

**FULL COURT REFERENCE ON 9TH DEC., 2013 AT 3.00
P.M. IN COURT NO. 1 TO CONDOLE THE SAD DEMISE
OF SHRI JUGAL KISHORE SETH, SENIOR ADVOCATE.**

N.V. RAMANA, C.J.

We all have assembled here, to mourn the sad demise of Shri Jugal Kishore Seth, Senior Advocate of this Court, who left for his heavenly abode on 27th Oct., 2013, at the age of 77 years.

Shri Seth was born on 25th June, 1936 in a family of lawyers. In school, he was a student of science; he graduated in Arts from Hindu College; did Law from University of Delhi. He pursued Masters in Law from University of Delhi at a time when not many students used to be selected for the said course.

Shri Seth joined legal profession at the age of twenty five, in the year 1962, when the High Court of Punjab, as it later came to be called, exercised jurisdiction over Delhi through a Circuit Bench. For few years, he was also a part-time Lecturer in University of Delhi and taught students the principles of Hindu Law and Property Law. In the year 1999, he was designated as a Senior Advocate by this Court. I am told, despite his pre-occupation on account of his profession, he was always keen to participate in chess as well as table-tennis tournaments and even won various awards. He also participated in various chess competitions held between the Bar and the Bench.

As a lawyer, Shri Seth was very systematic and meticulous. His arguments were crisp and the propositions of law put forth by him were well-formulated. He was always ready with his brief and never believed in seeking adjournments. He, I am told, mastered the art of cross-examination. The professional ethics of Shri Seth, coupled with his sincerity, honesty and ability to convert weakness into strength, earned him the trust of one and all including briefing counsels, clients, Judges and so on. He was one of the senior-most Mediators, who successfully settled many complex disputes – matrimonial, property, commercial, etc.

There are many landmark judgments, which can be attributed to his diligence and hard-work. Some of them are –

- ***Hakim Haji Abdul Hameed Sahib v. Delhi Wakf Board*** {CS (OS) No. 117/1972 decided on 23.12.2011} where Hamdard Wakf Laboratories has been held not to be 'wakf' under the Wakf Act (*which decision of this Court has recently been affirmed by the Apex Court*).
- ***Illachi Devi (Dead) by LRs & Ors. v. Jain Society***, AIR 2003 SC 3397, where the Apex Court held that letters of administration can't be granted in favour of a society (*as the same is not a juristic person*).
- ***Shri Krishan Mohan Singh v. Sri Chand Gupta & Ors.***, AIR 1993 Delhi 365, where the statement of a counsel

I am also informed that the office of Shri Seth has produced a number of legal minds and many of them have roots in that office only. Many of his students and associates have been elevated as High Court Judges. He always believed in imparting knowledge and used to share skills with the persons associated with him.

Shri Seth was a very simple, straight-forward man of principles. Because of his amiable nature and cool temperament, he was able to command respect of the Court. I am told, he was the same – inside and outside the courtroom. Suffice to say, he got in return, in full measure, what he gave to others, that is, '*respect*'.

Shri Seth is survived by his wife, Smt. Bina Seth and four daughters. It is pertinent to say that two of his daughters, Ms. Shalini Kapoor and Ms. Promil Seth Mago, are practising in this Court, while two of his grand-daughters, Ms. Tina and Ms. Sukriti are presently working as Law Researchers in this Court. I would only say, it's time to move ahead and follow the great noble path laid by him during his lifetime.

By the demise of Shri Seth, we have lost not only an eminent lawyer, but also a noble and pure soul. His professionalism and devotion to duty is a sterling example to the

legal fraternity. I feel, the best homage to his memory would be to follow his ideals and conduct, by keeping cool, pleasant and friendly environment all around.

We condole the sad demise of Shri Jugal Kishore Seth and share the sorrow with members of his family. We send our heartfelt condolences to the members of the bereaved family and pray to the Almighty to give them strength to bear this irreparable loss. May, the Almighty bestow peace to the departed soul!

AFTER REFERENCE BY LAWYERS' IS OVER:

"I request you all, to pay homage, by standing in silence for two minutes, in the memory of Shri Jugal Kishore Seth."

AFTER TWO MINUTES OF SILENCE, All the Hon'ble Judges will take their respective seats for a moment and it will be announced by Hon'ble the Chief Justice as under:

"As a mark of respect to the departed soul, the proceedings of the Court are adjourned for the rest of the day."

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