

**FULL COURT REFERENCE TO BID FAREWELL TO HON'BLE
MR. JUSTICE S. HUKATO SWU, JUDGE OF GAUHATI HIGH
COURT ON HIS LORDSHIP'S SUPERANNUATION ON 31ST DAY
OF DECEMBER, 2021 IN COURT NO.1**

- My esteemed colleagues on the Bench,
- Mr. P. J. Saikia, Vice-President, Gauhati High Court Bar Association
- Mr. S. Matak, President, Gauhati High Court Advocates' Association.
- Mr. P.D. Nair, Vice-Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim.
- Mr. Diganta Das, Advocate General, Mizoram
- Mr. Biswajeet Goswami, Addll. Advocate General, Assam
- Mr. B.D. Goswami, Addll. Advocate General, Arunachal Pradesh
- Mr. R.K. Deb Choudhury, Assistant Solicitor General of India,
- Mr. T. Ao, Addll. Senior Government Advocate, Nagaland,
- Mr. H. K. Das, Panel Advocate, Gauhati High Court.
- Members of the legal fraternity,
- Members of the Registry and distinguished ladies and gentlemen!

Today, we have assembled here to bid farewell to Hon'ble Justice S. Hukato Swu, who is going to lay down office on his superannuation on 31st of December, 2021. We are bidding farewell to brother Swu in advance as today is the last working day before the winter vacations.

Justice Swu was born at Satakha Town in Zunheboto District in Nagaland on 1st January, 1960. He did his schooling from Goalpara Sainik School, Assam and thereafter went on to complete his graduation from St. Anthony's College, Shillong. He later obtained his LL.B. Degree in the year 1986 from Delhi University Campus Law Centre.

Justice Swu's journey begins in the legal field as an Assistant Public Prosecutor and Government Pleader in the year 1986. He was later appointed as Magistrate, 1st Class and Civil Judge (Junior Division) in the year 1990. He was then promoted in the year 2003 as Additional Deputy Commissioner (Judicial). He was subsequently appointed as Deputy Commissioner (Judicial), in the year 2004. All this was prior to the separation of Judiciary from executive in Nagaland. Justice Swu also served as Member Secretary of Nagaland State Legal Services Authority and held various posts, such as Special Judge, Anti-Corruption; TDP Vigilance; Election Tribunal (Municipal); Member, MACT; Special Judge, CBI; Special Judge, NIA; President, Consumer Redressal Forum and Principal Judge, Family

Court. He then served as Principal District & Sessions Judge. On 26th November, 2019, he was elevated as Additional Judge of the Gauhati High Court and was made permanent Judge on 5th November, 2021.

Justice Swu has given his opinion as a High Court Judge in a number of cases. I have had the opportunity to go through his judgments. I find Justice Swu's judgment immensely readable. There are no jargons or long winding sentences in his judgment. Instead there is a nice flow of ideas in a lucid language with clear cut findings on legal factual points; dissection of points and findings; like a judgment should always be.

I have known Justice Swu for the last about ten months. I have always found him to be a Judge who is knowledgeable yet who never parades his knowledge. He is deeply sensitive to Naga ethos, Naga culture and the great values of the Naga society in general. I have always found him to be very sensitive and concerned over the difficulties faced by men and women of Nagaland, and he always has suggestions and ideas how to remove or at least reduce these problems. But then Justice Swu is first and foremost

an institutional person. He always has his best interests and his best efforts for the betterment of the institution, i.e. our judiciary. This High Court and the judiciary would be missing the services of one of its finest Judges.

I have been told that Justice Swu and his wife Mrs. Khesheli Chishi, who is also a member of our legal fraternity and presently a Principal Judge, Family Court, Dimapur, helps in running two special homes for destitute children. One is in Dimapur and the other in Mokokchung district in a village called Shihaphumi village.

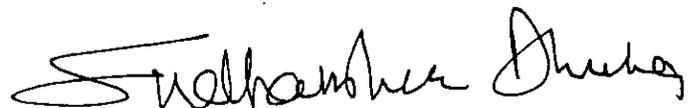
Being a Judge stationed in Nagaland calls for dealing with delicate and sensitive issues which have deep roots at times with the culture of Nagaland. Justice Swu has dealt with a number of such cases in the long years of his judicial career. Being well versed in the customary laws of Nagaland, Justice Swu has dealt with many such cases, I hope, in his long and illustrious career.

There is one case which particularly comes to my notice and that is ***Sri Alemtemshi Jamir & Ors -Vs- State of Nagaland & ors, in WP(C) No. 164/2017***, Justice Swu while deciding a land dispute opined that the Dobashis

Court and the Village Court have coordinate original jurisdiction, hence the Dobashis Court is not empowered to act as an appellate court against an order passed by the Village Court in exercise of powers under Rule 23A of the Administration of Police & Justice, 1937 Rules.

I wish him and his family members a peaceful and well deserved retired life, though Justice Swu will be very soon joining his new assignment, which awaits him after his superannuation.

I, on my own behalf and on behalf of my esteem colleagues of the bench, wish Justice Swu and his wife Mrs. Khesheli Chishi, a Merry Christmas and also wishing for them good health, success and a very long and happy life.



(Sudhanshu Dhulia)
Chief Justice
Gauhati High Court
Guwahati