

The Fearless Judge

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The Life and Times of
Justice A.M. Ahmadi

Insiyah Vahanvaty

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To my North Star, my beloved grandparents.

*You fought the good fight,
You finished the race.
May you always fly free,
May you rest in eternal peace.*

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Foreword

Chief Justice D.Y. Chandrachud

Justice Aziz Mushabber Ahmadi, whose legacy this book celebrates, was an institution builder and a mentor to many. His distinctions are numerous – more than any account of his life can exhaustively enlist. Insiyah Vahanvaty comes quite close as she skilfully crafts what is a doting account of her grandfather's life while authoring an objective narrative of the life of a public functionary in service of the Constitution. The book contains an encapsulation of events that shaped the country and formed the backdrop of Justice Ahmadi's life.

His journey to the office of the Chief Justice of India – the first to have ascended through the ranks, from the City Civil Court in Ahmedabad to the High Court and finally to the Supreme Court – is a testament to his service to the nation. Justice Ahmadi once dreamt of charting different seas and joining the Merchant Navy. Still a lawyer, an unassuming Justice Ahmadi was so overcome with surprise at the question of his elevation that he asked Justice Shelat, 'Does your Lordship know my age?' Eventually, at thirty-two years of age, he ascended to the Bench of the City Civil Court, Ahmedabad.

He was committed to the Gandhian talisman of contemplating the meaning of our actions for the weakest. A young Aziz would tiptoe in scorching heat to catch a glimpse of the Mahatma himself as he travelled across Surat. Later, perhaps a fleeting sight of Mahatma Gandhi and the years of following his father across the many districts and talukas of

present-day Gujarat and Maharashtra would shape his judicial instincts as the citizen's judge.

We remember Justice Ahmadi as the judge who, while at the Supreme Court, was a part of 811 judgements, the author of 232 of them. In *S.R. Bommai*¹, he gave secularism in India a firm basis in the 'principles of accommodation and tolerance'. In *Indra Sawhney*², he couched affirmative action in equality rather than its exceptions. We see in Vahanvaty's adept narration how he was not only an astute, rights-upholding judge, but a force of nature whose work was his only sanctuary.

As Chief Justice of India, Justice Ahmadi pioneered transformative reforms, including computerization in filing, listing and allocation processes. He classified pending cases and allocated them to dedicated benches, which had by then developed a muscle to quickly dispose of them. He digitized these judgements for better access. Unsurprisingly, a pendency of 1,20,000 cases at the start of his tenure was reduced to 18,000 when he retired. Sir Harry Woolf's fitting nickname for Justice Ahmadi – 'the case cracker' – was richly earned.

Justice Ahmadi was also a judicial statesman, regularly consulted for his erudite inputs within and beyond the country. Intrigued by the system in the United States, he introduced the law clerks' programme at the Indian Supreme Court. He contributed immensely to legal education and training, as he led the High-Powered Committee on Legal Education and laid the foundation of the National Judicial Academy, Bhopal. Mentored by Justice M.P. Thakkar, who oversaw the first ever Lok Adalat in 1982 at Una, Gujarat, Justice Ahmadi was a firm believer in alternate dispute resolution. He tackled 98,000 land acquisition cases in a single day through the Lok Adalat. His initiatives in legal aid and ADR, including a reciprocal arrangement with the UK, earned him, in the words of the Lord Chief Justice of England and Wales, 'respect and admiration of the judiciary throughout the common law world'.

Justice Ahmadi championed gender sensitivity in the judiciary. He would not shy away from highlighting the possibility of bias in judicial opinions. In *Madhukar Narayan Mardikar*³, he liberated women's credibility – as witnesses or survivors – from a searching inquiry of their history and

character. His support for NGO Sakshi led to the establishment of the Asia Pacific Advisory Forum on Judicial Education on Equality Issues. The NGO's work, as the book notes, culminated in the landmark Vishakha Guidelines.

