

Saint And Leader Of The Bar

'Munshi Ambika Prasad'

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William Shakespeare would not have advocated killing of lawyers, nor George Bernard Shaw described the profession of law as conspiracy against laity, had they known late Munshi Ambika Prasad.

Munshiji or Bachchan Babu or simply Babuji as he was called by his admirers and senior or junior friends was both saint and one of the greatest lawyers of his times. Many countries have produced brilliant lawyers, superb in skill and art, but rarely anywhere a lawyer both brilliant and saintly was born. Babuji was a rare combination of both.

Being in practice myself when he was in prime of his profession was one of the happiest chapters of my professional life.

I came to Allahabad in 1945 and had to go to see him in connection of my hostel residence and fees in Kayastha Pathshala where I was a student. Babuji was then its president. I went to see him, walking all the distance from Kulbhaskar Ashram to 16, Elgin Road, Allahabad. After having solved my problem within minutes he asked me as to which family I belonged to and how I had come from Kulbhaskar Ashram. On being told that I had come on foot, he immediately asked one of his colleagues to drop me at my hostel. I was so touched and so awe-stricken by his concern and affection that I became his disciple in my heart, then and there.

Munshiji came from a celebrated family of lawyers of Varanasi. Munshi Hanuman Prasad, the first leading Advocate of Sadar Dewani Adalat and thereafter of High Court in 1866, was his grand-father. Munshi Gokul Prasad, the towering Judge of the High Court was his first cousin. Munshiji after graduating in 1st Class and obtaining post-graduate degrees, entered the profession of law at Varanasi. Varanasi Court was too small a place for Munshiji's ability. He shifted to Allahabad High Court. After starting his practice at Allahabad he had to go to England in a case in Judicial Committee of Privy Council representing Hariji of Arrah (Bihar) against Raja of Dumraon. There great complements were paid to him by the Bench and the Bar of Privy Council for arranging a compromise in such a prolonged and tricky litigation.

I was fortunate to have learnt at his feet. Once when the High Court was closed for three, consecutive days on account of some holidays so placed in the Calendar, I went to see him in connection with a case which was to be argued on the opening day. After having gone through the file of the case I earnestly asked him as to what should make a good lawyer like him. He advised me that after reading the record of the case, the following four points immediately strike in your mind:

- (1) Listen to him carefully and thereafter point out the shortcomings in the matter.
- (2) Try to read him accurately. If he appears to you to be a rough person try to soothe him.
- (3) Think logically, and
- (4) Write down a brief of his case carefully which should be such a document which would be helpful to offer solutions to court.

He was great because he did not want to wield power in materialistic term. He was greater for he did not make more money than most people similarly placed and he was the greatest because he could renounce anything for a just cause or in favour of a genuine person.

On his visit to Badrinath, he offered Vidya Dan. He brought sons of priests and educated them from school classes to graduation. They were but some of many such students who stayed with him and were treated similarly. He would often ask me to read Abraham Lincoln-particularly his Gettysburg speech. I took his advice seriously and read few pieces of Abraham Lincoln's writings and recorded speeches. His following advice to the American Bar Association was superb:

"Discourage litigation. Persuade your neighbour to compromise whenever you can point out to them how the nominal winner is often a real loser, in fees, expenses and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There is always business enough."

Whenever I saw him walking in the corridors of the High Court, I felt that he personified these words. Babuji would be ready to help a junior any time and every time. My experience given here was shared by most of the juniors who went to him for advice and for handing him a brief for arguing a case. My client's cause was not of high valuation, but was a matter of prestige. He, therefore, paid me only Rs. 1100/- as his fees. I offered this amount to Babuji who smilingly and gladly accepted it. He detained me when the client went away from his office. He asked me how many years I had put in profession. I told him that it was 1-1/2 years. He immediately gave the entire money to me back and asked me to take it and to

purchase a set of ALJ which would be my best friend during my professional life. I was deeply touched and told him that I had already got the set of the Journal and that I needed and would cherish his blessings more than the money. He blessed me which shall be my prizest possession and the biggest achievement. After coming back I narrated the incident to my friends who even though they were fairly senior at that time told me that they had shared my experience too. He was so busy a lawyer that it would have been surprising if he were found sitting in the Bar Association. So high was his prestige and integrity that many Judges invariably asked him in admission cases. "Is the case worth admission?" They knew that if it really was, Babuji would say 'Yes' and if the case was not such he would continue his arguments saying 'My Lord, first point is'. Even after insistent enquiry he would never succumb to the temptation of saying 'Yes'. He was a lawyer of unimpeachable integrity. The personality of a client or his wealth or his position in life would never make Babuji to do any uncommon thing for him. So high was the faith of litigants in him that they would prefer to lose, a losing case at his hands rather than try to win at the hands of any lawyer who gave assurances false or otherwise of winning the case.

Black Shervani and a Churidar Pajama, black shoes, ever adorned his tall figure. He had a handsome face, shining eyes and erect posture. He could be recognized by everyone from a distance. He was a personality which would never be hidden or contained. He was loved by juniors and seniors. To his seniors he was obedient and submissive, to his equals he was courteous and to his juniors he had full regard and kindness. He would freely tell a junior that his case could not succeed and asked him to advise his client accordingly. Dignity and goodwill are better served by freely acknowledging that he just cannot deliver goods. Unlike other lawyers, he really served the legal business but never created it. He could with all dignity tell his client that the case created on false grounds will ultimately be lost. He advised him not to breed a need, but just to feed the need. As a president of Kayastha Pathshala twice over he would see that no litigation ever ensued, the teaching and non teaching staff were properly looked after. Their families were properly taken care of and every one had proper residence and proper care. As a President of High Court Bar Association he was deeply respected as the unquestioned leader. Any junior could walk up to him to explain his difficulties both personal and pertaining to court of law. Babuji would go out of his way to help him. In one address in the High Court Bar Association as a President he asked the profession to tell litigants "they should know how much it costs to end up in court realizing a bargain. It would be cheaper to pay someone to keep him out of court. The lawyer should adopt preventive lawyering. Discourage litigation, implement conciliation rather than waging surrogate battle. A lawyer should serve as a peace maker rather than tickling healed wounds. Be proud of being a member of Bar. Be proud of being member of Bar Association.

I have never found anyone who had any word against Babuji. I heard Late Sri S.C. Khare, one of the tallest lawyers of our Bar Association, on the occasion of his funeral, that he knew Babuji since 1933. He never heard him speaking ill of anybody. It was the greatest tribute which one leader of the Bar can pay to the other leader of the Bar. If anybody spoke ill of anybody, Babuji would justify that circumstances might be such which would have impelled him to do the wrong act.

In a society of persons such as lawyers who are so well skilled in profession and feel that none is more skilled than himself, everyone with one single voice would say that Babuji is more skilled than the most skilled, more saintly than the saints. He was a saint in the real sense of the term. He lived a simple life inspite of earnings in the profession. He would prefer giving every bit in charity for the help of a poor or to support a poor lawyer rather than spending on himself. He had no desire for new model of sparkling car, modern homes, Air Conditioner, Air Cooling, Air heating, spacious lawn, polished furniture or the like. Any body could see him talking in low voice sitting on his rugged sofa, radiating a saintly aura.

Everyone who is born will ultimately die. He also died, but he still lives in our hearts. Not a single day passes in the High Court when his name is not mentioned. He was and he is and shall ever be remembered by the Bar and Bench alike so long as this institution exists.

To live with him was like living with God Himself.