

# Nani Palkhivala A Courtroom Genius

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## Opening Doors

this book contains select quotations classified subjectwise under various chapters from his writings and speeches over six decades of his working life. the book

introduces the man through his thoughts and ideas with the aim of inspiring readers, particularly the youth.

## **The Indian Legal Profession in the Age of Globalization**

A wickedly funny debut novel about a high-powered lawyer whose shockingly candid blog about life inside his firm threatens to destroy him. He's a hiring partner at one of the world's largest law firms. Brilliant yet ruthless, he has little patience for associates who leave the office before midnight or steal candy from the bowl on his secretary's desk. He hates holidays and paralegals. And he's just started a weblog to tell the world about what life is really like at the top of his profession. Meet Anonymous Lawyer—corner office, granite desk, and a billable rate of \$675 an hour. The summer is about to start, and he's got a new crop of law school interns who will soon sign away their lives for a six-figure salary at the firm. But he's also got a few problems that require his attention. There's The Jerk, his bitter rival at the firm, who is determined to do whatever it takes to beat him out for the chairman's job. There's Anonymous Wife, who is spending his money as fast as he can make it. And there's that secret blog he's writing, which is a perverse bit of fun until he gets an e-mail from someone inside the firm who knows he's its author. Written in the form of a blog, Anonymous Lawyer is a spectacularly entertaining debut that rips away the bland façade of corporate law and offers a telling glimpse inside a frightening world. Hilarious and fiendishly clever, Jeremy Blachman's tale

of a lawyer who lives a lie and posts the truth is sure to be one of the year's most talked-about novels.

## **The Oxford Handbook of the Indian Constitution**

Most financial services are now tradable across borders in an extremely competitive environment with buyers and sellers around the world having a choice of procuring services from competing international financial centres. The global international financial services (IFS) market in the 21st century is one in which competition is driven by rapid innovation in financial products, services, instruments, structures, and arrangements to accommodate and manage myriad requirements, risks and a ceaseless quest for cost reduction. Competitive advantage in IFS provision depends on seven key factors: - An extensive national, regional, global network of corporate and government client connections possessed by financial firms participating in an international finance centre - High level human capital specialized in finance, supported by a numerate labour force. - World-class telecommunications infrastructure - State-of-the-art IT systems - A well-developed, sophisticated open financial system - A system of financial regime governance that is amenable to operating on global 'best-practice' lines and standards - A 'hinterland advantage' in terms of either a national or regional economy (preferably both) whose growth is generating rapid growth in demand for IFS The Ministry of Finance, Government of India established a High Powered

Expert Committee in 2006 to study the feasibility of India's entry into the global market for IFS and that of Mumbai becoming an IFC. The Committee's report analyses Mumbai's strengths and weaknesses in terms of the above seven key factors essential for the success of an IFC. The report strives to deliver a nuanced appreciation of the likely costs and benefits of the path to an IFC, based on an understanding of which policy-makers can make a reasoned choice.

### **Whither Indian Judiciary**

How did India aspire to become a secular country? Given our colonial past, we derive many of our laws and institutions from England. We have a parliamentary democracy with a Westminster model of government. Our courts routinely use catchphrases like 'rule of law' or 'natural justice', which have their roots in London. However, during the period of colonial rule in India, and even thereafter, England was not a 'secular' country. The king or queen of England must mandatorily be a Protestant. The archbishop of Canterbury is still appointed by the government. Senior bishops still sit, by virtue of their office, in the House of Lords. Thought-provoking and impeccably argued, Republic of Religion reasons that the secular structure of the colonial state in India was imposed by a colonial power on a conquered people. It was an unnatural foreign imposition, perhaps one that was bound, in some measure, to come apart once colonialism ended, given colonial secularism's dubious origins.

## **Mumbai - An International Financial Centre**

### **The Due Process of Law**

Before Memory Fades by Fali S. Nariman is a revelatory, comprehensive and perceptive autobiography – candid, compelling and authoritative. Internationally admired and respected, Fali S. Nariman is a senior advocate of the Supreme Court of India. He began his career at the Bombay High Court in November 1950, and has since been active in the legal profession. Over the years, he has held several prestigious posts at both the national and international levels. He became a Member of Parliament (Rajya Sabha) in November 1999. He is the recipient of the Padma Bhushan (1991) and the Padma Vibhushan (2007). Starting with his formative years, when he had the good fortune to interact with many eminent judges and advocates, Fali S. Nariman moves on to deal with a wide variety of important subjects, such as, the sanctity of the Indian Constitution and attempts to tamper with it. crucial cases that have made a decisive impact on the nation, especially on the interpretation of the law, the relationship between the political class and the judiciary, the cancer of corruption and how to combat this menace, the author outlines measures to restore the now-low credibility of the legal profession, he also delineates his role in several high-profile cases. In recognition

of his track record, the Government of India nominated him to the Rajya Sabha. He describes the highlights of his tenure there. Both members of the legal profession and the lay reader will find the contents informative and useful.

