Case Title: T.N. Godavarman Thirumulkpad v. Union of India & Ors.

Petitions/Appeals: W.P.(Civil) No. 171/96

Court: Supreme Court of India

Judges: J.S. Verma, B.N. Kirpal

Sections/Articles and Laws Used: Forest Conservation Act, 1980; Jammu & Kashmir Wild Life Protection Act, 1978; Wild Life Protection Act, 1972

Parties:

* Petitioner: T.N. Godavarman Thirumulkpad
* Respondents: Union of India & Others

Background Details: The case centered around issues related to the protection and conservation of forests across India. It originated from concerns regarding the interpretation and application of the Forest Conservation Act, 1980. The petitioner sought clarity and strict enforcement of laws governing forest conservation, arguing for the cessation of activities detrimental to forest preservation.

Brief Facts involved in case: The petitioner raised concerns about the misinterpretation of the Forest Conservation Act, particularly regarding the definition of "forest" and the necessity of prior approval for certain activities within forest areas. The case highlighted the need for a comprehensive examination of the National Forest Policy and interim measures to address immediate conservation concerns.

Issues Involved:

1. Interpretation of the Forest Conservation Act, 1980
2. Clarity on the definition of "forest" and its application
3. Necessity of prior approval for activities within forest areas
4. Ensuring compliance with conservation measures across states

Plaintiff/Petitioner Arguments: The petitioner argued for a strict interpretation of forest conservation laws, emphasizing the need for prior approval for any non-forest activities within forest areas. They advocated for the cessation of activities like mining and sawmills without central government approval to prevent further ecological imbalance.

Defendant/Respondent Arguments: The respondents, including the Union of India and state governments, were tasked with defending their interpretation and implementation of forest conservation laws. They were called upon to address misconceptions and ensure compliance with legal provisions across all states.

Judgment: The court emphasized the importance of forest conservation and clarified the interpretation of the Forest Conservation Act, 1980. It issued interim directions, including the cessation of certain activities without prior central government approval and the establishment of expert committees to assess forest resources and compliance measures.

Present Status: The judgment remains in effect, with ongoing efforts to ensure compliance with forest conservation measures. The case may serve as a precedent for future interpretations of forest conservation laws.

Previous Referenced Cases: Ambica Quarry Works v. State of Gujarat; Rura Litigation and Entitlement Kendra v. State of U.P.; State of Bihar v. BanshiRam Modi

Conclusion: The case of T.N. Godavarman Thirumulkpad v. Union of India & Ors. underscores the critical importance of forest conservation and legal clarity in protecting India's natural resources. It sets a precedent for rigorous enforcement of forest conservation laws and serves as a reminder of the ongoing need for environmental stewardship and sustainable development.

Case Title: Government of Goa vs. Maria Julieta D'Souza (D) & Ors.

Petitions/Appeals: Civil Appeal No. 722 of 2016.

Court: Supreme Court of India.

Judges: Pamidighantam Sri Narasimha and Aravind Kumar.

Sections/Articles and Laws Used: Indian Evidence Act, Section 3.

Parties: The appellant is the Government of Goa, represented by the Chief Secretary. The respondents include Maria Julieta D'Souza and others.

Background Details: The case revolves around a suit filed by Maria Julieta D'Souza and others for a declaration of title and injunction. The Trial Court initially dismissed the suit citing reasons of lack of clear documentary evidence of title and the issue being barred by limitation. Upon appeal, the High Court of Bombay at Goa overturned the Trial Court's decision, holding that the respondent's title over the property was well-established and that the suit was within the period of limitation.

Brief Facts involved in the case: Maria Julieta D'Souza and others filed a suit seeking a declaration of title and injunction. The Trial Court dismissed the suit on grounds of insufficient evidence of title and the matter being time-barred. On appeal, the High Court reversed the Trial Court's decision, finding the respondent's title established and the suit within the limitation period.

Issues Involved: The key legal issues include the sufficiency of evidence to establish title and whether the suit was within the period of limitation.

Plaintiff/Petitioner Arguments: The appellant, represented by Ms. Ruchira Gupta, argued that the burden of proof was wrongly shifted to the State and that the plaintiff must establish its own title. It was contended that the High Court erred in its assessment of the evidence and standard of proof required.

Defendant/Respondent Arguments: The respondents argued that their title over the property was well-established by the evidence presented, and the suit was filed within the limitation period. They maintained that the High Court's decision was correct in reevaluating the evidence and applying the standard of proof.

Judgment: The Supreme Court upheld the High Court's decision, affirming the respondent's title over the property and the suit being within the limitation period. The Court found that the High Court had correctly assessed the evidence and applied the standard of proof required in civil cases.

Present Status: The judgment is concluded.

Previous Referenced Cases: The judgment references precedents such as Sebastiao Luis Fernandes (Dead) through LRs v. K.V.P. Shastri (Dead) through LRs and Union of India v. Vasavi Cooperative Housing Society Limited.

Conclusion: The case clarifies the distinction between burden of proof and standard of proof in civil cases. It underscores the importance of evaluating evidence and applying the appropriate standard of proof to determine the outcome of a case. The judgment reaffirms the principle that the sufficiency of evidence should be assessed based on the preponderance of probability in civil cases.

Case Title: Special Leave Petition (Crl.) No. 14572 of 2023 and Others

Petitions/Appeals: Special Leave Petition (Crl.) No. 14572 of 2023, Special Leave Petition (Crl.) No. 14585 of 2023, Special Leave Petition (Crl.) No. 14734-14735 of 2023, Special Leave Petition (Crl.) No. 15433 of 2023

Court: Supreme Court of India

Judges: Justice Vikram Nath and Justice Satish Chandra Sharma

Sections/Articles and Laws Used: Not explicitly mentioned

Parties: The petitioners, who are police personnel, and the respondent, the State

Background Details: The case involves police personnel who filed petitions before the Supreme Court seeking directions to transfer the investigation of criminal cases registered against them from the State police to the Central Bureau of Investigation (CBI). The police personnel contended that there were apprehensions of biased investigation and unfair treatment by the State police.

Brief Facts involved in the case: The police personnel, through their petitions, argued that they were falsely implicated in criminal cases by the State police and that a fair investigation could only be ensured if the cases were transferred to the CBI. They raised concerns about the impartiality of the State police and sought the intervention of the Supreme Court to safeguard their rights.

Issues Involved: The key legal question in the case was whether the Supreme Court should exercise its jurisdiction to transfer the investigation of the criminal cases from the State police to the CBI based on the apprehensions raised by the petitioners regarding biased investigation and unfair treatment.

Plaintiff/Petitioner Arguments: The petitioners, represented by their legal counsel, argued that there were valid reasons to doubt the impartiality of the State police and emphasized the need for an independent investigation by the CBI to ensure justice. They presented instances of alleged misconduct and bias on the part of the State police to support their plea for transfer of investigation.

Defendant/Respondent Arguments: The State, represented by its legal representatives, contested the petitions and argued that there was no substantial evidence to justify transferring the investigation to the CBI. They asserted the competency and integrity of the State police to conduct a fair investigation and opposed the petitions filed by the police personnel.

Judgment: The Supreme Court, after considering the arguments presented by both parties and examining the facts of the case, allowed some of the Special Leave Petitions (Crl.) filed by the police personnel. The Court directed the State to deposit a specific amount as security within a stipulated time frame to ensure the transfer of investigation to the CBI. However, failure to comply with this condition would result in the dismissal of the petitions.

Present Status: The judgment was delivered on January 30, 2024.

Previous Referenced Cases: Not mentioned.

Conclusion: The Supreme Court's decision to allow the transfer of investigation to the CBI in certain cases reflects its commitment to upholding justice and ensuring fair treatment for the petitioners. This judgment reaffirms the Court's authority to intervene when there are concerns about biased investigation or misconduct by law enforcement agencies, thereby safeguarding the rights of individuals facing criminal charges.

Case Title: National Hydro Power Corporation Ltd. vs. Ano Umpe and Ors.

Petitions/Appeals: Connected Special Leave Petition (Crl.) No. 12930/2023, Connected Special Leave Petition (Crl.) No. 11977/2023, Special Leave Petition (Crl.) No. 14369/2023, Connected Special Leave Petition (Crl.) No. 17994/2023, Special Leave Petition (Crl.) No. 12324/2023, Civil Appeal No. 5354/2023, Connected Civil Appeal No. 5929/2023, Special Leave Petition (Crl.) No. 1233/2018.

Court: Supreme Court of India.

Judges: Vikram Nath, Satish Chandra Sharma.

Sections/Articles and Laws Used: Not specified.

Parties: National Hydro Power Corporation Ltd. (NHPC), Neelam Singh (Petitioner), Ano Umpe and Others (Respondents), Land Acquisition Collector/Deputy Commissioner (Petitioner), Gangesh Tripathi and Others (Petitioners), State of U.P. and Others (Respondents), Prince Tomer and Others (Petitioners), State of U.P. and Others (Respondents), Pratap A. Mardolkar and Sangramsingh R. Bhonsle (Petitioners), The State of Goa and Others (Respondents), ICICI Lombard General Insurance Co. Ltd. (Appellant), M/S Ubale and Others (Respondents), Rahul Saraf and Bharti Tyagi (Petitioners), Union of India and Another (Respondents).

Background Details: The case involves various petitions and appeals filed before the Supreme Court concerning different matters such as land acquisition, insurance claims, and criminal cases. The petitions cover a range of issues including the admission of additional documents, exemption from filing certain documents, and the vacation of interim orders.

Brief Facts involved in the case: The document provides a list of petitions along with their respective parties and the relief sought by each party. It includes requests for admission, permission to file additional documents, exemption from filing certain documents, and vacation of interim orders in various cases.

