

My Lord, Hon'ble the most noble Acting Chief  
Justice,

Noble, revered and esteemed Justices on the  
Bench,

Sri. Motakpalli Kashinath, **Hon'ble Chairman  
of Karnataka State Bar Council,**

Sri. M.B.Nargund, **Hon'ble Additional  
Solicitor General of India,**

Sri. Prabhuling K Navadgi, **Hon'ble Advocate  
General,**

Sri. Shanthi Bhushan H., Sri. Venkatesh M.  
Kharvi and Sri. Sudhir Singh Vijapur, **Hon'ble  
Assistant Solicitor Generals of India,  
Bengaluru, Dharwad and Kalaburagi,**

Sri. Dhyan Chinnappa, Sri. R. Subramanya,  
Sri. Aruna Shyam, Sri. Y.H. Vijayakumar,  
Smt. Vidyavathi M. Kotturshettar, and Sri

Prasanna Deshpande, **Hon'ble Additional Advocate Generals, Bengaluru, Dharwad and Kalaburagi,**

Sri. Kiran S. Javali, Sri. V. S. Hegde, **Hon'ble State Public Prosecutors, Government Advocates, High Court Government Pleaders, Central Government Standing Counsels and Senior Panel Counsels,**

Sri. Vivek Reddy, **Hon'ble President,** Sri. T.G. Ravi, **General Secretary,** Sri. Harisha M.T., **Treasurer and other Office Bearers and Governing Council Members of Advocates Association, Bengaluru,**

The President, Federation of Women Lawyers, Bengaluru,

Hon'ble Registrar General and other Hon'ble Registrars, Hon'ble Judicial Officers of the District Judiciary,  
Officers of the Registry and Staff of the High Court,  
Hon'ble Senior Advocates and Members of the Bar,  
Ladies and Gentlemen,

I entered the judiciary nearly a quarter of a century ago. Now the time has come for me to go; to hang up my judicial gown; I do so with plenty of satisfaction; satisfaction is because I have led my judicial life on my own terms – distractions of petitions and delicious name calling and misbranding notwithstanding. But, then I did not come

from privileged circumstances; my parents were agricultural land holders who did not have the benefit of formal schooling beyond middle School. They were well read in the ancient lores. But they spared no effort to give me the best education, once I moved out of the portals of our local High School. They inculcated in me the values of dignity, self-respect, spirit of independence and above all, virtues of integrity and learning. I eagerly and sincerely attempted to imbibe the same in my personal life and profession. My grandfather who had never seen the inside of a School, except the one, he helped establish, was a scholar in Sanskrit and Kannada, and my Teachers at all stages have profoundly influenced me in shaping my personality.

2. I earned my professional spurs at the feet of colossus of a Lawyer Sri. N. Srinivas Rao at Mangaluru. He is a man of great learning, chaste in his language and master of the art of persuasion. I owe a huge debt of gratitude to him.

3. Another personage who has deeply influenced me in all the variegated sphere of life-not merely professional-is revered Sri.M.N.Venkatachalaiah, Former Chief Justice of India. He has been favouring me with hundreds of hours of his precious time filled with delightful conversation with loads of wisdom on philosophy, economics, politics

in the wider sense, literature and law-on all of which, he is a master nonpareil.

4. I must make a special mention of three outstanding Judges to serve in this Court – one a Chief Justice – who gave affections to me without being condescending or putting a price on the relationship. They are now in the Supreme Court – Hon'ble Mr. Justice Dinesh Maheshwari, Hon'ble Mr. Justice A.S. Bopanna, Hon'ble Mrs. Justice B.V. Nagarathna. I can never thank them enough.

5. I said I served the judiciary for nearly a quarter of a century. My entry to the Judiciary was preceded by a career in the

hallowed precincts of this Court. I had a fair measure of exposure on all sides of law including writs; but I had avoided criminal matters at the sagacious advice of my early mentor Sri. Srinivas Rao. I entered the district judiciary where bulk of the work is on the criminal side. For handling the same, I had no training-professional or institutional. Our very first institutional training was one and half year after I entered the judiciary and by then, I was very nearly adept at handling criminal matters. How did this happen? Just as the Bar here of which I have the distinction of being a life member nurtured me generously when I entered the High Court Bar during my formative years, Bar at all places wherever I was posted to work as a District

Judge indulged, nurtured and pampered me with utmost courtesy and consideration and I owe a large debt to them for what I am today.

6. I worked in the Registry of this Court for four years and for a significant period of the same as Registrar General. My period as Registrar General was marked by certain avoidable events like Police charging on Advocates with each side pointing accusing fingers at the other and some of the brethren jumping into the arena ostensibly assuming certain roles which was felt avoidable. It was a tumultuous situation. Certain measures like closing the front gate (Gate No.2) for the public and Advocates and host of other measures had to be taken which took some

time for settling down. Hon'ble the Chief Justice, one of the most elegant of men and Judges, Justice Vikramajit Sen felt that personages, within and without, could have conducted themselves in a more becoming manner.

