the astonishment of the Attorney when he received back the settled draft, a brand new copy, with not even a comma altered.

I came to know Bhagwati fairly well because for some time after I joined Dr. Munshi's chambers, he continued to drop in on occasional evenings. Munshi, in whose chambers he had read earlier, had a very high opinion of his ability and industry.

The galaxy of seniors who graced the bar were not given to easy praise. In fact, most of them were rather niggardly with their praises though profuse in their criticisms. While I do not claim to have heard much praise of Bhagwati from these gentlemen, I never heard the sting of criticism to which most unfortunate juniors were subject to, and that meant a great deal.

In those days it was difficult for a junior to get a brief on the ground of caste, creed or relationship. The only thing that counted was ability. I have known in my utterly junior days, Attorneys, whose names even I did not know, walking up to me and giving me a small brief. It was up to me then to gain their confidence or lose it by the manner of my preparation and conduct of the case. In this atmosphere, Bhagwati soon became a much sought for junior and later leader.

Although conscious of his ability, it did not turn his head. The hats which he used to wear had not to be discarded for bigger and bigger size. His treatment of his fellow juniors and his juniors later on never swerved from kindness and encouragement. Even at the risk of bringing in a personal angle, I must record my gratitude to him for his encouragement and help at a very critical period of my life at the Bar. This was in 1934 when I returned to practice after four years of absence during which my connections had well-nigh disappeared. Towards the Bench, his attitude was of respect, neither aggressive nor cringing.

Although he has always been a man of strong views and opinions and even prejudices at the Bar his mind was nothing but objective.

When he was raised to the Bench the Bar was unanimous—I lent my concurrence from a rather solitary place—that the only consideration in this case was merit. A rare tribute from the Bar.