

## **ADVICE TO JUDICIAL OFFICERS\***

**Justice A. Lakshmana Rao**

Chief Justice, Allahabad High Court

Brother Justice Brijesh Kumar, Justice U.C. Srivastava, Chairman of the Institute, Justice Goyal, Mr. Singhal, Director, my esteemed learned brothers and sisters, distinguished invitees and learned members of the judicial fraternity.

It, indeed, gives me a great pleasure to be present amidst you this morning in connection with the inauguration of the refresher course for the judicial officers of the rank of District Judge and Additional District Judge. This is my first visit to this Institute. I know something about this Institute because I was for sometime the Chairman of the Andhra Pradesh Judicial Academy which is run on the same lines.

It is needless to mention that it is essential for the members of the judicial service to update their knowledge from time to time in order to enable them to perform their onerous judicial functions to the satisfaction of one and all. The credibility of the judicial institution and the confidence of the people in the justice delivery system depend upon the way the Judicial Officers and the judges conduct themselves inside and outside the Court, The Judicial Officers presiding in the various subordinate Courts in the State, have an opportunity, in a way, to deal directly with the litigant public and it is the Subordinate Courts at the grass root level to which people have a direct access. They have an opportunity to observe and watch the way the judicial proceedings are conducted in a Court. It is not so in the case of High Court and Supreme Court because very few litigants will have an opportunity to visit these Courts and mostly it is the advocates that argue the cases before these Courts. It is the impression gathered by the litigant public that goes a long way in establishing the credibility of the judiciary. Therefore, it is very essential that a Judicial Officer should imbibe the qualities which help him in conducting himself in a dignified and decent manner while he sits in the Court as well as he moves outside the Court.

A training institute like this should concentrate on providing an opportunity to learn about these things apart from updating knowledge on the judicial side and the administrative side. A Judicial Officer (or any other Judge for that matter) is always a learner. Just because we know something, it is not safe to presume there is nothing more to be learnt, Law is an ocean, it should be our endeavour and effort to learn from each and every advocate

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\* Address at the inaugural ceremony of the Refresher Training Course for Additional District and Sessions Judges on April 25, 1995 at the Judicial Training & Research Institute, U.P, Lucknow.

and every to deal with, having regard to the area In which he has to function, he will be In a better position to perform his functions satisfactorily showing higher rate of disposal of cases.

It has also to be borne in mind that the Courts cannot function without the co-operation of the members of the Bar. It should be our endeavour to maintain cordial and harmonious relationship between the Judicial Officers on the one hand and the member<sup>3</sup> of the Bar on the other. By this, I do not mean, that while seeking the cordial co-operation of the members of the Bar, the Judicial Officer should be either subservient or submissive to the dictates of others. A Judicial officer should be polite and courteous. He should be humane but at the same time he should be firm. You must know how to deal with a problem that arises, in a firm but at the same time in a polite, decent and dignified manner. It is not necessary for us to alienate the feelings of the Bar. We must provide an opportunity to the learned members of the Bar to ventilate their genuine grievance. If it is necessary we should not hesitate to sit together, negotiate and try to settle the problems if any, in an amicable manner. Neither the members of the Bar nor the members of the judicial fraternity, should think of confrontation.

If you do not keep pace with the march of Law by keeping abreast with the decisions of the High Court and the Supreme Court, you will be committing grave errors in disposal of cases which necessitate the litigant public to carry the matter in appeal or revision and it will lead to multiplicity of litigation. If the judgments are given in accordance with the latest decisions, normally an advocate will advise the client not to file appeal or revision. Updating of knowledge will create a good impression in the minds of the members of the Bar about an officer. If it is realised that a Judicial Officer is thorough, and well conversant with the fundamental legal positions, naturally, such all officer will command the respect of the members of the Bar. Some Judicial Officers like District Judges have to perform administrative functions also. Administrative efficiency is something different from judicial efficiency. If an officer is found to be lacking in administrative efficiency, the members of the staff will try to take advantage of the weakness of an officer, it is very essential that a Judicial Officer should also be conversant about administrative functions of the Court. If the members of the staff come to know that you know the fundamentals of administration, then they would keep themselves within their limits and you can very successfully carry on your administrative functions.

With all your experience as Judicial Officers, it is not necessary to impress upon you the need and necessity of maintaining the dignity of the high office you hold. Administration of justice is a solemn and sacred function. It is not like executive function. The people of this country have entrusted to the Judiciary very onerous responsibilities. It is for the higher Judiciary to maintain the balance between the Executive, the Legislature and the Judiciary. In a society governed by the rule of law, Judiciary has a vital role to play. It is for the Judiciary to protect' the fundamental rights of the citizens as their custodian and guardian. It is for us to ensure that a citizen is not denied of his right of life liberty and property except in accordance with the law. The functions which are entrusted to the Judiciary

are of utmost importance and their significance has to be borne In mind by each of you. May be you may not be performing the functions of a Constitutional Court, but the way you conduct the proceedings in the Court. in an adversarial system, creates the confidence in the people at the grass root level which ultimately strengthens the functioning of the entire Judicial system.

I thank the Chairman arid Director of this Institute for providing me this opportunity. I 'hope and trust that you will make best use of the opportunity to equip yourselves with the latest knowledge that is required to enable you to perform your functions satisfactorily.

Thank you all

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