Issues Involved: The issues involved in the case pertain to procedural matters such as the admission of additional documents, exemption from filing certain documents, and the vacation of interim orders in different petitions and appeals before the Supreme Court.

Plaintiff/Petitioner Arguments: The document does not provide specific details of the arguments made by the plaintiffs or petitioners in each case.

Defendant/Respondent Arguments: Similarly, the document does not specify the arguments made by the defendants or respondents in each case.

Judgment: The document mentions that certain petitions and appeals have been allowed, subject to conditions such as the filing of proof of deposit within stipulated time frames. However, it does not provide detailed reasoning or analysis behind the court's decision.

Present Status: The present status of the judgment is concluded, with certain petitions and appeals allowed subject to conditions.

Previous Referenced Cases: Not applicable.

Conclusion: The document provides a list of various petitions and appeals before the Supreme Court, involving different parties and procedural issues. While it indicates that certain petitions and appeals have been allowed, it lacks detailed information on the arguments presented by the parties and the reasoning behind the court's decision.

Case Title: M. Suraiah v. State of Telangana & Others

Petitions/Appeals: Writ Petition No. 2116 of 2023

Court: High Court for the State of Telangana at Hyderabad

Judges: Honorable Sri Justice T. Vinod Kumar

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Section 151 of the Code of Civil Procedure (CPC), Section 176(9) and Section 252 of the Telangana Municipalities Act, 2019

Parties:

* Petitioner: M. Suraiah
* Respondents:
  1. The State of Telangana, represented by its Principal Secretary, Municipal Administration and Urban Development Department
  2. The Greater Warangal Municipal Corporation
  3. The Deputy Commissioner, Kazipet Circle-II, the Greater Warangal Municipal Corporation
  4. G. Srinivas Goud
  5. G. Vamshi Krishna Goud
  6. Thallapalli Anil
  7. Smt. Manupati Sarojana

Background Details: The petitioner, M. Suraiah, filed a writ petition under Article 226 of the Constitution of India challenging the order issued by the Deputy Commissioner, Kazipet Circle-II, the Greater Warangal Municipal Corporation. The order pertained to the construction of a Tin Shed with a Plinth Area of 43.21 Sq. Mtrs. in an open plot, which the petitioner alleged to be illegal and in violation of governmental guidelines for regularization.

Brief Facts involved in case: M. Suraiah, a resident of Warangal Urban District, challenged the legality of the order issued by the Deputy Commissioner regarding the construction of a Tin Shed in an open plot. The petitioner argued that the order was arbitrary, illegal, and violated both governmental guidelines and principles of natural justice.

Issues Involved: The key legal questions revolved around the legality and validity of the order issued by the Deputy Commissioner, particularly concerning the construction of the Tin Shed and its compliance with governmental guidelines.

Plaintiff/Petitioner Arguments: The petitioner argued that the order was illegal, arbitrary, and violated governmental guidelines for regularization. They contended that the construction of the Tin Shed was unauthorized and should be declared void.

Defendant/Respondent Arguments: The respondents, represented by government officials and municipal authorities, likely argued in defense of the legality and validity of the order issued by the Deputy Commissioner. They may have presented evidence to justify the construction of the Tin Shed.

Judgment: The High Court, after considering the arguments presented by both parties, ruled that the petitioner should avail the remedy of appeal provided under the Telangana Municipalities Act, 2019. The Court granted the petitioner three weeks to file an appeal and directed that the impugned order shall not be enforced during this period.

Present Status: The judgment has been concluded, and the petitioner has been given three weeks to file an appeal against the order issued by the Deputy Commissioner.

Conclusion: The case highlights the importance of procedural remedies provided under municipal laws and emphasizes the principle of exhausting administrative remedies before seeking judicial intervention. It also underscores the significance of adherence to governmental guidelines and principles of natural justice in administrative decision-making processes.

Case Title: Petli Dhanalakshmi and Others vs. The State of Andhra Pradesh

Petitions/Appeals: Writ Petition No. 10005 of 2015

Court: High Court of Andhra Pradesh, Amaravati

Judge: Dr. Justice K. Manmadha Rao

Sections/Articles and Laws Used: Article 226 of the Constitution of India

Parties:

* Petitioners: Petli Dhanalakshmi and Others
* Respondents: The State of Andhra Pradesh, represented by its Principal Secretary and Others

Background Details: The petitioners filed a writ petition under Article 226 of the Constitution of India seeking directions against the respondents, particularly respondent numbers 3 to 7, alleging inaction in proceeding with complaints dated 26-02-2015 and 18-03-2015. They accused the respondents of not registering a case and arresting respondents numbered 8 to 12. The petitioners claimed that this inaction amounted to misuse of official power, which they argued was illegal, arbitrary, and a violation of fundamental rights.

Brief Facts involved in the case: The petitioners submitted complaints on two separate occasions, alleging wrongdoing by certain individuals. They accused the respondents of failing to take appropriate action on these complaints, including registering a case and making arrests as per their requests. The petitioners contended that this inaction amounted to an abuse of official power and violated their constitutional rights.

Issues Involved: The main legal question at the heart of the case was whether the respondents' failure to act on the complaints submitted by the petitioners constituted a violation of their fundamental rights under the Constitution of India.

Plaintiff/Petitioner Arguments: The petitioners argued that the respondents' failure to proceed with their complaints and take necessary action against the accused individuals amounted to a violation of their rights guaranteed under Article 14, 16, and 21 of the Constitution. They sought a writ of Mandamus directing the respondents to register a case, make arrests, and initiate departmental proceedings against certain officials.

Defendant/Respondent Arguments: There is no specific mention of arguments presented by the respondents in the provided document.

Judgment: After hearing arguments from the petitioners and perusing the submissions made by the respondents, the court concluded that nothing further remained to be adjudicated in the present writ petition. The court based its decision on the written instructions provided by the respondent police, indicating that the case in question was referred to as "Civil in Nature." As a result, the court closed the writ petition without issuing any orders as to costs.

Present Status: The judgment has been concluded, and the writ petition has been closed.

Previous Referenced Cases: There are no references to previous cases or legal precedents in the judgment.

Conclusion: The case involved a writ petition filed by the petitioners against the respondents alleging inaction in proceeding with their complaints. The court, after considering the submissions, concluded that there was nothing further to be adjudicated in the matter. This judgment highlights the importance of effective legal remedies and the court's discretion in assessing the merits of each case based on the evidence presented.

Case Title: Sandeep Singh and another v. State of Punjab

Petitions/Appeals: Criminal Appeal No. CRA-S-1793-2023 (O&M)

Court: High Court of Punjab and Haryana at Chandigarh

Judges: Honorable Mr. Justice Arun Monga

Sections/Articles and Laws Used: Sections 323, 341, 506 of the Indian Penal Code (IPC), Section 3 (a) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Parties: Appellants - Sandeep Singh and another; Respondent - State of Punjab; Counsel for Appellants - Mr. Abhay Gupta; Counsel for Respondent - Mr. Mohit Thakur; Counsel for Complainant - Mr. Kanwaljeet Singh and Satvir Singh

Background Details: The appellants filed a criminal appeal seeking anticipatory bail in relation to FIR No. 0084 dated 21.03.2022, registered at Gobindgarh Mandi Police Station, District Fatehgarh Sahib, under various sections of the IPC and the SC/ST Act.

Brief Facts involved in case: The appellants sought anticipatory bail following their involvement in the investigation, as ordered by the court earlier. The State, represented by the Assistant Sub-Inspector Harminder Singh, confirmed that the appellants had cooperated with the investigation and that custodial interrogation was unnecessary.

Issues Involved: The primary issue revolved around whether the appellants should be granted anticipatory bail given their cooperation with the investigation and the absence of the need for custodial interrogation.

Plaintiff/Petitioner Arguments: The counsel for the appellants argued that their clients had fully cooperated with the investigation, as directed by the court in a previous order, and therefore, anticipatory bail should be granted.

Defendant/Respondent Arguments: The State's counsel concurred with the appellants' counsel, stating that custodial interrogation was no longer necessary, as the appellants had cooperated adequately with the investigation.

Judgment: Justice Arun Monga granted the appellants' appeal, making the interim anticipatory bail granted earlier absolute. The court emphasized that since the appellants had joined the investigation and cooperated, custodial interrogation was unnecessary. The order was subject to the appellants complying with provisions under Section 438(2) of the Criminal Procedure Code (Cr.P.C).

Present Status: The judgment has been concluded.

Previous Referenced Cases: None referenced in the provided document.

Conclusion: The case illustrates the importance of cooperation with investigations in determining the grant of anticipatory bail. The court's decision underscores the significance of personal liberty and the need to balance it with the requirements of the law enforcement process. This judgment serves as a precedent for cases involving anticipatory bail where cooperation with investigations is a crucial factor.

Case Title: Sandeep Singh and another v. State of Punjab

Petitions/Appeals: Anticipatory bail appeal filed by the appellants.

Court: High Court of Punjab and Haryana at Chandigarh.

Judges: Honorable Mr. Justice Arun Monga.

Sections/Articles and Laws Used: Sections 323, 341, 506, and 34 of the Indian Penal Code (IPC), and Section 3 (a) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Parties: Appellants - Sandeep Singh and another; Respondent - State of Punjab.

Background Details: The case involves an anticipatory bail appeal filed by Sandeep Singh and another appellant against FIR No. 0084 dated 21.03.2022. The FIR was registered at Police Station, Gobindgarh Mandi, District Fatehgarh Sahib, under various sections of the IPC and the SC/ST Act.

Brief Facts involved in the case: The appellants filed for anticipatory bail after being named in an FIR, which alleged offenses under Sections 323 (voluntarily causing hurt), 341 (wrongful restraint), 506 (criminal intimidation), and 34 (acts done by several persons in furtherance of common intention) of the IPC, along with Section 3 (a) (s) of the SC/ST Act.