We find traces of Justice Ahmadi's contributions across the length and breadth of the profession. In July 1999, Justice Ahmadi was part of a three-member arbitral tribunal (also consisting of Justice V.D. Tulzapurkar and Justice M.H. Kania) before which I was appearing. On the last day, in Ottawa, I sought his advice on a personal conundrum I was facing, equally if not more compelling than the arbitration itself. Justice Ahmadi came to my rescue with sage advice. As I pitched to him the question of taking up judgeship, Justice Ahmadi said, with his distinct clarity, that it was 'absolutely worth it!' Like the countless aspects of the profession enriched by his wisdom, my life took a turn, empowered and emboldened by his words.

Justice Ahmadi and his spouse were (to use an expression fondly used by my sister and me for our parents) a 'package deal'. They were always together. On a monsoon flight from Delhi to Mumbai, I had a chance seat next to Justice Ahmadi. As the flight waded through clouds heavy with impending showers, he whispered with a glint in the eye, 'Just watch as she starts reading the Holy Quran'. In a moment, across the aisle, Mrs Ahmadi began her prayers for the safety of the aircraft and all of us. There is a memorable photograph of both of them drinking from a single tender coconut with two straws. That truly defines their relationship more than words can convey. At Ottawa, after work, they were together – Justice Ahmadi was full of stories about his travels as a young judge in Gujarat, driving his own Fiat. He regaled his co-arbitrator and us lawyers on both sides with his humour and tales of the judiciary.

Justice Ahmadi had an innate sense of justice based on a grasp of social reality. On one occasion in his court, I was appearing for the petitioner in a habeas corpus petition. Our client was seeking access to his friend and partner, who unfortunately reported that she wasn't interested in meeting him. Realizing that this was the end of the road for my client, Justice Ahmadi was conscious of the impact of parental coercion. He created

conditions for the free exercise of her volition in the future. I quite lost touch with what happened in the case later. But this was just another example of the fact that sitting on the high bench of the highest court, he was never out of sync with the 'common touch'.

The book offers us a peek into the workings of his brilliant mind, waist-tall piles of books strewn across his residence and his immersion into the singular cause of providing justice. It is a promising account of the lesser-known aspects of his life, his aspirations for the profession and for the country at large. I hope we carry forward those hopes in our efforts as institutions and individuals.

Justice D.Y. Chandrachud
Chief Justice of India

Foreword

Justice Rohinton F. Nariman

The purest love known to man, namely the love of a granddaughter for her grandfather, has produced this remarkable book. Insiyah Vahanvaty has portrayed her grandfather exactly as he was, as far as I can remember, having appeared before him in many cases in the Supreme Court and having known him and his family intimately. Many things led to Justice Ahmadi's judgements in later life, such as a person of a lower caste being beaten-up; and having been attacked by the opposite side client in a criminal case, which made him give up practicing criminal law. His rise in the legal profession has truly been meteoric, from a government pleader to a city civil court judge at the young age of 32; then secretary-cum-legal remembrancer; then High Court judge at the relatively young age of 44; and Supreme Court judge at the relatively young age of 56, culminating in a glorious chief justiceship of India for over two years.

Justice Ahmadi stood rock solid for three constitutional values in particular: freedom of speech, personal liberty, and, above all, the secular character of the Constitution of India. Insiyah touches upon some of his High Court judgements and many of the extremely important Supreme Court judgements that have shaped this nation, including his judgements in the Mandal Commission Case, the judgement in S.R. Bommai's case, and the Third Judges Case of 1993, all of which were nine-judge bench judgements.

Apart from these, many other judgements are referred to, but what makes the judge stand out is not just his judgements but his all-round capacity to function as a judge. As the chief justice of India, he inherited an arrears burden of 1,20,000 cases and brought it down to 18,000 when he retired. He was almost solely responsible for alternative dispute resolution, leading to the enactment of Section 89 (amended) of the Code of Civil Procedure. He was also responsible for great strides in Lok Adalats, legal aid and mediation. A committee headed by him in 1994 led to the five-year law course being taught in 26 specialist law colleges.

After retirement, he was in great demand as an arbitrator and travelled on various committees and commissions to countries such as Liberia, East Timor, Zimbabwe and Bangladesh. He was even responsible, as Chairman of the Bhopal Memorial Hospital, for ensuring that many of the victims of the Union Carbide gas tragedy were rehabilitated both physically and otherwise. Not a very religious man, he dauntlessly fought for what he thought was right, till the end. He even took up the unpopular cause of a Mazoon claiming to be the successor to Syedna, who is the head of the Dawoodi Bohra community, which culminated (after a prolonged legal battle) in a single-judge judgement of the Bombay High Court against the cause that Justice Ahmadi was espousing.

