

**SPEECH OF HON'BLE THE CHIEF JUSTICE IN FULL COURT
REFERENCE ON THE SAD DEMISE OF JUSTICE J.D. JAIN,
FORMER JUDGE OF THIS COURT**

My esteemed brother and sister Judges, Mr. P.P. Malhotra, Learned Additional Solicitor General of India, Mr. K.C. Mittal, President and other office bearers of the Delhi High Court Bar Association, learned Members of the Bar, members of the bereaved family, ladies and gentlemen.

We are assembled here today to express our profound sense of sorrow on the sad demise of Justice Jagmandar Dass Jain, a former Judge of the High Court of Delhi. Justice Jain breathed his last on 21st February, 2009 at Delhi after a spell of illness.

The story of the life of Justice Jain is one of great courage and determination. Born on 21st March, 1924 in small town called Zeera in District Ferozpur (Punjab), Justice Jain after matriculation went on for higher studies to Lahore. Having graduated and acquired a degree in Law, he entered practice at Lahore. After about three years, he decided to serve in the judicial branch. He was appointed to Punjab Civil Service where he joined as Sub-Judge on 4th August, 1950 at Amritsar. The judicial service took him to various stations and jurisdictions and, thus, the experience gained in various stations/jurisdictions groomed him into a fine Judge giving him expertise in various branches of law particularly civil and criminal. His service on deputation as Competent Officer in the Ministry of Rehabilitation and then as a Regional Settlement Commissioner

(Bombay and Rajasthan) gained him lot of exposure on administrative law, thereby preparing him for the higher responsibilities in the future.

Destiny brought Justice Jain on post of Senior Sub-Judge to Delhi in October, 1966. Soon thereafter he was promoted as Additional District & Sessions Judge. When Delhi Higher Judicial Service was organized in 1971, he was amongst the initial inductees. He was elevated to the Bench of this court as Additional Judge on 19th October, 1979 and was made Permanent Judge on 10th May, 1983. He retired on 21.03.1986. During his tenure as a Judge of this court he delivered a number of landmark judgments. As a Trial Court Judge, he presided over a number of celebrated cases including Sunder Murder case. On the bench of this court, his judgments covered various disciplines including Criminal Law, Property or Tenancy matters and Intellectual Property Rights. Some of the important cases dealt with by him included J.R.D. Tata Vs. Payal Kumar and Anr., N.C. Sippy and Anr. Vs. Prem Kumar, Narain Singh Vs. State, Raj Rani Vs. Gian Chand and Sada Nand and Ors. Vs. State. His uprightness, erudition, vision and learning is universally acknowledged by members of legal fraternity. I am told by the members of the Bar that Justice Jain was a very hard-working and conscientious Judge.

Justice Jain retired from active judicial service in 1986, but he did not let his talent and expertise remain unutilized. He initially chose to practice as Senior Advocate in the Supreme Court of India.

He was then appointed as Vice-Chairman of Central Administrative Tribunal in which position he served from 2nd July, 1987 to 20th March, 1989. The State utilized his services periodically. He was appointed as Chairman of Jain Aggarwal Committee in 1990 to examine the cases relating to 1984 riots in Delhi. The Committee carried out the arduous task of dealing with thousands of complaints, mainly about inaction of or atrocities by law-enforcement agencies. The representations and recommendations of the said Committee nudged the executive into action on a large number of serious contentious cases of the said period. In 1992, the High Court had constituted what has come to be known as Idgah Abattoir Committee under the Chairmanship of Justice Jain to monitor the working of Idgah Slaughter House. The bye-laws of the new Modern Slaughter House at Ghazipur are a result of the extensive studies and deliberations undertaken by the said Committee. In 1994, he served as Chairman of Wage Revision Committee dealing with wages of employees of erstwhile DESU. He undertook a similar task for the employees of National Airports Division in 1997.

In 1999, Delhi Legal Services Authority set up a permanent Lok Adalat to deal with cases of Delhi Development Authority. Justice Jain was the first Judge to serve on the Bench of the said Lok Adalat, which rendered yeoman's service to the Alternate Dispute Resolution System. Justice Jain was closely associated with a number of organizations including Indian Council of Arbitration and Indian Council of Jurists.

Despite retirement, various engagements in the field of law and advancing age, Justice J.D. Jain did not forget his roots. He had risen from Judicial Services and he was keen to make his contribution in return. He offered to share his experiences with the new crop of Judicial Officers by volunteering to frequently come to Delhi Judicial Academy. He remained a permanent visiting faculty till a few years ago when his health started deteriorating.

Justice J. D. Jain was deeply involved in social service. Mahavir International, a voluntary non religious NGO with the activities of which he was associated would describe him as “a towering and charismatic personality dedicated to the cause of ameliorating the hardship and suffering of poor and needy”.

Justice Jain had a fulfilling life. All his children are well settled in their respective careers or profession. It is a matter of pride that his eldest child Ms. Aruna Suresh is a sitting Judge of this Court. While her other siblings chose to foray into fields other than law, Justice Aruna Suresh followed the foot steps of her illustrious father and has risen to this level from the Judicial Service. With the demise of Justice Jain the legal fraternity has lost a stalwart and it will be difficult to fill the vacuum created by his death.

We send our heartfelt condolences to the members of the bereaved family and pray to God to give them strength to bear the loss. May 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 Justice J.D. Jain.

(AJIT PRAKASH SHAH)
CHIEF JUSTICE

5th March, 2009

(The Hon'ble Judges will take their respective seats for a moment after the silence, and it will be announced by Hon'ble the Chief Justice as under).

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

(AJIT PRAKASH SHAH)
CHIEF JUSTICE