Issues Involved: The primary issue revolves around whether the appellants are entitled to anticipatory bail given the charges against them.

Plaintiff/Petitioner Arguments: The appellants argued that they had fully cooperated with the investigation following an earlier court order. They contended that custodial interrogation was unnecessary as they had joined the investigation.

Defendant/Respondent Arguments: The State counsel informed the court that the appellants had indeed joined the investigation and that custodial interrogation was not required. However, the complainant, though not a party, opposed the grant of anticipatory bail.

Judgment: The court considered the arguments presented and emphasized that matters of personal liberty should not be taken lightly. Since the appellants had cooperated with the investigation and custodial interrogation was deemed unnecessary, the court allowed the anticipatory bail appeal. The earlier order granting interim anticipatory bail was made absolute, subject to the appellants complying with the provisions under Section 438(2) of the Criminal Procedure Code (Cr.P.C).

Present Status: The judgment was delivered on 12.10.2023.

Previous Referenced Cases: No previous referenced cases were mentioned in the judgment.

Conclusion: The case highlights the importance of personal liberty and the need to balance it with the interests of justice. Granting anticipatory bail in this case signifies the court's recognition of the appellants' cooperation with the investigation and the absence of the need for custodial interrogation.

Case Title: Sandeep Singh and Another vs. State of Punjab

Petitions/Appeals: Criminal Appeal (Anticipatory Bail) - CRA-S-1793-2023 (O&M)

Court: High Court of Punjab and Haryana at Chandigarh

Judges: Honorable Mr. Justice Arun Monga

Sections/Articles and Laws Used: Sections 323, 341, 506 of the Indian Penal Code (IPC), and Section 3(a)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Parties: Appellants - Sandeep Singh and Another, Respondent - State of Punjab

Background Details: The case revolves around an application for anticipatory bail filed by the appellants in response to FIR No.0084 dated 21.03.2022, which was registered under various sections of the IPC and the SC/ST Act at Police Station, Gobindgarh Mandi, District Fatehgarh Sahib.

Brief Facts involved in case: The appellants sought anticipatory bail and had previously joined the investigation, cooperating fully with the authorities. The state counsel acknowledged their cooperation, stating that custodial interrogation was unnecessary. However, the complainant opposed the bail, though the court emphasized that the complainant's role in bail matters is minimal.

Issues Involved: The primary issue revolved around whether the appellants should be granted anticipatory bail given their cooperation in the investigation and the absence of necessity for custodial interrogation.

Plaintiff/Petitioner Arguments: The appellants argued that they had already cooperated with the investigation and that custodial interrogation was unnecessary. They sought anticipatory bail to avoid potential arrest.

Defendant/Respondent Arguments: The state counsel acknowledged the appellants' cooperation and argued against custodial interrogation. However, the complainant opposed anticipatory bail, though their role in bail matters was minimal.

Judgment: The court granted anticipatory bail to the appellants, citing their cooperation with the investigation and the absence of necessity for custodial interrogation. The previous interim anticipatory bail order was made absolute, subject to compliance with Section 438(2) of the Criminal Procedure Code.

Present Status: The judgment was delivered on 12.10.2023.

Previous Referenced Cases: Not applicable.

Conclusion: The case highlights the importance of cooperation with investigations and the court's discretion in granting anticipatory bail based on the circumstances of the case. It underscores the principle that personal liberty should not be curtailed without valid reason and the significance of balancing individual rights with legal procedures.

Case Title: Gujjar Samaj Kalyan Parishad vs. Union of India and Others

Petitions/Appeals: CWP No. 8301/2023 and CWP No. 9528/2023, along with related interim applications.

Court: High Court of Himachal Pradesh

Judges: Justice M.S Ramachandra Rao (Chief Justice) and Jyotsna Rewal Dua (Judge)

Sections/Articles and Laws Used: Constitution of India, Part III (Articles 14, 15, 17, and 21), Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956

Parties: Gujjar Samaj Kalyan Parishad (petitioner), Union of India, Ministry of Law and Justice, Ministry of Tribal Affairs, Ministry of Home Affairs, Registrar General of India, State of Himachal Pradesh, Deputy Commissioner of District Sirmour, Nahan, Himachal Pradesh (respondents)

Background Details: The petitioners, Gujjar Samaj Kalyan Parishad, filed petitions challenging the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, contending that the amendments affect the interests of Scheduled Castes and Scheduled Tribes. They sought interim relief to stay the implementation of the amended law.

Brief Facts involved in the case: The petitioners challenged the constitutionality of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, arguing that it adversely affects the rights conferred upon Scheduled Castes and Scheduled Tribes by the Constitution. They filed petitions seeking interim relief to stay the implementation of the amended law.

Issues Involved: The key legal questions revolved around the constitutionality of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and whether the petitioners were entitled to interim relief to halt its implementation.

Plaintiff/Petitioner Arguments: The petitioners argued that the amended law violates fundamental rights guaranteed by the Constitution, particularly Articles 14, 15, 17, and 21, and affects the interests of Scheduled Castes and Scheduled Tribes.

Defendant/Respondent Arguments: The respondents, including the Union of India and the State of Himachal Pradesh, sought time for filing replies and opposed the grant of interim relief. They contended that the legislation is constitutionally valid and that its implementation should not be stayed.

Judgment: The court found prima facie evidence of manifest arbitrariness and glaring unconstitutionality in the amended law. It granted interim relief by staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related government directives until March 18, 2024.

Present Status: The judgment has been delivered, granting interim relief, and the case is scheduled for further proceedings on March 18, 2024.

Conclusion: The case highlights the court's role in assessing the constitutionality of legislation and providing interim relief when fundamental rights are at stake. The judgment underscores the importance of balancing competing interests and ensuring justice pending a final decision.

**Case Title:**  
W.P.(C) 2615/2022

**Petitions/Appeals:**  
None specified

**Court:**  
High Court of Delhi

**Judges:**  
Justice Jyoti Singh

**Sections/Articles and Laws Used:**  
Article 226 of the Constitution of India,  
The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013,  
Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965

**Parties:**  
**Plaintiff/Petitioner:** Unnamed Petitioner  
**Defendant/Respondent:** Respondent No. 3 (Unnamed), Internal Complaints Committee (ICC), and other associated respondents

**Background Details:**  
The case involves a petition filed by an employee against Respondent No. 3, alleging sexual harassment, mental harassment, and professional misconduct. The petitioner had initially complained about a missing vigilance file and subsequently accused Respondent No. 3 of various forms of harassment.

**Brief Facts Involved in the Case:**  
The petitioner alleged that Respondent No. 3 engaged in inappropriate physical contact, pressured her regarding a missing vigilance file, and denied her leave. The Internal Complaints Committee (ICC) conducted an inquiry and found the allegations unsubstantiated. The petitioner contested the ICC's findings, arguing procedural violations and improper evaluation of evidence.

**Issues Involved:**

1. Whether the High Court can interfere with the findings of the ICC under its writ jurisdiction.
2. Whether the ICC's inquiry and findings were conducted and concluded fairly.
3. Whether the petitioner’s allegations of harassment were substantiated by evidence.

**Plaintiff/Petitioner Arguments:**  
The petitioner argued that the ICC failed to consider crucial evidence and that its findings were biased and perverse. She contended that the inquiry was flawed and that her allegations were not adequately investigated. She also claimed that the rejection of her request for leave and the pressure regarding the missing file were forms of harassment.

**Defendant/Respondent Arguments:**  
Respondent No. 3 and the ICC maintained that the inquiry was conducted fairly and in accordance with the law. They argued that the allegations were vague, lacked specific dates and incidents, and were not substantiated by evidence. The respondent also contended that the petitioner made the harassment complaint only after being asked to report the missing file, suggesting an ulterior motive.

**Judgment:**  
The High Court dismissed the petition, agreeing with the ICC’s findings that the allegations were vague and unsubstantiated. The Court emphasized that its jurisdiction under Article 226 is supervisory and not appellate, and it cannot reappreciate evidence or interfere with factual findings unless there is a gross violation of procedure or principles of natural justice. The Court found no procedural lapses or bias in the ICC's inquiry and upheld its report and the Disciplinary Authority's decision.

**Present Status:**  
The judgment is concluded, with no indication of pending appeals.

**Previous Referenced Cases:**  
Union of India v. H.C. Goel, AIR 1964 SC 364  
B.C. Chaturvedi v. Union of India and Others, (1995) 6 SCC 749  
Aureliano Fernandes v. State of Goa and Others, 2023 SCC OnLine SC 621  
Union of India and Others v. P. Gunasekaran, (2015) 2 SCC 610

**Conclusion:**  
The case underscores the limited scope of judicial review in disciplinary inquiries, reinforcing that High Courts should not reappreciate evidence or act as appellate authorities in such matters. It highlights the importance of precise and substantiated allegations in harassment cases and reaffirms the procedural standards and protections in departmental inquiries. The judgment also demonstrates the judiciary's reliance on established precedents to delineate the boundaries of its supervisory jurisdiction.

**Case Title:** W.A.(MD)No.19 of 2022

**Petitions/Appeals:** The appeal was filed by the 4th respondent against the order of the Learned Single Judge regarding the fixation of seniority.

**Court:** The case was heard in the Madras High Court.

**Judges:** The case was presided over by S.S.Sundar, J. and S.Srimathy, J.

**Sections/Articles and Laws Used:** The case involved interpretation of rules and regulations related to seniority and promotions in the Tamil Nadu Employment and Training Service.

**Parties:** The petitioners in the case were individuals seeking rectification of the seniority list, while the respondent was the government of Tamil Nadu.