He lived a life of courage and stuck to what he thought was right throughout his long judicial career, making him the 'Darling of the Bar', both in Gujarat and the Supreme Court. I recommend this book, not only to every lawyer but also to the general public at large, for the miracle that love can produce. The book is exceptionally well-written in simple English and grips the reader from start to finish.

Justice Rohinton F. Nariman
Retired Supreme Court Judge

The Black Sheep of the Family

‘One paisa?’ I asked, looking up at my *nana jaan* disbelievingly. ‘Yes,’ he said. ‘One paisa.’ A judge at the High Court of Gujarat at the time, my grandfather was already a busy man. But in the summer holidays, when the courts were closed, and my younger brother and I had been deposited at my grandparents’ home in Ahmedabad for two months, he regaled us with stories of a magical childhood – full of adventures and mischief. He told us tales of himself running off with the other *mohalla* boys with a single paisa tightly clasped in one of their little fists. The precious paisa, given by an indulgent parent was equivalent to 3 *pais*, which fetched them a pair of *nankhattaies*, a measure of *namkeens* wrapped in a twist of newspaper and a tiny sweet wrapped in a banana leaf. Filled with anticipation and childish impatience, these goodies would rarely make it out of the shop – being gleefully devoured while standing at the shop counter itself.

He recalled in vivid detail the camps of American troops that would sometimes be stationed outside the cities, awaiting deployment. Young Aziz never questioned the presence of these soldiers until much later; at the time he was far too young to understand that the world was going through a terrible turmoil – World War II was being fought across multiple borders and the colony of India had been forced to participate. From the British stronghold of Bengal to the sun-drenched plains of the Deccan, military bases had sprung to life. India’s vast landscape, abundant resources and strategic location made it a critical theatre for the Allies.

The British contributed substantial manpower and resources to the war effort, much of which was extracted from its colony, India. But the boys cared little for geopolitics. Almost every evening, Aziz and his friends waited impatiently for the school bell to ring so that they could run off to these camps and find the soldiers, most of whom were bored and gladly welcomed the company. More often than not, the boys would return with a little goodie – an imported biscuit or a coveted piece of imported chocolate that was gobbled up in one big greedy mouthful before other grubby hands could get to it. Sometimes, these excursions were cut short when he was discovered prematurely by his father's *patawaala* and dragged home.

Patawaalas were the orderlies that judges of the time were given, which Aziz's father, Mushabber Ahmadi as a sub-judge was entitled to. Named after the bright sash draped across their expansive bodies, these tall broad men dressed in white tunics and red sashes held together by big brass buckles, with magnificent *phetas* on their heads, were entrusted with all matters of the judges' home. Whether it was shopping for vegetables for dinner, lighting kerosene lamps at sundown or picking the kids up from school, the patawaalas did it all. But they were most visible when the judge was walking to court. Then it was a sight to behold. The patawaalas walked in a formation with some ahead of the judge and others behind, blowing their whistles to encourage people to get out of the way and clear the path for His Honour. Sometimes one patawaala walked ahead of the rest, carrying a large wooden box with a big padlock dangling from it, containing confidential records. So confidential that they couldn't be left in the courts overnight – after a few incidents of miscreants trying to break into the box, it was carried to and from the judges' home at the beginning and end of every day. So when school was let out and Aziz's younger sister had arrived home, but he was nowhere to be found, a patawaala was sometimes sent out in search of the mischievous boy.

When Aziz Ahmadi spoke of these times, it was with a wistful yearning – it was almost as if he could taste the *nankhattaies* and the simpler times of his boyhood on his tongue.

