

SLP(C)No. 242 OF 2002
ITEM No.1A
(For Judgment)

Court No. 1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No. 8080/2003 arising out of
Petition(s) for Special Leave to Appeal (Civil) No.242/2002

ILLACHI DEVI (D) BY LRS. & ORS.

Petitioner (s)

VERSUS

JAIN SOCIETY, PROTECTION OF ORPHANS INDIA
& ORS.

Respondent (s)

(HEARD BY HON'BLE THE CHIEF JUSTICE AND HON'BLE S.B.SINHA, J.)

Date : 26/09/2003 This Petition was called on for pronouncement
of Judgment today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)Ms. Madhu Sikri, Adv.

For Respondent (s)Mr. Sudhir Nandrajog, Adv.

Hon'ble the Chief Justice pronounced judgment granting leave and allowing the appeal in part for the reasons stated in the judgment. The judgment under challenge stands modified. The matter is sent back to the High Court with liberty to respondent to amend the petition for grant of Letters of Administration. It would be open to the respondent-society to nominate any of its office-bearer to whom Letters of Administration is granted. Such nominated person may move application for substitution of his name for grant of Letters of Administration. If such amendment application is made, the High Court shall permit this amendment and grant Letters of Administration in favour of person nominated by the society for carrying of the wishes of the testator which is for the benefit of the society.

REPORTABLE.

(D.P. WALIA)
COURT MASTER

(SURAJ PARKASH)
COURT MASTER

(Signed Judgment is placed on the file)