**Background Details:** The case involved the fixation of seniority for individuals appointed to the posts of Principal, Industrial Training Institute / Assistant Director of Training in the Tamil Nadu Employment and Training Service.

**Brief Facts involved in the case:** The petitioners were appointed on 07.07.2010 and were promoted to the post of Deputy Director on the same day. The seniority list, however, did not place them in the desired order, leading to the filing of the petition.

**Issues Involved:** The key issue was whether the seniority should be based on merit or roster points.

**Plaintiff/Petitioner Arguments:** The petitioners argued that seniority should be based on merit as determined by the Tamil Nadu Public Service Commission (TNPSC) and not on roster points.

**Defendant/Respondent Arguments:** The government argued that the seniority list had already been fixed based on the initial appointment orders and that the petitioners were aware of this.

**Judgment:** The court held that the seniority list should be based on merit as determined by the TNPSC. It directed the government to revise the seniority lists accordingly.

**Present Status:** The judgment was delivered on 02.02.2024.

**Previous Referenced Cases:** The case referred to previous judgments related to seniority and promotion in the Tamil Nadu Employment and Training Service.

**Conclusion:** The case clarified the principles governing seniority and promotions in the Tamil Nadu Employment and Training Service, emphasizing that seniority should be based on merit and not on roster points. It also highlighted the importance of following the rules and regulations laid down by the TNPSC in such matters.

**Case Title:** Runkana Nagabhushana Rao vs. The State of Andhra Pradesh

**Petitions/Appeals:** Writ Appeal No. 33 of 2024

**Court:** High Court of Andhra Pradesh, Amaravati

**Judges:** Hon’ble Mr. Justice Dhiraj Singh Thakur (Chief Justice) and Hon’ble Mr. Justice R. Raghunandan Rao

**Sections/Articles and Laws Used:** Rule 48(A) of the Bar Rules, 2022, Section 31(1)(b) of the A.P. Excise Act, 1968, Article 226 of the Constitution of India, Section 63(2) of the A.P. Excise Act, 1968

**Parties:**

* Appellant: Runkana Nagabhushana Rao
* Respondents: The State of Andhra Pradesh, represented by its Principal Secretary, Prohibition & Excise Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District & three others

**Background Details:** The appellant was running a bar in Eluru under a valid license. However, during an inspection on 06.10.2023, the Excise officials found that the person managing the bar did not possess the required "nowkarnama" as per Rule 48(A) of the Bar Rules, 2022, read with Section 31(1)(b) of the A.P. Excise Act, 1968. Subsequently, the Deputy Commissioner of Prohibition and Excise suspended the bar's license.

**Brief Facts involved in case:** The appellant challenged the suspension order through W.P.No.30023 of 2023, claiming inadequate hearing and lack of reasons in the order. The writ petition was dismissed by the learned Single Judge on 21.11.2023, stating that the order of suspension was issued after due notice and opportunity to the appellant, and that the appellant had an effective alternative remedy of appeal under Section 63(2) of the A.P. Excise Act, 1968.

**Issues Involved:** Whether the writ petition should be entertained when an effective alternative remedy exists, and whether the suspension order was in accordance with principles of natural justice.

**Plaintiff/Petitioner Arguments:** The appellant argued that the suspension order was unjust and lacked proper reasoning. He contended that the writ petition should be entertained despite the alternative remedy of appeal.

**Defendant/Respondent Arguments:** The respondents argued that the suspension order was valid, and the writ petition should not be entertained as an effective alternative remedy existed through appeal.

**Judgment:** The court upheld the decision of the learned Single Judge, dismissing the writ appeal. It held that the right of appeal under Section 63(2) of the A.P. Excise Act, 1968, was an effective alternative remedy, and there were no grounds for interference in the earlier order.

**Present Status:** The judgment has been concluded, and the writ appeal has been dismissed. There is no order as to costs, and pending miscellaneous applications stand closed.

**Conclusion:** This case reaffirms the principle that an effective alternative remedy, such as an appeal, may preclude the need for a writ petition. It highlights the importance of exhausting such remedies before approaching the court directly. The decision also emphasizes the courts' discretion in deciding whether to entertain a writ petition when an alternative remedy exists.

Case Title: Balwander Singh @ Goru v. State of Jammu & Kashmir Petitions/Appeals: HCP No. 37/2023 Court: High Court of Jammu and Kashmir Judges: Wasim Sadiq Nargal Sections/Articles and Laws Used: Section 8 of the Jammu and Kashmir Public Safety Act, 1978 Parties: Balwander Singh @ Goru (Petitioner) vs. State of Jammu & Kashmir (Respondent) Background Details: The petitioner, Balwander Singh @ Goru, was detained under the Jammu and Kashmir Public Safety Act, 1978, by an order issued by the District Magistrate, Nandini Hills, Samba. The detention order was based on the allegation that the petitioner was involved in criminal activities, including peddling narcotics, which were considered prejudicial to the maintenance of public order. Brief Facts involved in the case: The petitioner was detained based on several FIRs registered against him, alleging various criminal offenses. The detaining authority believed that the ordinary law was not sufficient to deter the petitioner from committing further offenses, hence the use of preventive detention under the Public Safety Act. Issues Involved: The key legal question was whether the detention of the petitioner under the Public Safety Act was justified and whether all legal requirements for preventive detention were met. Plaintiff/Petitioner Arguments: The petitioner argued that the detention order was illegal as he was not provided with all the material that formed the basis of his detention. It was contended that the allegations against him did not constitute acts that could disturb public order. Defendant/Respondent Arguments: The respondent, the State of Jammu & Kashmir, argued that the detention was justified based on the petitioner's criminal activities, which were considered prejudicial to public order. Judgment: The court held that the detention order was unsustainable in law as the detenue was not provided with all the material relied upon by the detaining authority for effecting detention. The court quashed the detention order and ordered the release of the petitioner from preventive custody. Present Status: The judgment has been concluded. Previous Referenced Cases: The court referenced several previous cases and legal precedents, including Ram Manohar Lohia v. State of Bihar, Banka Sneha Sheela v. State of Telangana, and Rekha v. State of T.N., among others, to support its decision. Conclusion: The case of Balwander Singh @ Goru v. State of Jammu & Kashmir is significant as it highlights the importance of providing detainees with all the material forming the basis of their detention. It reaffirms that preventive detention must be authorized by law and cannot be used arbitrarily by the executive. The judgment emphasizes the need for compelling reasons to justify preventive detention and ensures that fundamental rights are not violated in the process.

Case Title: K. Shekaraiah v. The State of Telangana & Ors.

Petitions/Appeals: Writ Petition No. 5946 of 2023, I.A. No. 1 of 2023, I.A. No. 2 of 2023

Court: High Court for the State of Telangana at Hyderabad

Judges: The Honorable Sri Justice T. Vinod Kumar

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Section 151 of the Civil Procedure Code, Telangana Municipalities Act, 1965

Parties:

* Petitioner: K. Shekaraiah
* Respondents:
  1. The State of Telangana, represented by its Principal Secretary Municipal Administration
  2. The Commissioner, Ameenpur Municipality
  3. Adusumilli Swamy Babu
  4. Vanam Arun Kumar
  5. Vanam Anand Kumar
  6. M. Srinivas
  7. A. Kameshwar Rao
  8. Vykuntavasu
  9. Adsumilli Venkateshwar Rao
  10. K. Sridhar Rao
  11. Mohd. Eliyas Shareef

Background Details: The petitioner, K. Shekaraiah, sought relief against the actions of the second respondent, the Commissioner of Ameenpur Municipality, for revoking a building permission granted to him for a plot in Ameenpur Village and Mandal, Sangareddy District, Telangana.

Brief Facts: The petitioner had obtained a building permission for a plot in Ameenpur Village, but the Commissioner of Ameenpur Municipality issued proceedings to revoke this permission. The petitioner filed a Writ Petition and two Interlocutory Applications seeking various reliefs, including declaring the revocation of the building permission as arbitrary and illegal.

Issues Involved: The main issue was whether the actions of the Commissioner in revoking the building permission were legal and constitutional, and whether the petitioner had the right to appeal under the Telangana Municipalities Act, 1965.

Plaintiff/Petitioner Arguments: The petitioner argued that the revocation of the building permission was illegal, arbitrary, and violated his fundamental rights under Articles 14 and 21 of the Constitution of India.

Defendant/Respondent Arguments: The respondents argued that the petitioner had the remedy of appeal under Section 252 of the Telangana Municipalities Act, 1965, and since the petitioner did not avail of this remedy, the Writ Petition should be dismissed.

Judgment: The Court, without delving into the merits of the case, held that the petitioner should avail the remedy of appeal under Section 252 of the Act. The Court granted the petitioner three weeks to file the appeal and directed that the impugned order should not be given effect until then.

Present Status: The judgment has disposed of the Writ Petition without costs, giving the petitioner three weeks to file an appeal against the revocation of the building permission.

Conclusion: The case highlights the importance of exhausting statutory remedies before seeking relief through a Writ Petition. It also underscores the principle that courts will not interfere with administrative actions if there is an efficacious alternative remedy available to the aggrieved party.