Born into a modest but well-educated Dawoodi Bohra family on 25 March 1932, young Aziz's earliest memories were of carefree days and

simple times. Running around the courtyards of old Surat mansions, taking turns to jump off the highest *otlas* (quintessential Surat style porches) that were an architectural feature of every home of the times, and buying the cheapest sweets from the local shops, the Surat of Aziz's childhood was not the bustling township it is today; he described it as 'an underdeveloped township with open drains and non-flush latrines.' The Surtis¹ were a friendly, happy-go-lucky lot who lived at a leisurely pace and believed in enjoying life – and meals. Food was a big part of the Surti culture, as it remains to date, and the Surtis were more concerned with their daily menu than they were about Indian independence or world events. It is no wonder then that before it came to be known for diamonds, Surat was known for its baked goods, namkeens and *undhiyu*. As the old saying goes, '*Surat nu jaman, Kashi nu maran* (Come to Surat to eat, go to Kashi to die).'

The Bohras of Surat, especially, were an extremely wealthy community, accustomed to a soft, luxurious life funded by unending generational wealth. It was common for most families to own at least four properties – one, a mansion in Surat that served as the main family home; two, a bungalow on the Tapti River that was suitable for weekends with the family; three, a home in a nearby village called Gordhor when one wanted a change of scenery; and last, a vacation home in Dummas, by the beach. Of course, privately owned horse-drawn carriages and a large domestic staff to look after these properties were essentials. But these were the 'original' Surti Bohras – the few thousand families that had lived in the city for as long as history remembered. A vibrant and close-knit community, the Dawoodi Bohras are mainly known for three things – cuisine, business acumen and progressive thinking. They also boast of high levels of secular education and maintain a characteristic apolitical attitude. A well-travelled lot, Bohras are predominantly a trading community, but their members are to be found engaged in a diverse range of occupations.

With roots tracing back to the Fatimid dynasty in Egypt, the Dawoodi Bohras are followers of Islam's Shia branch. Although originating from Yemen, Bohras settled in Gujarat before spreading to different parts of the

world. This is why the community speaks Gujarati with Persian references, and their food and traditions have Gujarati influences.

Women are distinctly identified through their traditional dress called a *rida*. Essentially a two-piece burqa that doesn't cover the face, the *rida* consists of an upper cape-like garment and a lower skirt, both embroidered and decorated with lace. They come in bright and vivid colours – hot pink, forest green, marigold yellow – everything except black. The men wear a three-piece white *kurta-pajama-saaya* (tunic, trousers, overcoat) set, with distinct white crocheted caps having gold embroidery, which sets them apart from other Muslims.

The Bohras also have several distinct customs, primary among them being the *misaq*.² An oath that takes place at the time of puberty, *misaq* is an acknowledgement of one's allegiance to Allah, his Prophet Mohammad,³ Imam Ali as his successor and the *Dai*⁴ as the representative of the Imam. It is also a promise to follow the tenets of the Islamic faith. Considered a rite of passage marking a child's entry into adulthood, this oath-taking ceremony is conducted with much celebration and congratulatory fanfare.

Mealtimes are characterized by members of the community (or family if at home) sitting on a carpet on the floor around a large metal plate called the *thaal*, which is placed on a stand. Each *thaal* can comfortably seat 6–8 individuals – a whole family. The number of courses, alternating between *mithaas* (sweet) and *kharaas* (savoury), varies based on the occasion and the family's affluence, but every meal will start, without fail, with a pinch of salt to awaken the palette. Usually creaking under the weight of the rich bohra *halwas*, biryanis, mutton samosas and steaming bowls of meat curries, these enormous *thaals* are a true testament to the Bohra's love for food. A large majority of Bohra families continue to eat this way, dining tables conspicuously absent from their homes.

Presiding over all matters of faith, and even secular ones, is the *Dai-e-Mutalaq* or high priest, believed to be the vice-regent of the Imam. Also known as the *Syedna*, this religious head is highly respected, almost worshipped. The Dai is also expected to engage with the community's social and economic progress besides looking after its weaker members. In modern times, Dais have ventured into the political sphere, sharing

platforms with political leaders and encouraging their participation in Bohra functions. Despite this, the average Bohra tends to be insular and community-centric, steering clear of political affairs, preferring to focus on their businesses and the task of making money. Peace-loving and averse to violence, the community prides itself on being focused on education and entrepreneurship while maintaining strong ties with cultural practices and tradition. It is important to note that apart from spiritual wealth, the Bohra clergy is endowed – and entrusted – with immense material wealth. Although there are no definitive records to precisely gauge the extent of this wealth, it is certainly substantial. The clergy not only owns opulent private mansions all over the world but is also entrusted with public wealth, which is used to build and maintain community spaces, mosques, schools, hospitals, housing development projects, charitable foundations and welfare programmes. The enormous quantum of this wealth has allowed them to build institutions and infrastructure not only in India, but in most other countries where the Bohras have migrated.