7. The whole period I worked as Registrar General was a challenging time for me and I could not flinch from the task.

8. In his reply to Farewell address presented to him on 14.12.2012 referring to my discharge of duty, he said:

*"I must record my sincere appreciation to the assistance given to me by entire Registry of the High Court. **Mr.P.Krishna***

***Bhat, Registrar General, has given his utmost to his duties, with indefatigable energy of mind and person, against all odds, and despite some criticism. I have found that his inputs were always tempered in the interest of the dispensation of justice throughout the State of Karnataka. Reluctantly, I have acceded to his request for a change in his duties.***

*Mr.K.Somashekar, Registrar (Vigilance), Mrs.K.S.Mudagal, Registrar (Judicial) and Shri. R.Chandrashekar (Retd.), the erstwhile Registrar (Administration), Shri C.M.Joshi, Central Project Co-ordinator (Computers) and all the staff Members have worked hard and with honesty, never flinching from the long hours that the call of duties demanded.”*

9. With characteristic understatement, Hon'ble the Chief Justice said "*despite some criticism*". It was much more. It was raucous, fury and retribution. But details of same must wait for the morrow. Hon'ble the Chief Justice S.S. Sodhi wrote of his time in Allahabad High Court in a delightfully frank manner in a book "*The Otherside of Justice*". If what Hon'ble The Chief Justice Vikramajit Sen referred to as "*despite some criticism*" in his elegant and impeccable Queen's English is translated into an accurate narrative, it would be either a revised edition of or the second volume to "*The Otherside of Justice*". But, then, that should wait, as I said.

10. I was part of the subordinate judiciary for a long time – for such a long time that had I continued being one for a couple of more months – Mr.Chairman, I would have had the good fortune of joining your ranks; but for better or worse, that was not to be.

11. Now, I find certain coyness at the higher level and it was felt necessary to rechristen the manner of referring to subordinate Courts in a manner at variance with the nomenclature found at Chapter VI of the Constitution of India. I am not certain that all these similar measures have ensured to instil a sense of self-confidence, value of self respect and sense of independence among the members of subordinate judiciary and

without that I suspect Judges at the Trial Courts are left feeling these measures are bouts of indulgent condescension to purge one's vague feeling of guilt. Again to refer back to Hon'ble the Chief Justice Vikramajit Sen:

*“On a recent visit to a District outside Bangalore, I was dismayed to find Senior Judicial Officers waiting along the way just to show their respects and as a matter of protocol. This is destructive of the dignity and self-respect of Judges and more significantly, their image in the minds of the public. Judicial Officers must not waste their time and energies on needless observance of punctilio. They should adhere to the advice of the Hon'ble*

*Supreme Court of India, as adopted by the Full Court of this High Court.”<sup>1</sup>*

12. I have known of an instance of a Judge of a High Court who rose to become a Chief Justice of High Court subsequently addressing a letter to the Chief Justice of High Court calling for action against a District Judge all because he was not received at the Airport personally by him and it is part of the record. Such vanities are destructive of judicial independence. Such Judges render themselves unfit to hold any public positions. It is another matter that High Court promptly shot down the request calling for action

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<sup>1</sup> Reply speech to the Welcome Address presented to him on 02.01.2012

against Principal District Judge. Now, I have a message from the sagacious advice of Hon'ble the Chief Justice Vikramajit Sen to our trial Judges. You will be independent so long as you avoid doing excesses in the name of protocol. You will be independent if you undertake administration including recruitment processes in a fearless and independent manner regardless of possible 'phone calls' and 'slips passed' and inevitable possible reprisals. Excesses in protocols seen by me include abject obsequiousness and gifting costly articles. It came to my knowledge that one Principal District Judge procured a costly saree to present to the spouse of a dignitary from New Delhi who was on a private visit with instructions not to wait

on him and to the mirth of all those present the dignitary couple walked away without so much as looking at it.

13. Every time when Judges take aeons to pronounce on a recusal application, whisper starts going around about the intention and integrity of the Judge. Similarly, if Judges are found frolicking in destination holiday centres in questionable company, question is bound to arise as to his independence as a Judge.

14. If the progeny of the Judges of the most superior Court in the country call on the Judicial Officers at their residence with eager litigants in tow with an attempt to pass slips

and thereafter, drop the name of their forbear with hints of protection, then there is a serious problem to the independence of the judiciary.