Case Title: Hattee Community Reservation Case Petitions/Appeals: CWP.No.8103/2023, CWP.No.9528/2023 Court: High Court of Himachal Pradesh Judges: Justice M.S. Ramachandra Rao (Chief Justice), Justice Jyotsna Rewal Dua Sections/Articles and Laws Used: Article 341, Article 342, Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Parties: Petitioners - Various individuals and associations representing Scheduled Castes and Scheduled Tribes in Himachal Pradesh; Respondents - Union of India, State of Himachal Pradesh Background Details: The case concerns the inclusion of the Hattee community of the Trans Giri area of Sirmour District in the Scheduled Tribes list. The State Government recommended this inclusion, excluding communities already notified as Scheduled Castes in the region. The Union Cabinet approved this recommendation, leading to the introduction of the Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022, in Parliament. Brief Facts involved in case: The Hattee community, comprising various castes, was proposed for inclusion as a Scheduled Tribe, but concerns were raised about the exclusion of certain communities from the Scheduled Castes list and the lack of clear criteria for determining tribal status. The petitioners argued that the Hattee community did not fulfill the traits of Scheduled Tribes and that the reservation for dominant castes would dilute the benefits for genuine Scheduled Tribe communities. Issues Involved:

1. Whether the Hattee community qualifies for inclusion as a Scheduled Tribe.
2. Whether the exclusion of certain communities from the Scheduled Castes list is justified.
3. Whether granting Scheduled Tribe status to dominant castes affects the constitutional principle of equality. Plaintiff/Petitioner Arguments: The petitioners argued that the Hattee community did not fulfill the traits of Scheduled Tribes and that the reservation for dominant castes would dilute the benefits for genuine Scheduled Tribe communities. Defendant/Respondent Arguments: The respondents, including the Union of India and the State of Himachal Pradesh, supported the inclusion of the Hattee community as a Scheduled Tribe, excluding communities already notified as Scheduled Castes. Judgment: The court granted interim relief, staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related notifications. The court found prima facie evidence of manifest arbitrariness and unconstitutionality in the impugned law and noted a balance of convenience in favor of the petitioners. Present Status: The case is pending further hearings, with the next hearing scheduled for March 18, 2024. Previous Referenced Cases: The court referred to previous cases, including Ram Singh v. Union of India (2015), which emphasized the need to consider reservation for new groups based on contemporary inputs. Conclusion: The case highlights the complexities involved in determining tribal status and the need for clear criteria and contemporary data in such decisions. It also underscores the importance of balancing the rights and interests of different communities while ensuring equality and justice.

Case Title: Anonymous v. State of Rajasthan Petitions/Appeals: Writ petition (criminal) no. 155/2013 Court: Rajasthan High Court Judges: Justice Anoop Kumar Dhand Sections/Articles and Laws Used: Section 357A of the Criminal Procedure Code, 1973; Article 21 of the Indian Constitution; Rajasthan Victim Compensation Scheme, 2011 Parties: The petitioner, an anonymous individual, representing the minor daughter who was the victim of a crime; State of Rajasthan Background Details: The case involved a petition filed by a parent on behalf of their minor daughter who was a victim of a serious crime, seeking compensation under the Rajasthan Victim Compensation Scheme, 2011, and Section 357A of the Criminal Procedure Code, 1973. The petitioner sought compensation for the physical and mental rehabilitation of the minor victim. Brief Facts involved in case: The petitioner's minor daughter was a victim of a serious crime prior to 2009. The petitioner sought compensation under the 2011 Scheme, but the State Legal Services Authority (SLSA) and District Legal Services Authority (DLSA) denied compensation, citing the requirement that the accused must not be identified or traced, and the trial should not have commenced. The petitioner challenged this decision, arguing that such conditions were not necessary for compensation under the Scheme. Issues Involved: The key issue was whether the requirements of the accused not being identified or traced, and the trial not having commenced, were necessary preconditions for entitlement to compensation under the Rajasthan Victim Compensation Scheme, 2011. Plaintiff/Petitioner Arguments: The petitioner argued that the conditions set by the SLSA and DLSA were not in line with the purpose of the Scheme and Section 357A, which aimed at providing immediate attention and rehabilitation to victims, irrespective of the pace of investigation or trial. Defendant/Respondent Arguments: The State Legal Services Authority and District Legal Services Authority argued that the conditions were necessary as per the Scheme's guidelines and Section 357A. Judgment: The court partly allowed the petition and directed the authorities to disburse compensation of Rs. 3,00,000/- to the victim's daughter, after adjusting the amount received earlier. The court held that the conditions imposed by the authorities were not in line with the purpose of the Scheme and Section 357A, and therefore, not necessary. Present Status: The judgment has been concluded, and the authorities were directed to comply with the order within three months. Previous Referenced Cases: The court referenced judgments from the Kerala High Court and Karnataka High Court that interpreted similar provisions in favor of compensating victims of crimes retroactively. Conclusion: The case sets a precedent for compensating victims of crimes, particularly minors, even if the accused is not identified or traced, and the trial has not commenced. It highlights the importance of rehabilitation for victims and the obligation of the State to provide compensation in cases of serious violations of fundamental rights.

Case Title: Lachimalla Nageshwar Rao and Others v. The State of Telangana and Others

Petitions/Appeals: Writ Petition No. 24823 of 2023

Court: High Court for the State of Telangana at Hyderabad

Judges: The Hon'ble Sri Justice C.V. Bhaskar Reddy

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Civil Procedure Code (CPC)

Parties: Petitioners:

1. Lachimalla Nageshwar Rao, S/o. Venkataiah
2. Smt. Lachimalla Vijayakirmani, W/o. Nageshwar Rao
3. Lachimalla Harish, S/o. Nageshwar Rao

Respondents:

1. The State of Telangana, represented by its Principal Secretary, Home Department
2. The Superintendent of Police, Suryapet, Suryapet District
3. The Deputy Superintendent of Police, Suryapet District
4. The Station House Officer, Chilkur Police Station, Chilkur, Suryapet District
5. Polagam Ramnarsaiah
6. Polagam Ramanarsamma
7. Polagam Naveen

Background Details: The petitioners, owners of agricultural land, alleged interference by the 4th respondent police at the instigation of respondents 5 to 7 in their civil disputes with respondents 5 to 7, who were trying to force them into a settlement.

Brief Facts: Petitioner No.1 owned agricultural land purchased from respondent No.5. The police, allegedly influenced by respondents 5 to 7, interfered with the petitioners' possession of the land, attempting to dictate settlement terms.

Issues Involved: The main issue was whether the police's interference in the civil disputes between the petitioners and respondents 5 to 7, without valid complaint or crime registration, violated the petitioners' fundamental rights and the principles of natural justice.

Plaintiff/Petitioner Arguments: The petitioners argued that the police had no authority to interfere in civil disputes and that such interference violated their fundamental rights.

Defendant/Respondent Arguments: The respondents argued that they had lodged a complaint against the petitioners and that the police's actions were based on a preliminary enquiry that revealed civil disputes between the parties.

Judgment: The court directed the police not to interfere in the civil disputes between the petitioners and respondents 5 to 7, except in accordance with the law. The writ petition was disposed of without costs.

Present Status: The judgment appears to have been concluded, with the writ petition disposed of.

Previous Referenced Cases: Lalitha Kumari Vs. Govt. of UP & Ors

Conclusion: The case highlights the importance of maintaining the separation of powers and the due process of law. It reaffirms that police interference in civil disputes must be in accordance with the law and not arbitrary, ensuring the protection of fundamental rights and natural justice principles.

Case Title: Kiranpal Singh, Sarpanch vs. State of Punjab and others

Petitions/Appeals: Writ Petition No.3266 of 2024

Court: The High Court of Punjab and Haryana at Chandigarh

Judges: Hon'ble Mr. Justice Rajesh Bhardwaj

Sections/Articles and Laws Used: Section 20(6) of the Punjab Panchayati Raj Act, 1994

Parties: Kiranpal Singh, Sarpanch (petitioner); State of Punjab and others (respondents)

Background Details: The petitioner, Kiranpal Singh, is the elected Sarpanch who was suspended from his post by the Director of the Rural Development and Panchayat Department, Punjab, through an order dated 01.12.2023. The petitioner filed an appeal along with a stay application challenging his suspension, which is pending before respondent No.1.

Brief Facts involved in case: The petitioner filed a writ petition seeking a direction to respondent No.1 to decide his stay application and appeal in a time-bound manner. The appeal and stay application were filed on 19.12.2023, but as of the filing of the petition, they had not been decided. The petitioner's appeal hearings were repeatedly adjourned, and he remained suspended from his duties as Sarpanch, leading to a halt in development work in his village.

Issues Involved: The main issue was the delay in deciding the petitioner's stay application and appeal, which affected his fundamental rights.

Plaintiff/Petitioner Arguments: The petitioner argued that his suspension was illegal and that respondent No.1 had not decided the stay application or appeal, leading to a violation of his rights. He sought reinstatement as Sarpanch.

Defendant/Respondent Arguments: The respondent State of Punjab argued that the appeal and stay application were scheduled for consideration on 07.03.2024 and that the delay was not intentional. They accepted notice and assured that the matter would be heard on the scheduled date.

Judgment: The Court disposed of the petition with a direction to respondent No.1 to take up the appeal and decide the stay application on 07.03.2024, after hearing both sides. The Court emphasized the need for a timely decision in accordance with the law.

Present Status: The judgment was delivered on 16.02.2024, with the next hearing scheduled for 07.03.2024 before respondent No.1.

Conclusion: The case highlights the importance of timely decisions in administrative matters, particularly concerning elected officials like Sarpanches. It underscores the need to protect fundamental rights and ensure that legal processes are followed promptly to avoid undue hardship to individuals.

Case Title: Court on its own motion vs. State of Himachal Pradesh & Ors.

Petitions/Appeals: CWP.No.8103/2023, CWP.No.9528/2023

Court: Himachal Pradesh High Court

Judges: Justice M.S Ramachandra Rao (Chief Justice), Jyotsna Rewal Dua (Judge)

Sections/Articles and Laws Used: Article 342(2) of the Constitution of India, SC/ST (Prevention of Atrocities) Act, 1989

Parties: The State of Himachal Pradesh, Registrar General and Census Commissioner, India, Tribal Development Department of the Government of Himachal Pradesh, Hattee community

Background Details: The case involves a dispute over the inclusion of the Hattee community from the Trans Giri region of Sirmour District, Himachal Pradesh, as Scheduled Tribes (STs). The State Government recommended their inclusion, but this was contested due to concerns about the community's heterogeneity, dominance of forward castes like Brahmins and Rajputs within the community, and potential dilution of benefits for genuine STs.

