

*By Speed Post.*

**THE GAUHATI HIGH COURT**

( HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH )

**NO. HC.III - 06/2010/ 4078 /G**

**From: Shri S.T. Nair,**  
Registrar (Estt.),  
Gauhati High Court, Guwahati.

**To: Mr. Shyam Divan,**  
S/O Late Anil B. Divan,  
Advocate, Supreme Court of India,  
B-39, Gulmohar Park,  
New Delhi, PIN: 110 049,  
Phone: 26862616 / 26863664.

Dated Guwahati, the 22<sup>nd</sup> March, 2017

**Sub:** Obituary Reference made on the passing away of Shri Anil B. Divan, Senior Advocate and honorary Member of the Gauhati High Court Bar Association on 21.03.2017 at 3.30 P.M. of the Gauhati High Court.

**Madam,**

I am directed to forward herewith a copy of the Obituary Reference held in a Full Court in the Gauhati High Court on 20.02.2017 at 3:30 p.m. on the passing away of Mr. Anil B. Divan, Senior Advocate and Honorary Member of the Gauhati High Court Bar Association.

The aforesaid Condolence Meeting was attended, amongst others, by Mr. R.C. Saikia, President, Gauhati High Court Bar Association; Mr. G.N. Sahewalla, Member, NE Bar Council; Mr. Yadab Doloj, Addl. Advocate General, Assam; Mr. S. C. Keyal, Assistant Solicitor General of India, Ms. T. Khro, Sr. Government Advocate, Nagaland; Mrs. P. Bhattacharya, Government Advocate, Mizoram; Members of the Judicial Services; Learned Members of the Bar, distinguished members of the legal fraternity and officers of the Registry.

The Full Court expressed heartfelt condolence and prayed for eternal peace of the departed soul and to give fortitude to the members of his family to reconcile and bear the immeasurable loss. As a mark of respect to the departed soul, one minute's silence was observed and the court work remained suspended for the rest of the day.

**Encl:** As stated above.

Yours faithfully,

  
**REGISTRAR (ESTT.)**

*AP*  
22.03.17

**OBITUARY REFERENCE ADDRESSED BY HON'BLE MR. JUSTICE AJIT SINGH, CHIEF JUSTICE OF GAUHATI HIGH COURT, GUWAHATI, ON 21.03.2017 AT 3.30 PM, ON ACCOUNT OF SAD DEMISE OF ANIL B. DIVAN, SENIOR ADVOCATE, HONORARY MEMBER OF THE GAUHATI HIGH COURT BAR ASSOCIATION**

**THE GAUHATI HIGH COURT AT GUWAHATI  
(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND  
ARUNACHAL PRADESH)**

**BEFORE**

**HON'BLE MR. JUSTICE AJIT SINGH, THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE A.K.GOSWAMI**

**HON'BLE MR. JUSTICE UJJAL BHUYAN**

**HON'BLE MR. JUSTICE L.S.JAMIR**

**HON'BLE MR. JUSTICE MANOJIT BHUYAN**

**HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**HON'BLE MR. JUSTICE SUMAN SHYAM**

**HON'BLE MR. JUSTICE PARAN KUMAR PHUKAN**

**HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN**

**HON'BLE MR. JUSTICE KALYAN RAI SURANA**

**HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA**

**HON'BLE MR. JUSTICE NELSON SAILO**

**AND**

**HON'BLE MR. JUSTICE AJIT BORTHAKUR**

**Reference by:**

1. Mr.R.C.Saikia, President, Gauhati High Court Bar Association
2. Mr. G.N.Sahewalla, Member, NE Bar Council
3. Mr.Yadab Doloi, Additional Advocate General, Assam

4. Mr. S.C.Keyal, Assistant Solicitor General of India
5. Miss. T.Khro, Senior Government Advocate, Nagaland.
6. Mrs. P.Bhattacharya, Government Advocate, Mizoram.

**Reply by: Hon'ble the Chief Justice**

1. My esteemed colleagues on the Bench.
2. Mr. R.C.Saikia, President, Gauhati High Court Bar Association
3. Mr. G.N.Sahewalla, Member, NE bar Council
4. Mr.Yadab Doloi, Additional Advocate General, Assam
5. Mr. S.C.Keyal, Assistant Solicitor General of India
6. Miss. T.Khro, Senior Government Advocate, Nagaland.
7. Mrs. P.Bhattacharya, Government Advocate, Mizoram.
8. Members of the Registry
9. Learned Members of the Bar

Today we have assembled to mourn the sudden demise of Anil B. Divan, Senior Advocate, who left us for his heavenly abode on 20<sup>th</sup> March, 2017.

Anil B. Divan was born on 15<sup>th</sup> May 1930. He has been described as an eminent constitutional expert. He was president of Law Asia from 1991 to 1993 and was Associate President of the Bar Association of India. He has argued in the Supreme Court of India on a "pro bono" basis in many Public Interest Litigations . He was also a member of the committee on Water Resources Law of the International Law Association. He was appointed by the government to help resolve Cauvery Water Disputes. Divan was a member of the Committee on Judicial Accountability too.

Over the years, Divan had established himself as one of the nation's foremost jurists, having appeared in a number of landmark cases in the Supreme Court of India such as challenge to the NJAC

Act, Oleum gas leak case, Bhopal Gas Tragedy case etc. Apart from these cases, he also appeared in the challenge to the Prevention of Terrorism Act and in the *Rupa Ashok Hurra* case, which laid down the law related to curative petitions. More recently, he was appointed as amicus curiae in BCCI case.

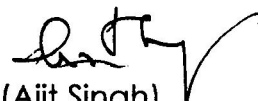
His sudden demise is undoubtedly a great loss to the legal fraternity as well as to his family.

I, on my behalf and on behalf of my esteemed colleagues and also members of the Registry, convey our heartfelt condolence to the members of the bereaved family and pray the Almighty to grant eternal peace to the departed soul and give strength to the members of his family to reconcile to and bear the irreparable loss.

And as a mark of respect to the departed soul, I request learned members of the Bench and Bar to observe one minute's silence.

The court work will remain suspended for the rest of the day as a mark of respect to the departed soul.

Registry shall send a copy of the proceedings of this Reference to the members of the bereaved family.

  
(Ajit Singh)  
Chief Justice,  
Gauhati High Court,  
Guwahati