In the small population of pre-Independence Surat, numbering around two or three lakhs, a sense of camaraderie thrived – a true community spirit. Modern-day communalism and bigotry were unheard of then; in fact, the Bohras from that era reminisce about their school days with affection. Educated at Hindu-dominated schools taught by Hindu teachers, these cultured, well-dressed and soft-spoken children were teachers' pets. Far removed from any kind of religious discrimination, these Surti residents would not experience any prejudice for some years still.

The 1940s saw a change in this demographic. Facing an imminent threat of Japanese invasion, Surat witnessed an influx of people, especially from Calcutta. Subhash Chandra Bose had formed the Azad Hind Fauj, further creating panic among the Calcutta Bohras. During and after Independence, others came to Surat too, seeing it as a safe haven, a place that was untouched by the violence. The city's population swelled with Hindus and Muslims alike, forever changing the dynamic of the local populations. What remained intact was the Gujarati enterprise, talent for business and resilience.

The Indian independence movement was at its zenith, a powerful wave

of change sweeping across the nation. Aziz, too young to fully grasp the significance of the historical transformation unfolding before his eyes, held only fleeting memories of this time. But even he knew who Mohandas Karamchand Gandhi was. The Father of the Nation, affectionately known as Gandhiji, often embarked on train journeys through the heartlands of Gujarat and Maharashtra, passing through hordes of men, women and children who would gather for a glimpse of the remarkable man. Unperturbed by the sun beating down and the dust swirling around them, the children waited for the deafening screech of metal against metal, followed by the train rounding the corner and coming into view.

Standing on tiptoe, shoving each other to get a better view, the children's eyes searched the train to catch a glimpse of the nation's most beloved man who would sometimes appear in one of the train's open carriages. He stood there, his frail form silhouetted against the backdrop of the Indian landscape, his round glasses perched on his nose. With a gentle smile, he waved at the children scattered along the tracks, their faces smeared with a mixture of dust and anticipation. The children waved back excitedly, their small hands fervently reciprocating the friendly gesture. Too young to understand the historical changes taking place, their waving and cheering were simple acts of innocence. Aziz and his friends were completely unaware that the ordinary-looking man they were waving to would soon go on to negotiate an independent nation for them, shaping the destiny of India in ways they couldn't yet comprehend.

As a family, the Ahmadis invested in education; educating not only their sons but also their daughters to graduate and postgraduate levels. This was unusual for the times, as well as for the Bohra community. In fact, the first lady to earn a graduate degree in all of Ahmedabad was reportedly Rehana Ahmadi – Aziz Ahmadi's cousin. In a world of the landed and wealthy who preferred not to work if they could help it, the Ahmadis stood out as different. Aziz's grandfather, Imran Ali Ahmadi, who married twice (thereby giving Aziz several step-uncles), held the position of Deputy

Inspector of Education during the British Raj, which earned the family the generic nickname of 'Depoty' in the area. Aziz's father, with a double degree, BA LLB, was a sub-judge in the judiciary, which necessitated a lot of moving around for the family. A judge in pre-Independence India, when most similar positions were held by Englishmen, Mushabber Imran Ahmadi was a well-regarded gentleman, albeit not a wealthy one.

Often posted to remote districts and *talukas* – villages and one-horse towns within the states that are now Gujarat and Mumbai – this constant movement might have been taxing for some, but not for Aziz. To him, it only meant more places to have new, glorious adventures. An unfortunate fallout of these movements was the interrupted education of both siblings. Local schools typically imparted instruction in regional languages, which meant the children had to either travel long distances by train to get to a Gujarati or English medium school or skip a few months until their father was posted somewhere else again. But these postings were important for another reason – they allowed Aziz the opportunity to be confronted by the real grit and grime of India, including the ugly reality of bigotry, casteism and caste-based violence. These early experiences stayed with him throughout his life, shaping his understanding of the oppressed and powerless.