Brief Facts involved in case: The State Government of Himachal Pradesh recommended the inclusion of the Hattee community from the Trans Giri region of Sirmour District as Scheduled Tribes. This recommendation was based on an Ethnographic Report submitted by the Tribal Development Department in 2018. However, concerns were raised about the community's composition, which includes dominant castes like Brahmins and Rajputs, as well as Scheduled Castes.

Issues Involved: The main issues in the case were whether the Hattee community, which includes dominant castes, should be granted Scheduled Tribe status, and if doing so would impact the rights and benefits of genuine Scheduled Tribes.

Plaintiff/Petitioner Arguments: The petitioners argued that including the Hattee community as STs would dilute the benefits for genuine STs and violate the constitutional principle of equality. They also contended that there was no sufficient data provided by the Government to justify the backwardness of the Hattee community.

Defendant/Respondent Arguments: The State Government argued in favor of including the Hattee community as STs, citing the Ethnographic Report and the recommendation of the National Commission for Scheduled Tribes. They claimed that the inclusion would not affect the rights of genuine STs.

Judgment: The court granted interim relief by staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related government notifications. The court found prima facie evidence of manifest arbitrariness and glaring unconstitutionality in the impugned law. It noted a balance of convenience in favor of the petitioners and the likelihood of irreparable injury if the relief was not granted.

Present Status: The case is pending further hearings, with the next date set for March 18, 2024.

Previous Referenced Cases: The judgment referred to various legal principles, including the need for contemporaneous inputs in decision-making and the importance of considering the actual conditions and circumstances of a community before granting reservation benefits.

Conclusion: The case highlights the complex issues involved in granting Scheduled Tribe status, particularly when it involves communities with heterogeneous compositions. It underscores the need for thorough examination and consideration of all relevant factors to ensure that reservation benefits are provided equitably and in accordance with constitutional principles.

Case Title: Kiranpal Singh, Sarpanch v. State of Punjab and others

Petitions/Appeals: CWP No. 3266 of 2024

Court: The High Court of Punjab and Haryana at Chandigarh

Judges: Hon'ble Mr. Justice Rajesh Bhardwaj

Sections/Articles and Laws Used: Punjab Panchayati Raj Act, 1994 - Section 20(6)

Parties: Kiranpal Singh, Sarpanch (petitioner), State of Punjab and others (respondents)

Background Details: The petitioner, Kiranpal Singh, was suspended from his position as Sarpanch by an order dated 01.12.2023. He filed an appeal along with a stay application on 19.12.2023, but even after almost 2 months, neither the stay application nor the appeal had been decided. The petitioner remained suspended, and development work in the village was halted.

Brief Facts involved in the case: Kiranpal Singh, an elected Sarpanch, was suspended from his post by the Director, Rural Development and Panchayat department, through an order dated 01.12.2023. He filed an appeal against this suspension along with a stay application on 19.12.2023. However, as of the filing of the petition, neither the stay application nor the appeal had been decided, causing a significant delay in the resolution of the matter.

Issues Involved: The key issue in this case was the delay in deciding the stay application and appeal of the petitioner, resulting in his continued suspension and the halt of development work in the village.

Plaintiff/Petitioner Arguments: The petitioner's counsel argued that the petitioner's suspension was illegal and that the appeal and stay application had not been decided despite being filed almost two months prior. He requested the court to direct the respondent to decide these matters in a time-bound manner.

Defendant/Respondent Arguments: The respondent, represented by the Senior Deputy Advocate General of Punjab, accepted notice and informed the court that the appeal and stay application were scheduled for consideration on 07.03.2024 before respondent No. 1.

Judgment: The court disposed of the petition with a direction to respondent No. 1 to take up the appeal and decide the stay application on the date fixed, i.e., 07.03.2024, after hearing both sides in accordance with the law.

Present Status: The judgment was delivered on 16.02.2024. The present status of the case is not provided in the document.

Previous Referenced Cases: No previous cases or legal precedents were referenced in the judgment.

Conclusion: The case highlights the importance of timely resolution of appeals and stay applications, especially in matters involving the suspension of elected officials. The court's direction to decide the matter expeditiously emphasizes the need for administrative bodies to adhere to legal timelines and ensure the protection of fundamental rights.

**Case Title:** P. Vladan Mohan v. Government of Andhra Pradesh & Another

**Petitions/Appeals:** Writ Petition No. 5680 of 2009

**Court:** High Court for the State of Telangana at Hyderabad (Special Original Jurisdiction)

**Judges:** The Honorable Sri Justice K. Sarath

**Sections/Articles and Laws Used:** Article 226 of the Constitution of India, Section 151 CPC

**Parties:**

* Petitioner: P. Vladan Mohan
* Respondents:
  1. The Government of Andhra Pradesh, represented by its Secretary, Department of Revenue (LA), Secretariat, Hyderabad.
  2. The Project Director, Outer Ring Road and Special Deputy Collector (L.A.) HUDA, Tarnaka, Hyderabad.

**Background Details:** The petitioner, P. Vladan Mohan, filed a petition under Article 226 of the Constitution of India, seeking a writ of mandamus against the respondents. The petition challenged the respondents' failure to pay compensation for the petitioner's acquired house plot. The plot, measuring 167 sq. yards and bearing No. 194/B Sy.No. 176 in Muthangi Village, Patancheru Mandal, Medak District, was acquired by the respondents through a Draft Declaration No. D/ORR/145/05 dated 18-4-2006 under the L.A. Act.

**Brief Facts involved in the case:** The petitioner, a private employee residing in Hyderabad, alleged that despite the acquisition of his house plot, the respondents had not paid him compensation. He argued that this action was illegal, arbitrary, and violated principles of natural justice and his fundamental rights guaranteed under Articles 14, 19, and 21 of the Constitution.

**Issues Involved:** The main legal issue was whether the respondents' failure to pay compensation for the acquired house plot amounted to a violation of the petitioner's fundamental rights and was illegal under the L.A. Act.

**Plaintiff/Petitioner Arguments:** The petitioner argued that the respondents' action was illegal, arbitrary, and violated his fundamental rights. He sought a writ of mandamus directing the respondents to pay him the compensation amount for his acquired plot.

**Defendant/Respondent Arguments:** The respondents did not appear in court to defend their actions, leading to the court considering that the petitioner was not interested in prosecuting the case. Consequently, the court dismissed the writ petition for non-prosecution/default without any costs.

**Judgment:** The court, after noting the lack of representation from the respondents and the apparent disinterest of the petitioner in prosecuting the case, dismissed the writ petition for non-prosecution/default without costs.

**Present Status:** The case has been dismissed by the court.

**Previous Referenced Cases:** Not applicable.

**Conclusion:** The case highlights the importance of parties actively participating in legal proceedings. In this instance, the court dismissed the petition due to the petitioner's lack of interest in pursuing the case and the absence of any defense from the respondents. The judgment emphasizes the need for parties to diligently pursue their legal remedies to seek redressal.

Case Title: P. Vladan Mohan v. Government of Andhra Pradesh

Petitions/Appeals: Writ Petition No. 3500 of 2018

Court: High Court for the State of Andhra Pradesh

Judges: Honorable Sri Justice Venkateswarlu Nimmagadda

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Andhra Pradesh Panchayat Raj Act, 1994 (Section 58)

Parties: P. Vladan Mohan, S/o. P. Narayana (petitioner); Government of Andhra Pradesh, The Project Director, Outer Ring Road, and Special Deputy Collector (L.A.) HUDA (respondents)

Background Details: The petitioner, P. Vladan Mohan, filed a writ petition under Article 226 of the Constitution of India, challenging the demolition of community residential houses, toilets, shops, etc., belonging to the SC community at Srirampuram village, Visakhapatnam district. The petitioner alleged that the demolition was illegal, arbitrary, and violated principles of natural justice.

Brief Facts: The land in Survey No.12/4 of Srirampuram Village, classified as “Poramboke - Harijanpeta,” belonged to the SC community. The community had constructed residential houses, toilets, and shops on this land. The Gram Panchayat had constructed communal toilets on a portion of the land, which were later demolished as per the orders of the Supreme Court. The Gram Panchayat claimed ownership of the entire land, including the portion with defunct communal toilets.

Issues Involved: Whether the demolition of the petitioner's properties by the Gram Panchayat was illegal and violated the petitioner's fundamental rights guaranteed under the Constitution of India.

Plaintiff/Petitioner Arguments: The petitioner argued that the SC community had long-standing possession of the land and that the demolition was illegal and violated their fundamental rights. They also claimed that the land belonged to the SC community and should not be interfered with.

Defendant/Respondent Arguments: The Gram Panchayat argued that the land was vested with them as per Section 58 of the Andhra Pradesh Panchayat Raj Act, 1994. They claimed that the land was vacant and had been reserved for community purposes.

Judgment: The court dismissed the writ petition, stating that the land was vested with the Gram Panchayat as per the Andhra Pradesh Panchayat Raj Act, 1994. The court held that no individual could hold community land, and therefore, the Gram Panchayat was entitled to possess the land.

Present Status: The judgment is concluded.

Conclusion: The case highlights the conflict between individual rights and community ownership of land. It clarifies the legal principles regarding the ownership of community land and the powers of Gram Panchayats in such matters.

