which had surfaced after the deluge -- by bowing to the 'low-cast' Hindu Zamindar, my father was too dignified to go to CR Das for a job. He fought elections with meagre, borrowed funds, defeated wealthy candidates and got elected to the Bengal Legislative Assembly. Joining the Bengal Cabinet twice as health and education minister, his last post was in the central assembly in Delhi from where he went to Karachi after partition. Our home and family disintegrated. Some went to Chittagong, some to Dhaka. Chosen Deputy Speaker, on Jinnah's death he became speaker of the National Assembly and President of the Constituent Assembly. Iskander Mirza, aided by Ayub Khan the C in C (Commander in Chief) dissolved the Parliament through a coup. They came to my father for support. What they got was grim resistance. Engaging the British lawyer D N Pritt father challenged the dissolution of the assembly. The New York Times and Herald Tribune ran the news in the headlines for a week.

Winning in the High Court, he lost in the Supreme Court where Justice Muneer launched his dubious doctrine of necessity. Father lived a few years more, winning the elections and being speaker of the national assembly. Before his death he was invited to the USA. As I turn the pages of old albums I see him on the steps of the US Supreme Court being received by Earl Warren the then Chief Justice; James Grant, then under secretary of state holding an umbrella over his head as he descended from the plane to the air field of a rainy Washington; the keys of that city being presented to him -- an intimate tete-a-tete with President Kennedy in the White House.

The Islamabad heat and hard work gave him pneumonia. He wanted to die in his own soil. He was flown in a military plane to CMH where he died. He was given full military honours. Buried in the national assembly premises his Spartan grave was in keeping with Louis Kahn's design in order to maintain the architectural harmony surrounding the parliament building.

There was always a wide gap between his and my political affiliations. He was a firm believer in Pakistan, giving up the Congress to join the Muslim League after the demise of C. R. Das who kept Hindus and Muslims united. Father did not live to see the disintegration of Pakistan, which was inevitable.

Before partition he had given up his *Khan Bahadur* title. District secretary of the congress in his home-town Faridpur, he attended the Nagpur Conference where 'little Indira was seen going round and round the chairs in the podium occupied by her grandpa Motilal and father Jaharlal Nehru'. (Test of Time).

I lost a valuable diary recording father's intimate sessions with Lord Attlee and meetings with Viscount Langley. I had left it in our London home from where it disappeared. Struggling hard to stand on his own feet, when family resources were meagre, he must have nursed a dream of elegance. The Calcutta home I grew up in was adjacent to the Victoria Memorial Hall. Blue lace curtains with matching sofas decked the reception room. An oval mahogany dining table on wheels -- was on which I was given lessons by my governess Mrs Eliot on how to handle instruments; she was given a well-furnished bedroom. A day and night nurse for my grandmother who had fractured her leg was provided. Two cooks one for local dishes, the other for European were kept busy in the kitchen. The office-room downstairs had typewriters which I tinkered with when no one was about. A small press was housed by another room from where he brought out two weeklies, The Medina and the Paegam.

One winter morning, my old nanny whom my late mother had



DAWN 50 YEARS AGO TODAY

Govt appeal allowed

April 4, 1955

THE full judgment of the Federal Court in the Central Government appeal against the Sind Chief Court's judgment in Maulvi Tamizuddin Khan's petition challenging the validity of the Governor-General's Order dissolving the Constituent Assembly was released in Lahore today.

Chief Justice Mohammad Munir's reasons for allowing the appeal is supported by Mr Justice Mohammad Akram, Mr Justice Mohammad Sharif and Mr Justice Rehman. Mr Justice Cornelius has delivered a dissenting judgment.

The judgment, which was announced on March 21, held that the Constituent Assembly when it functions under Subsection of Section 1 of Section 8 of the Independence Act of 1947 acts as the Legislature of the Dominion within the meaning of Section 6 of that Act, and that under Sub-section 3 of the latter Section the assent of the Governor-General is necessary to all the legislations by the Legislature of the Dominion, and that since Section 223A of the Government of India Act, under which the Chief Court of Sind assumed jurisdiction to issue the writs, did not receive such assent, it was not yet law and that, therefore, that court had no jurisdiction to issue the writs. In view of this the CJ has said that the court could not go into the other issues in the case whatever their general importance might be.

The Sind Chief Court had held that the Acts of the Constituent Assembly when it did not function as the Federal Legislature did not require the Governor-General's assent, and that the dissolution of the Assembly was illegal. It, therefore, issued the writs prayed for by Maulvi Tamizuddin Khan.

This was the same man handcuffed by the British jailor Hogg for not saluting him, A Congressite and supporter of the Non-cooperation Movement, he had given up his lucrative legal practice at the behest of his mentor C R Das -- mayor of Calcutta a top Congress leader and a barrister with a princely practice.