### **We, the People**

### **Selected Writings**

Kecia Ali delves into the many ways the Prophet's life story has been told from the earliest days of Islam to the present, by both Muslims and non-Muslims. Emphasizing the major transformations since the nineteenth century, she shows that far from being mutually opposed, these various perspectives have become increasingly interdependent.

### **Nani Palkhivala**

Democracies are in danger. Around the world, a rising wave of populist leaders threatens to erode the core structures of democratic self rule. In the United States, the election of Donald Trump marked a decisive turning point for many. What kind of president calls the news media the "enemy of the American people," or sees a

moral equivalence between violent neo-Nazi protesters in paramilitary formation and residents of a college town defending the racial and ethnic diversity of their homes? Yet, whatever our concerns about the current president, we can be assured that the Constitution offers safeguards to protect against lasting damage--or can we? How to Save a Constitutional Democracy mounts an urgent argument that we can no longer afford to be complacent. Drawing on a rich array of other countries' experiences with democratic backsliding, Tom Ginsburg and Aziz Z. Huq show how constitutional rules can either hinder or hasten the decline of democratic institutions. The checks and balances of the federal government, a robust civil society and media, and individual rights--such as those enshrined in the First Amendment--do not necessarily succeed as bulwarks against democratic decline. Rather, Ginsburg and Huq contend, the sobering reality for the United States is that, to a much greater extent than is commonly realized, the Constitution's design makes democratic erosion more, not less, likely. Its structural rigidity has had the unforeseen consequence of empowering the Supreme Court to fill in some details--often with doctrines that ultimately facilitate rather than inhibit the infringement of rights. Even the bright spots in the Constitution--the First Amendment, for example--may have perverse consequences in the hands of a deft communicator, who can degrade the public sphere by wielding hateful language that would be banned in many other democracies. But we--and the rest of the world--can do better. The authors conclude by laying out practical steps for how laws and constitutional design can play a more positive role in managing the risk of

democratic decline.

## **Before Memory Fades**

This book provides the first comprehensive analysis of the impact of globalization on the Indian legal profession. Employing a range of original data from twenty empirical studies, the book details the emergence of a new corporate legal sector in India including large and sophisticated law firms and in-house legal departments, as well as legal process outsourcing companies. As the book's authors document, this new corporate legal sector is reshaping other parts of the Indian legal profession, including legal education, the development of pro bono and corporate social responsibility, the regulation of legal services, and gender, communal, and professional hierarchies with the bar. Taken as a whole, the book will be of interest to academics, lawyers, and policymakers interested in the critical role that a rapidly globalizing legal profession is playing in the legal, political, and economic development of important emerging economies like India, and how these countries are integrating into the institutions of global governance and the overall global market for legal services.

## **The Legend of Nani Palkhivala**

## **Speaking for the Bench**

Born in 1925, Shanti Bhushan was witness to the formative years of the Indian republic. *Courting Destiny* traces the remarkable story of his life---the family's origins in the town of Bijnor in the United Provinces, the experience of growing up in a joint family in Allahabad, initial encounters with the law when the Constitution of India was being framed, the distinguished career as a lawyer and law minister, culminating in the campaign for judicial accountability. These memoirs provide a participant's account of some of the most interesting and seminal cases that laid the foundations of India's constitutional history. They include the Keshav Singh case of 1964 which led to the first standoff between the executive and the judiciary; Indira Gandhi's election case which unseated her as prime minister, leading to the imposition of the Emergency; the habeas corpus case where the Supreme Court declared that during an emergency there is no right to life or liberty and hence no recourse against illegal detention; and the parliament attack case in which the Supreme Court, while acquitting Shaukat Guru of all charges of conspiracy, convicted him on a charge for which he was never accused. Together, they offer a broad perspective of the evolution of Indian law and the interpretation of the Constitution. *Courting Destiny* affords us a glimpse of the many fundamental and far-reaching political and constitutional changes that took place in the decades following independence. The descriptions of Shanti Bhushan's brief involvement in party politics and his time as law minister in the post-Emergency Janata

government make for a fascinating insider's account of an important phase of the nation's life. In this narration of the author's life and work, the personal, the professional and the public unfold seamlessly, never at the cost of one or the other. Written in a direct and engaging style, laced with gentle humour, *Courting Destiny* will appeal to all those interested in India's legal, constitutional and political history. At a time when both the Bar and the Bench are under a cloud, the illustrious sixty-year career of Shanti Bhushan will be a source of inspiration for young advocates.