Case Title: CWP Nos. 8103/2023 and 9528/2023

Petitions/Appeals: CMP Nos. 15611/2023 in CWP No. 8103/2023 and CMP No. 17653/2023 in CWP No. 9528/2023

Court: High Court of Himachal Pradesh

Judges: Justice M.S. Ramachandra Rao (Chief Justice) and Jyotsna Rewal Dua (Judge)

Sections/Articles and Laws Used: Article 341, Article 342, SC/ST (Prevention of Atrocities) Act, 1989

Parties: The Hattee community of Trans Giri area of Sirmour District (petitioner), Union of India and State of Himachal Pradesh (respondents)

Background Details: The case revolves around the inclusion of the Hattee community of the Trans Giri area of Sirmour District in the Scheduled Tribes (ST) list in Himachal Pradesh. The State Government recommended their inclusion, which was approved by the Union Cabinet and resulted in the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2023. However, concerns were raised about the exclusion of certain communities already notified as Scheduled Castes (SC) in the region.

Brief Facts: The State Government recommended the inclusion of the Hattee community in the ST list, excluding those already notified as SCs. The Union Cabinet approved this recommendation, and a Bill was introduced in Lok Sabha for the same. However, the Bill did not mention the exclusion of SC communities, which raised questions about the legality of including both SCs and STs from the same region.

Issues Involved: The key issue was the legality and constitutionality of including the Hattee community in the ST list while excluding or not excluding SC communities already notified in the region.

Plaintiff/Petitioner Arguments: The petitioners argued that including SCs, OBCs, and dominant castes like Rajputs and Brahmins in the ST list would dilute the benefits meant for genuine ST communities and violate the principle of equality.

Defendant/Respondent Arguments: The respondents did not offer a satisfactory explanation for not excluding SC communities from the ST list as recommended by the State Government and the Union Cabinet.

Judgment: The Court granted interim relief by staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related notifications until 18.03.2024, citing concerns of manifest arbitrariness and glaring unconstitutionality in the impugned law.

Present Status: The case is pending further hearings and final decision.

Previous Referenced Cases: Ram Singh v. Union of India (2015) 4 SCC 697

Conclusion: The case highlights the importance of ensuring that the process of inclusion or exclusion in the SC and ST lists is done with proper consideration of legal principles and without diluting the benefits meant for marginalized communities. It also underscores the need for clear and consistent criteria in such matters to avoid confusion and legal challenges.

Case Title: Rakesh Kainthla v. State of Himachal Pradesh

Petitions/Appeals: Criminal Revision Petition

Court: High Court of Himachal Pradesh

Judges: Rakesh Kainthla (Judge), Saurav Pathania (Judge)

Sections/Articles and Laws Used: Section 397 of the Code of Criminal Procedure, 1973; Section 482 of the Code of Criminal Procedure, 1973; Section 228 of the Code of Criminal Procedure, 1973; Article 20(3) of the Constitution of India

Parties: Rakesh Kainthla (Petitioner), State of Himachal Pradesh (Respondent)

Background Details: The case involves a criminal revision petition filed by Rakesh Kainthla challenging the order of the trial court. The trial court had framed charges against him based on a statement made by the victim. The High Court was called upon to examine the legality and regularity of the procedure followed by the trial court.

Brief Facts involved in case: The victim had made a statement implicating Rakesh Kainthla in a criminal offense. Based on this statement, the trial court framed charges against Rakesh Kainthla. However, he challenged this order through a criminal revision petition, arguing that the procedure followed by the trial court was illegal.

Issues Involved: The key legal question in this case was whether the trial court had followed the correct procedure in framing charges against Rakesh Kainthla based on the statement made by the victim.

Plaintiff/Petitioner Arguments: Rakesh Kainthla argued that the trial court had not followed the correct procedure and had framed charges against him based on an illegal order. He contended that the statement made by the victim should not have been used to frame charges against him.

Defendant/Respondent Arguments: The State of Himachal Pradesh argued that the trial court had followed the correct procedure in framing charges against Rakesh Kainthla. They contended that the statement made by the victim was admissible as evidence and had been properly considered by the trial court.

Judgment: The High Court upheld the order of the trial court and dismissed Rakesh Kainthla's criminal revision petition. The court held that the trial court had followed the correct procedure in framing charges against him based on the statement made by the victim.

Present Status: The judgment is final and no further appeals are pending.

Previous Referenced Cases: The judgment refers to various legal principles and precedents related to the jurisdiction of the revisional court and the admissibility of evidence in criminal cases, including Pooran Mal v. Director of Inspection (Investigation) and Amit Kapoor v. Ramesh Chandra.

Conclusion: The case of Rakesh Kainthla v. State of Himachal Pradesh clarifies the scope of the revisional court's jurisdiction and the admissibility of evidence in criminal cases. It highlights the importance of following the correct procedure in framing charges and the limited nature of the revisional court's powers.

Case Title: Dolby Builders Pvt. Ltd. v. State of Haryana & Ors.

Petitions/Appeals: Civil Appeal No. 1742 of 2023

Court: Supreme Court of India

Judges: Justice A.K. Mishra, Justice Dinesh Maheshwari

Sections/Articles and Laws Used: Works of Defence Act, 1903; Article 300A of the Constitution of India

Parties: Dolby Builders Pvt. Ltd. (Appellant/Plaintiff) v. State of Haryana & Ors. (Respondents/Defendants)

Background Details: The case revolves around the construction of a hospital by Dolby Builders Pvt. Ltd. in the vicinity of a Defence Establishment, specifically the Ordnance Depot in Shakur Basti. The Ministry of Defence had issued guidelines on 21.10.2016 regarding constructions near Defence Establishments. The appellant had obtained permission in 2008 to construct the hospital, but the Ministry raised objections based on the 2016 guidelines, leading to a legal dispute.

Brief Facts involved in the case: Dolby Builders Pvt. Ltd. obtained permission in 2008 to construct a hospital near the Ordnance Depot. However, the Ministry of Defence raised objections based on guidelines issued in 2016 regarding constructions near Defence Establishments, claiming the construction violated security restrictions.

Issues Involved: The main legal question was whether the Ministry of Defence's objections based on the 2016 guidelines were valid, and whether these guidelines could supersede the permission granted to the appellant in 2008.

Plaintiff/Petitioner Arguments: Dolby Builders Pvt. Ltd. argued that the 2016 guidelines could not supersede the permission granted in 2008, and that the guidelines were not legally binding as they were not backed by an Act of Parliament or a State legislature.

Defendant/Respondent Arguments: The Ministry of Defence argued that the 2016 guidelines were issued to enhance security near Defence Establishments, and that they were legally binding to protect national security interests.

Judgment: The Supreme Court held that the 2016 guidelines could not supersede the permission granted to the appellant in 2008. It emphasized that any restriction on the right to property must be imposed through a legal process, such as an Act of Parliament or a State legislature, and not through executive instructions.

Present Status: The judgment has been concluded, and the Ministry of Defence was directed to scrutinize the application for NOC by Dolby Builders Pvt. Ltd. as per the 2016 guidelines and issue the NOC if found eligible.

Previous Referenced Cases: The court referenced P.H. Paul Manoj

Case Title: Court on its Own Motion v. State of Himachal Pradesh and Ors.

Petitions/Appeals: Civil Writ Petitions No. 8301 and 9528 of 2023

Court: High Court of Himachal Pradesh

Judges: Hon'ble Chief Justice M.S Ramachandra Rao and Hon'ble Justice Jyotsna Rewal Dua

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, Letter TBD(F) 4-1/2023 of the Tribal Development Department of the Government of Himachal Pradesh

Parties: The Court on its Own Motion (Applicant), State of Himachal Pradesh and Ors. (Respondents)

Background Details: The case pertains to the constitutional validity and implications of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and a related letter issued by the Tribal Development Department of the Government of Himachal Pradesh. The amendments seek to include certain communities, including the Hattees, in the list of Scheduled Tribes in the state. This has raised concerns among existing Scheduled Tribes and other stakeholders regarding reservation benefits and constitutional principles.

Brief Facts involved in the case: The State of Himachal Pradesh passed the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, which aimed to include the Hattees community among the Scheduled Tribes in the state. This decision led to legal challenges, with petitions filed questioning the constitutional validity of the amendment and its potential impact on existing Scheduled Tribe communities and their reservation benefits.

Issues Involved: The main legal issues revolve around the constitutionality of granting Scheduled Tribe status to the Hattees community, the potential impact on existing Scheduled Tribe communities, and the interpretation of Article 332 of the Constitution regarding reserved seats in legislative assemblies.

Plaintiff/Petitioner Arguments: The petitioners argued that granting Scheduled Tribe status to the Hattees community would affect the benefits of reservation extended to existing Scheduled Tribe members. They also contended that such a move would dilute the SC/ST (Prevention of Atrocities) Act, 1989, and go against the constitutional principle of equality.

Defendant/Respondent Arguments: The respondents likely argued in favor of the amendment, citing the social and historical backgrounds of the Hattees community and their need for inclusion among the Scheduled Tribes. They may have also argued that the amendment was made after due consideration and consultation.

Judgment: The Court, after considering the arguments and the implications of the amendment, stayed the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and the related letter of the Tribal Development Department of the Government of Himachal Pradesh. The Court found prima facie evidence of manifest arbitrariness and unconstitutionality in the impugned law. The stay was granted to prevent irreparable injury and to maintain the status quo until further hearings could be conducted.

Present Status: The case is likely pending further hearings and a final decision on the constitutional validity of the amendment.

Previous Referenced Cases: The judgment does not explicitly reference any previous cases or legal precedents.

Conclusion: The case highlights the complexities and challenges involved in determining the status of communities for the purposes of reservation and affirmative action. It underscores the importance of balancing the rights and interests of different groups within the framework of the Constitution. The decision to stay the implementation of the amendment indicates a cautious approach by the Court, ensuring that no irreversible actions are taken pending a more detailed examination of the issues involved.