15. Discussions about 'Independence of judiciary' and threat to the same abounds the air now. To my mind, threat to 'Independence of Judiciary' is a myth. Independence of Judiciary is realised by an individual Judge remaining independent. How is that attained? It is only by the Judge internalising certain values and virtues. It is the Judge who is a 'recluse' (in the felicitous words of Sri E.S. Venkataramaiah, Former Chief Justice of India) makes for independent judiciary. A Judge acting judiciously has so many

protections under law. There cannot be any threat to independence of judiciary. There is a vague and lingering view that there is less threat to the independence of judiciary-written or oral from without than within; in the manner petitions, complaints, calculated branding is handled internally. Another worrisome aspect is the not infrequently heard complaint that at crucial stages in their career like period of probation, promotion, etc. Judicial Officers pass certain orders because they were “told” so. If such an allegation is established or such a perception prevails, Judge is not independent and credibility is permanently dented. What then is the remedy? At the first blush, it may appear absurd and drastic. Judges, Judicial Officers

and such other high functionaries like Lokayukta/Upa Lokayukta, etc. should offer themselves for narco-analysis test with the simultaneous liability for similar test on persons named by the functionary concerned, if the functionary feels the complaint is false and motivated. Such situations have caused incalculable damage to credibility of the functionary in particular and institution at large. It goes without saying that a debate is required and safeguards should be crafted for preventing abuse of the process in this regard.

16. My immediate family consisting of wife, my son, my daughter and my daughter-in-law (after she joined us) are pillars of strength through all these years of my service

in the judiciary. There is a sense of relief now among them that I will be no longer leaving for the Court at 9:00 a.m. and returning home late in the evening. I cannot adequately express my sense of gratitude to them and it would be artificial on my part to make any attempt in this regard.

17. I lost my mother in 1988 and father in 1999. My late revered mother-in-law – a most gracious lady and my father-in-law have been supportive of me and effectively filled the roles of parents for me. Similarly, my elder sister, my brother-in-law, my two brothers and sisters-in-law and nephews and a niece and her husband have all been with me through thick and thin.

18. The Protocol Branch of this Court is manned by outstanding personnel led by eager, enthusiastic and resourceful Sri T.N. Kanakaraju. In saying this, I have no fear of contradiction, as I have watched the performance of the Protocol Branch as Registrar General of this Court and also as a Judge of this Court. It is a matter of personal knowledge for me having received deep appreciation for the performance of this Branch from various Hon'ble the Chief Justices of India, Hon'ble Supreme Court Judges, and Hon'ble Judges from various High Courts.

19. Sri K T Manjunath, Sri Raghu D, Sri Manoja Kumara B. K., Smt. Nandini D., Sri Bhimaraju N., Sri Dhanaraja M. S., Sri S. Sriram, Sri Shivakumar M.N., Sri Varun K., Sri Sumanth K. S., Sri Umesh Lakkundi, Sri Pradeep G., Sri Nagendra Rao D., Smt. Vani N., Sri Vishwanath V., Sri Kiran Kumar B. J., Sri Naveen S. P., Sri Babu Rao B., Sri C. Vijaya Sai, Sri Suresha P., Sri Shankare Gowda, Sri Puneeth Kumar N. M., Sri Mahesh Kumar S and Medical Protocol: Sri S. Venkatachalapathi Nayak, Sri Rajesh K., Sri Jyothi prakash B.S., Sri Hem Rao A., Sri Santhosh Reddy B.M., Srinidhi S., Sri C.C. Nadagaddi, Sri B.K. Manjunath Rao, were outstanding in their courtesy and in providing

assistance to us in times of need. They deserve my special thanks.

20. High Court Dispensary which stood augmented during my time as Registrar General by including emergency Cardiac Care Center has been doing outstanding services from the days of Dr. Kashinath Dixit and Dr. Triveni and through the years and currently, by Dr. Wahid Khan, Dr. Jayasheela H. and Dr. Kumar and their hardworking team of paramedical staff. They are extremely courteous, pleasant and caring. Suffice it to say that their very smiling presence is enough to alleviate most of our health issues. My family members and I are deeply indebted to them.

21. I am extremely fortunate in having a dedicated personal staff and I thank them for the assistance that was extended to me by all of them. My private Secretaries - Smt. Malaprabha, Smt. S.A. Chaya, Smt.Ramya, Additional Private Secretaries – Smt. Sandhya, Smt. Vasantha Kumari K., Court Officer - Smt. Hemalatha, Typist - Sri. Ramesh H., Senior Attender - Mr. Sathisha A., Court Hall Peon - Mr. Nitin A., and Driver - Sri Vinod K.M., have been always cordial to me. They deserve appreciation and I express my sincere thanks to all of them.

22. I would be failing in my duty if I do not thank the personal staff at my Home

Office namely, Smt. Shruthi and Miss Hemalatha.

23. My Gunman, Sri.Mallikarjuna Swamy and my security personnel Sri.Hanumanthappa, Sri.Kariyappa and Sri.Kiran have always been vigilant in taking care of my security and have rendered great service, for which, I express my thanks and appreciation.

Thank you Chairman,

Good bye to all.