### **10 Judgements That Changed India**

### **My Life: Law and Other Things**

### **The Wit and Wisdom of Nani A. Palkhivala**

Eightieth birthday commemorative volume Lawyer par excellence, renowned public speaker, philanthropist and distinguished ambassador, Nani Ardeshir Palkhivala was in public life for over five decades. His post-budget speeches in Bombay since 1958 have drawn national attention. Considered to be one of the

world's top ten lawyers, he was once described by former prime minister Morarji Desai as 'India's finest intellectual'. The profile at the beginning of this volume, penned by the editors, L.M. Singhvi, M.R. Pai and S. Ramakrishnan, brings together for the first time little known episodes from Nani Palkhivala's early years, as also instances of his legendary memory, kindness, humility and generosity. The selections that follow, from his best published writings and lectures, show to good effect his multi-faceted personality and understanding of Indian business and society. They are on subjects as diverse as religion, freedom and democracy, the Indian Constitution, judicial reforms, the Indian economy, socialism, and education. There are also pieces on historical figures and contemporaries who have strongly influenced him. Some of the correspondence that Palkhivala has had with K.R. Narayanan, Indira Gandhi, Sanjay Gandhi, V.P. Singh, Dr Manmohan Singh, Justice H.R. Khanna, Swami Ranganathananda and others has been included, along with rare photographs from the Palkhivala family album. All these offer a warm and full portrait of an individual who has spent his life in pursuit of excellence. Candid, provocative and forceful, the pieces in this volume reflect a mind that possesses a remarkable moral and intellectual integrity and a rare clarity of vision.

### **The State of the Nation**

Contributed articles.

## **The Inner Fire**

On the life and work of eminent Indian jurist and lawyer, Nani Ardeshir Palkhivala, b. 1920-.

## **The Case that Shook India**

Harish Salve failed his CA exam twice. Mukul Rohatgi was unable to secure a place at the Law Faculty, Delhi University. Rohinton Nariman was trained to become a Parsi priest. Legal Eagles examines the lives and times of India's top seven lawyers, who fought some of the country's landmark courtroom battles. Tracing their journey from their childhood days to the present, the book highlights the important milestones of their careers, their victories and failures, their influences, and their work ethic and role models, demonstrating that the path to success is paved with determination, grit and challenges. Journalist Indu Bhan gives a ringside view of the most significant case handled by each of these lawyers, including the Vodafone tax case, Coalgate and the 2G spectrum controversy, among others.

## **Modern Cookery- Volume 2**

A definitive, analytical and meticulous account of the present state of the nation – from a constitutional perspective – by one of India’s most respected legal luminaries. An ardent defender of the Constitution of India, Fali Nariman has today attained the status of an outstanding lawyer who strongly believes in the rule of the law and stands by his convictions. In this timely volume, the author highlights crucial issues that the legislature, the executive, judiciary, the bar and the common people have to deal with virtually on a day-to-day basis. His main focus is on corruption at various levels and in ‘hallowed’ institutions, including the judiciary. The author contends that the legislative and executive wings of the government – the elected representatives of the people – were (and are) expected to provide for the welfare of the people. He points out that they have failed miserably simply because making of laws is not enough; applying and enforcing laws – which are also the primary duties of the government – have left much to be desired. Consequently, it is the judiciary that tells the government when and how to distribute excess food, what crops to grow and what not to grow, which economic projects are good for the country and which are not, and what fuel should be used in our vehicles and whether 2G/3G licences should be allotted only through auctions! The judiciary is hence accused of overreach! The contents also throw light on other important subjects such as: the implications of reservations for certain sections of the population (including minorities); the true purpose and significance of the Constitution; Centre–State relations; and whether the Constitution has benefited the common people over the years. This is a book that

is absorbing as well as thought-provoking that will make the readers put on their thinking caps.

## **Big Egos, Small Men**

### **Anonymous Lawyer**

Clever, attractive and ambitious, intellectually daring and physically courageous, Cornelia Sorabji was a truly remarkable woman. As India's first female lawyer, she was original and often outspoken in her views - for example, in her criticism of Gandhi and her surprising friendship with Katherine Mayo. Cornelia Sorabji resists easy classification, either as a feminist or as an imperialist. She is an Indian whose loyalty to the British Raj never wavered; a passionate advocate of women's rights whose own career was nearly compromised through her inappropriate relationship with a married man; and, an independent and free-thinking intellectual who depended for work on patronage from an elite circle. Cornelia Sorabji's long and fulfilling life was anything but simple. How did she reconcile these apparent contradictions? How did she succeed in opening doors to aspects of Indian and British life which remain closed to so many, even today - and where did she run into difficulties? Through its beguiling portrait of a determined and pioneering

woman at the heart of the Raj, this rich and important story will captivate everyone with an interest in Indian or British history.