Because rural areas and smaller towns were considered safe enough for children to be let free to mosey about, Aziz often wandered off on his own, sometimes several miles away from home. One summer vacation, when Aziz was about 12 years old, his cousins had come to stay. On a rainy day when the girls were playing indoors, Aziz and his cousin decided to cross the paddy fields of what is currently the heavily constructed north-west Mumbai to find a makeshift theatre they knew was a mile away, hoping to watch a film – a rare treat. As the skies rumbled and opened up, dumping a deluge of water onto the fields, the boys took off. They raced through the paddy, splashing mud and sludge from the puddles over their shoes, legs and shorts until they finally came upon the theatre. What can only be described as a poorly constructed tin shed with wooden benches and sticky floors, presided over by a rather large, formidable-looking lady, the 'theatre' leaked water every time it rained. Undeterred by this minor inconvenience,

the wet, bedraggled boys splashed through the puddles on the floor and dropped a couple of coins in the big lady's hand in exchange for a seat on the hard wooden benches. Surrounded by ashtrays and the kind of men that no respectable family would have allowed their sons to hobnob with, Aziz and his cousin squelched excitedly onto a wooden bench. Soon enough, a grainy, pirated print of the movie appeared, projected onto a bedsheet that acted as a screen. Watching the movie through a hazy pall of cigarette smoke, the odour of human sweat and the loud clattering of raindrops on the tin roof, the adventure was almost too delicious to endure. Despite barely being able to hear the film because of the racket created by the rain on the tin roof, the boys were wrapped in a cocoon of pure contentment.

On their way back, however, a rude shock awaited them. Walking through the village now that the rain had stopped, they came upon an old man being beaten ruthlessly by a group of younger men. The one being beaten was dark and skinny, dressed in a torn *lungi*. The ones doing the beating, were well-fed and dressed better. Stopping dead in their tracks, the cousins looked at each other. Afraid to go any closer, they simply turned around and ran home. Aziz later learned that the man was a lower caste individual and was being beaten as punishment for drawing water from a well that was reserved for the upper caste families. Over the years and many transfers to rural talukas, Aziz would witness other cruel practices, such as men being forced to tie broomsticks behind their backs when they walked to sweep away their footprints behind them, or being made to clang two metallic objects together in order to alert people of their arrival, allowing them time to move out of the way and avoid becoming contaminated by their shadows. These formative memories were significant – Justice Ahmadi would later remind his peers of these realities when discussing his ideas of equality, affirmative action and the upliftment of systematically oppressed communities. The insights gained during these years would resurface in numerous events throughout Justice Ahmadi's life, but their most significant manifestation would occur many decades later during the landmark Mandal Commission case.

Aziz's mother, Shirin Bensaab, was a tall, imposing woman with a

commanding presence. Dressed in typical Gujarati *onna-ghagras*, she was often seen with the extra fabric of the *onna* tucked into the waistband of her *ghagra* and her hair tied into a tight, sensible bun as she went about household chores in a practical, business-like manner. A stern, no-nonsense woman who ran a tight ship, she was also no stranger to tragedy. After her entire family was wiped out during the Spanish flu of 1918, except for one elder sister and a father who was unable to look after her by himself, she was taken in and raised by a childless, wealthy neighbour. Her marriage to Mushabber was a union that required her to not only downgrade her lifestyle substantially, but also endure postings to remote areas where she knew nobody and had nothing to occupy herself with. These frustrations were not minor ones. And this did not bode well for her relationship with her son. A wild, uncontrollable child whose zest for adventure could not be contained, Aziz was well acquainted with the back of his mother's hand. Unable to understand her son's need to explore and his devil-may-care attitude, Shirin Ahmadi was simply destined for a difficult relationship with Aziz Ahmadi from the very beginning.

His father, a brilliant writer and highly intelligent man, was very proper and respectable in demeanour. A tall, lanky man with high cheekbones, a fashionable toothbrush moustache and a wizened appearance, he never left the house without a starched white shirt under an impeccably pressed safari suit and a *pheta* on his head. Although born to devout Muslim parents, M.I. Ahmadi was a non-practising Muslim and described himself as agnostic. Secular and progressive-minded, he maintained a deliberate distance from religious practices as well as the affairs of the Bohra community. While he held a mild disdain for overly religious displays, he approached matters of faith with respect, especially towards his wife, a practising Muslim who followed all the tenets of Islam. However, both of Aziz's parents were united in their disinclination towards the Dai and what they perceived as the clergy's interference in personal lives.