### **Kanga & Palkhivala's the Law and Practice of Income Tax**

### **Legal Eagles**

### **Republic of Religion**

Zoroastrianism might be a fast-declining religion in today's world, but what is remarkable is its eternal enigma. It is hard to believe that the hymns of the faith have travelled down to us in accurate form and poetic metre, purely through the memory of generations of priests. Zarathustra, the founder of the faith, belonged to a period of Persian history which antedated the Achaemenid dynasty (from 550 BC to 330 BC). He followed the old Rigvedic religion until he was the first to receive a revelation from Almighty God. The Gathas—the most sacred text of the Zoroastrian faith—were first composed and sung by Prophet Zarathustra. Along with the complete comprehension of the Gathas, consisting 238 verses in the same language as the Rigveda, this book is for anyone who wants to gain a deeper

understanding of the purpose of life on earth and what happens to mankind after death. The Gathas are extremely relevant in modern times for the fundamental reason that they are timeless. They do not emanate from Prophet Zarathustra's mind, but are revelations from Almighty God, making them universal in their approach. This book is an attempt to help the reader fully comprehend these and choose the path of leading a righteous life.

## **Law & Justice**

### **India's Legal System**

A close look at criminal cases that shocked the country Drawing on her vast experience as a senior advocate and Additional Solicitor General at the Supreme Court, Pinky Anand examines criminal cases that have captured public interest. Breaking down each aspect of cases such as the Nirbhaya rape, the Nanavati murder, the Nithari killings and others, she gives us an inside look and lawyer's perspective into the manner of legal proceedings, strategies employed by legal counsel on both sides and the rigour with which courts come to verdicts. Even years after they have been tried in court, these instances are cemented in people's memories on account of either their brutality, the trials or the landmark judgments

they resulted in. Anand's insights not only delve into the finer details but also provide context to the cases that have had a lasting impact on society as well as legal institutions.

### **Off the Bench**

Who was Shah Bano and why was her alimony pertinent to India's Secularism? Does the fundamental right to life include the right to livelihood and shelter? Where there is the right to live, is there also the right to die? How did Bhanwari Devi's Rape help define sexual harassment at the workplace? Here are the Supreme Court's ten pivotal judgements that have transformed Indian democracy and redefined our daily, lives. Exploring vital themes such as custodial deaths, reservations and environmental jurisprudence, this book contextualizes the judgements, explains key concepts and maps their impacts. Written by one of India's most respected lawyers, Ten Judgements That Changed India is an authoritative yet accessible read for anyone keen to understand India's legal system and the foundations of our democracy.

### **Courting Destiny**

Narrative of circumstances which led to resignation of the author as the law

minister of India.

## **God Save the Hon'ble Supreme Court and Other Opinions**

### **The Lives of Muhammad**

This book brings together the leading judgments of Justice V.R. Krishna Iyer, a former judge of the Supreme Court of India. The work lucidly describes the principles of human justice reflecting in his judgments.

### **Guide to Central Excise**

### **Our Political System**

Contributed articles.

### **Landmark Judgements That Changed India**

## **Trials of Truth**

In 2012, the Bombay High Court celebrated the 150th year of its existence. As one of three high courts first set up in colonial India in 1862, it functioned as a court of original and appellate jurisdiction during the British Raj for over 80 years, occupying the topmost rung of the judicial hierarchy in the all-important Bombay Presidency. Yet, remarkably little is known of how the court functioned during the colonial era. The historiography of the court is quite literally anecdotal. The most well known books written on the history of the court focus on humorous (at times, possibly apocryphal) stories about 'eminent' judges and 'great' lawyers, bordering on hagiography. Examining the backgrounds and lives of the 83 judges-Britons and Indians-who served on the Bombay High Court during the colonial era, and by exploring the court's colonial past, this book attempts to understand why British colonial institutions like the Bombay High Court flourished even after India became independent. In the process, this book will attempt to unravel complex changes which took place in Indian society, the legal profession, the law, and the legal culture during the colonial era.