But more than anything else, Mushabber took his position as a judge extremely seriously and viewed his family's conduct as a reflection on his own esteemed reputation and respect in society. And Aziz's activities and interests did not meet his approval. Dismayed at his son's insistence

on playing rough games, returning home in tattered clothes, caked with mud, sometimes with a black eye from a scuffle with another boy, his only hope lay in making sure the boy's career was well chosen. Towards this, Mushabber had his heart set on Aziz eventually becoming an engineer. Not in his wildest thoughts did he imagine the boy would follow in his own footsteps, nor did he have the slightest inkling of his son's brilliance at the time. So, constantly feeling like a misfit in his family, life at home was not harmonious for Aziz. His pain was compounded by the fact that the darling of the family, his sister Zulekha, understood her brother no better than his parents understood their son, laying the foundations for a lifelong chasm with Aziz on one side and his parents and sister on the other.

The black sheep of the family, young Aziz therefore took to spending more time outside the home than in it, seeking validation outside rather than inside. As he got to his teenage years, he rebelled. Taking to smoking excessively in his teenage years, Aziz was never home. On most days, he was to be found by the town *chowk*, smoking cheap unfiltered cigarettes and planning mischief with his friends or picking street fights by day and slinking into the home late at night.

An audacious prankster, trouble was Aziz's mischievous sidekick. One of his favourite pranks was to tease and provoke the local police in a battle of wits. In those days, bicycles came fitted with kerosene lanterns, which tended to go out on windy days. It also meant that the flame would last only as long as the oil did. At the time, traffic regulations required cyclists to have a functioning light when riding at night. Waiting patiently until *magrib* (sunset), the boys would then get on their cycles and start peddling towards the police *chowki* of Nanpura. Coasting through the town looking as innocent as the day they were born, the boys jangled their cycle bells to make sure the police chowki up ahead knew they were coming. Aziz, leading the pack, blew out his kerosene lamp, ears peeled for the sound they all knew was sure to follow. *Farrrrrrrr* . . . the sound of a whistle. Leaping out of the shadows amid the charged air with a triumphant '*Light kidhar hai* (Where is the light)?' was a portly constable. Red faced and panting, he was sure he had finally caught up to the rascals. Aziz responded calmly, '*Bhai, tha . . . abhi batti olaayi gayi* (Brother, the lamp

was on; it has only just blown out).’ The constable, determined to get the gang of boys this time responded, ‘*Mein kem maanu* (How do I know this is true)?’ ‘*Toh dekh* (Then look),’ said Aziz, grabbing his hand and placing it firmly on the scalding hot lantern that was, indeed, alight a minute ago. Amid a cacophony of yells and profanities, the constable snatched his smarting hand back as the boys, in a symphony of jangling bicycle bells and kicking up a trail of dust, pedalled away as fast as they could, guffawing like impish daredevils.

On other occasions, they lay in wait on windy days, seeking out an unsuspecting policeman whose lantern had surrendered to the wind. Sweeping in as a group, they would force their bewildered captive to dismount and escort him to the police station, marching through the streets of Surat. Responding to the man’s half-hearted bleats of protest, the boys would extract a promise of leniency for themselves the next time they were caught before setting the fellow free.

The family could not understand this brand of mischief – they were mortified at stories of their son being reprimanded by the police and disapproved of the company he kept – boys shrouded in an air of mystery, whose family backgrounds were not always known. Some were rough and prone to street scuffles, although almost all were bright. Every day when Aziz returned home, there were fireworks between him and his mother over dirty clothes, his smoking or the visible marks of scrapes and scuffles.

But life was carefree and without worry, despite having very little spending money. The availability or lack of resources was not a cause for anxiety for young Aziz, as indeed, it would not be throughout his life. Although rationed supplies, food shortages and the British Raj marked the young boy’s childhood, yet he neither knew of nor cared for any of it. Possessing a rare zest for life, this time was for exploring and throwing caution to the winds.

Ambition, brilliance and greatness would not appear for some time yet. For now, he was simply the black sheep.