## **An Independent, Colonial Judiciary**

Two central themes run through *The Due Process of Law*. The first is the workings

of the various "measures authorised by the law so as to keep the streams of justice pure" - that is to say, contempt of court, judicial inquiries, and powers of arrest and search. The second is the recent development of family law, focusing particularly on Lord Denning's contribution to the law of husband and wife. These broad themes are elaborated through a discussion of Lord Denning's own judgments and opinions on a wide range of topics.

### **How to Save a Constitutional Democracy**

The executive, the legislature and the judiciary are the three branches of government, both state and central, in India. Of these, it is the judiciary's task to uphold constitutional values and ensure justice for all. The interpretation and application of constitutional values by the judicial system has had far-reaching impact, often even altering provisions of the Constitution itself. Although our legal system was originally based on the broad principles of the English common law, over the years it has been adapted to Indian traditions and been changed, for the better, by certain landmark verdicts. In *Landmark Judgments that Changed India*, former Supreme Court judge and eminent jurist Asok Kumar Ganguly analyses certain cases that led to the formation of new laws and changes to the legal system. Discussed in this book are judgments in cases such as *Kesavananda Bharati v. State of Kerala* that curtailed the power of Parliament to amend the Constitution; *Maneka Gandhi v. Union of India and Others* that defined personal

liberty; and *Golaknath v. State of Punjab*, where it was ruled that amendments which infringe upon fundamental rights cannot be passed. Of special significance for law students and practitioners, this book is also an ideal guide for anyone interested in the changes made to Indian laws down the years, and the evolution of the judicial system to what it is today.

### **Nani Palkhivala**

On 12 June 1975, for the first time in independent India's history, the election of a prime minister was set aside by a high court judgment. The watershed case, *Indira Gandhi v. Raj Narain*, acted as the catalyst for the imposition of the Emergency. Based on detailed notes of the court proceedings, *The Case That Shook India* is both a significant legal and a historical document. The author, advocate Prashant Bhushan, provides a blow-by-blow account of the goings-on inside the courtroom as well as the manoeuvrings outside it, including threats, bribes and deceit. As the case goes to the Supreme Court, we see how a ruling government can misuse legislative power to save the PM's election. Through his forceful and gripping narrative, Bhushan vividly recreates the legal drama that decisively shaped India's political destiny.

### **We, the Nation**

The book presents, for the first time, a comprehensive and analytical inside view of the Indian judiciary. Justice Katju traces the evolution of law and proceeds to analyse, with incisive insight, matters of critical importance like the appointment of judges, contempt of court, delays in justice and the challenges facing the Indian judiciary. The author draws upon his extensive tenure as a justice of the High Court and Supreme Court to draw examples and relate fascinating personal experiences. He addresses issues like judicial corruption and propagates novel proposals like lawyers to be brought under the Consumer Protection Act. Some memorable judgements which helped in shaping the Indian judiciary have been made by Justice Katju. The book covers these judgements in detail and also includes anecdotes, which bring out the captivating and complex world of the judiciary. A must read book for not just those in the legal field, but all those wanting a never before insight into the Indian judiciary.

### **My Tryst with Justice**

The Indian Constitution is one of the world's longest and most important political texts. Its birth, over six decades ago, signalled the arrival of the first major post-colonial constitution and the world's largest and arguably most daring democratic experiment. Apart from greater domestic focus on the Constitution and the institutional role of the Supreme Court within India's democratic framework, recent years have also witnessed enormous comparative interest in India's constitutional

experiment. The Oxford Handbook of the Indian Constitution is a wide-ranging, analytical reflection on the major themes and debates that surround India's Constitution. The Handbook provides a comprehensive account of the developments and doctrinal features of India's Constitution, as well as articulating frameworks and methodological approaches through which studies of Indian constitutionalism, and constitutionalism more generally, might proceed. Its contributions range from rigorous, legal studies of provisions within the text to reflections upon historical trends and social practices. As such the Handbook is an essential reference point not merely for Indian and comparative constitutional scholars, but for students of Indian democracy more generally.

### **Nani Palkhivala: A Role Model**

An incisive and comprehensive view of India's legal process and its key issues India has the second-largest legal profession in the world, but the systemic delays and chronic impediments of its judicial system inspire little confidence in the common person. In India's Legal System, renowned constitutional expert and senior Supreme Court lawyer Fali S. Nariman explores the possible reasons. While realistically appraising the criminal justice system and the performance of legal practitioners, he elaborates on the different aspects of contemporary practice, such as public interest litigation, judicial review and activism. In lucid, accessible language, Nariman discusses key social issues such as inequality and affirmative

action, providing real cases as illustrations of the on-ground situation. This frank and thought-provoking book offers valuable insights into India's judicial system and maps a possible road ahead to make justice available to all.

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