Case Title: Kanu Sanyal vs. District Magistrate, Darjeeling & Ors.

Petitions/Appeals: Writ of habeas corpus

Court: Supreme Court of India

Judges: Not specified in the provided text

Sections/Articles and Laws Used: Not specified in the provided text

Parties: Kanu Sanyal (petitioner) vs. District Magistrate, Darjeeling & Ors. (respondents)

Background Details: The case involves a writ of habeas corpus filed by Kanu Sanyal before the Supreme Court of India. A writ of habeas corpus is a legal action through which a person can seek relief from unlawful detention or imprisonment. In this case, Kanu Sanyal was seeking his release from custody, alleging that he was being illegally detained by the District Magistrate of Darjeeling and others.

Brief Facts involved in the case: Kanu Sanyal, the petitioner, alleged that he was being unlawfully detained by the District Magistrate of Darjeeling and others. He filed a writ of habeas corpus before the Supreme Court of India seeking his release. The petitioner claimed that his detention was illegal and that he was being deprived of his liberty without due process of law.

Issues Involved: The key legal issue in the case was whether Kanu Sanyal's detention was lawful or not. The court had to determine whether there was a valid legal basis for his detention or if it was in violation of his fundamental rights.

Plaintiff/Petitioner Arguments: The petitioner argued that his detention was illegal and that he was being deprived of his liberty without due process of law. He claimed that the District Magistrate of Darjeeling and others were acting beyond their authority in detaining him.

Defendant/Respondent Arguments: The arguments made by the respondents, including the District Magistrate of Darjeeling, were not specified in the provided text.

Judgment: The Supreme Court, in its judgment, held that a writ of habeas corpus is not to be entertained when a person is committed to judicial custody or police custody by a competent court by an order that prima facie does not appear to be without jurisdiction or passed in an absolutely mechanical or wholly illegal manner. The court found that Kanu Sanyal's detention was not illegal and that there was a valid legal basis for his custody.

Present Status: The present status of the judgment is not provided in the text.

Previous Referenced Cases: The judgment does not explicitly reference any previous cases or legal precedents.

Conclusion: The case of Kanu Sanyal vs. District Magistrate, Darjeeling & Ors. highlights the importance of the writ of habeas corpus as a legal remedy to challenge unlawful detention. It also underscores the court's role in ensuring that individuals are not deprived of their liberty without due process of law.

1. **Case Title**: Buddula Seethamma and Others v. The State of Telangana and Others.
2. **Petitions/Appeals**: Writ Petition No. 33827 of 2023.
3. **Court**: High Court for the State of Telangana at Hyderabad.
4. **Judges**: The Honourable Sri Justice N.V. Shravan Kumar.
5. **Sections/Articles and Laws Used**: Article 226 of the Constitution of India, Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
6. **Parties**: The petitioners are Buddula Seethamma and others, and the respondents are The State of Telangana and others.
7. **Background Details**: The petitioners, belonging to the ST Koya community, are residents of Gowraram Village, Dummugudem Mandal, Bhadradri Kothagudem District. They possess agricultural lands mentioned in forest ownership certificates but are facing threats and interference from the forest authorities.
8. **Brief Facts involved in the case**: The petitioners' agricultural lands, covered by forest ownership certificates, are under threat of being vacated by forest authorities. The petitioners allege that such actions are illegal, arbitrary, and in violation of their fundamental rights and the Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006.
9. **Issues Involved**: The key issue is whether the actions of the forest authorities in threatening to vacate the petitioners' agricultural lands are legal and constitutional.
10. **Plaintiff/Petitioner Arguments**: The petitioners argue that they are cultivating within the boundaries of their patta lands and are not encroaching on forest lands. They seek protection from interference and threats from the forest authorities.
11. **Defendant/Respondent Arguments**: The forest authorities argue that the petitioners are encroaching on forest lands under the guise of patta lands and that proper procedures will be followed to grant lands to the petitioners.
12. **Judgment**: The court closed the writ petition without costs, noting that there are disputed questions of fact that cannot be decided under Article 226. The forest authorities assured that they would not interfere with the petitioners' lands beyond the jurisdiction of the patta lands.
13. **Present Status**: The writ petition is closed.
14. **Previous Referenced Cases**: Not applicable.
15. **Conclusion**: The case highlights the importance of land rights and the challenges faced by tribal communities in securing and protecting their lands. It underscores the need for clear procedures and communication between authorities and tribal communities to avoid such disputes.

**Case Title:** Gautam Prasad Budha S/o Late Kailash Prasad v. The State of Bihar and Others

**Petitions/Appeals:** Civil Writ Jurisdiction Case No. 1175 of 2024

**Court:** High Court of Judicature at Patna

**Judges:** Honorable Mr. Justice Mohit Kumar Shah

**Sections/Articles and Laws Used:** Constitution of India, 1950

**Parties:**

* **Petitioner:** Gautam Prasad Budha
* **Respondents:** The State of Bihar, Bihar State Power (Holding) Company Limited, and others

**Background Details:** Gautam Prasad Budha, the petitioner, sought promotion to the post of Law Officer and Deputy Law Advisor, which he claimed was due since 2019 and April 1, 2023, respectively. He alleged that the respondents' failure to promote him violated his fundamental, human, and natural rights.

**Brief Facts involved in the case:** The petitioner, Gautam Prasad Budha, had not been promoted to the positions of Law Officer and Deputy Law Advisor, which he claimed were due to him since 2019 and April 1, 2023, respectively. He alleged that this denial of promotion violated his rights under the Constitution of India, 1950.

**Issues Involved:** The key issue in this case was whether the respondents' failure to promote the petitioner to the positions of Law Officer and Deputy Law Advisor was illegal, arbitrary, and violated his fundamental, human, and natural rights.

**Plaintiff/Petitioner Arguments:** The petitioner argued that the respondents' failure to promote him was illegal, arbitrary, and violated his fundamental, human, and natural rights. He sought a writ of mandamus to compel the respondents to consider his promotion and grant him all associated benefits.

**Defendant/Respondent Arguments:** The respondents argued that the petitioner's promotion had not been denied, but rather, it was a process that needed to be followed. They stated that the petitioner could approach the appropriate authorities for redressal of his grievances.

**Judgment:** The court disposed of the writ petition, granting the petitioner liberty to approach the Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., Patna, for redressal of his grievances. The court directed that if the petitioner filed a representation within two weeks, it would be disposed of within six weeks thereafter.

**Present Status:** The present status of the judgment is not provided in the document.

**Previous Referenced Cases:** No previous cases or legal precedents were referenced in the judgment.

**Conclusion:** This case highlights the importance of timely consideration of promotions and adherence to due process in employment matters. It underscores the significance of fundamental rights and the need for proper redressal mechanisms in cases of alleged violations.

Case Title: W.P.(C) 2615/2022 - Smt. XYZ v. Kendriya Vidyalaya Sangathan & Ors.

Petitions/Appeals: Writ Petition (Civil) No. 2615 of 2022

Court: Delhi High Court

Judges: Jyoti Singh, J.

Sections/Articles and Laws Used: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013; relevant service rules of Kendriya Vidyalaya Sangathan

Parties: Smt. XYZ (Petitioner), Kendriya Vidyalaya Sangathan & Ors. (Respondents)

Background Details: The case involved allegations of sexual harassment and other misconduct against a member of Kendriya Vidyalaya Sangathan (KVS). The petitioner, an employee of KVS, filed a complaint regarding various incidents of misconduct, including sexual harassment, against the respondent.

Brief Facts involved in case: The petitioner alleged instances of sexual misconduct, denial of leave, and other forms of harassment by the respondent. The Internal Complaints Committee (ICC) was constituted to inquire into the matter. The ICC conducted an inquiry and found that the charges against the respondent were not substantiated.

Issues Involved: The key issues were whether the ICC's inquiry was conducted fairly, whether the rules and procedures were followed, and whether the petitioner's allegations were proven.

Plaintiff/Petitioner Arguments: The petitioner argued that the ICC did not properly consider the evidence and that the inquiry was biased in favor of the respondent. The petitioner also questioned the validity of the ICC's composition and the manner in which the inquiry was conducted.

Defendant/Respondent Arguments: The respondent argued that the ICC followed the prescribed rules and procedures, and that the allegations against the respondent were not substantiated by the evidence presented.

Judgment: The court found that the ICC's inquiry was conducted in accordance with the law and the rules. The court noted that the petitioner's allegations were vague and unsubstantiated, and that there was no evidence of bias in the inquiry. The court dismissed the petitioner's writ petition, upholding the ICC's findings.

Present Status: The judgment was delivered on December 21, 2023, and there is no indication of any pending appeals.

Previous Referenced Cases: The judgment references previous cases such as Shital Prasad Sharma v. State of Rajasthan & Ors. and Debjani Sengupta, which dealt with similar issues related to sexual harassment at the workplace and the role of ICCs in conducting inquiries.

Conclusion: The case serves as an important precedent regarding the proper conduct of inquiries into allegations of sexual harassment at the workplace. It underscores the importance of following the prescribed rules and procedures, maintaining impartiality, and ensuring that allegations are substantiated by evidence. The judgment reaffirms the need for fair and transparent processes in dealing with complaints of sexual harassment.

Case Title: CWP Nos. 8103/2023 and 9528/2023

Petitions/Appeals: CMP Nos. 15611/2023 in CWP No. 8103/2023 and CMP No. 17653/2023 in CWP No. 9528/2023

Court: High Court of Himachal Pradesh

Judges: Justice M.S. Ramachandra Rao (Chief Justice) and Jyotsna Rewal Dua (Judge)

Sections/Articles and Laws Used: Article 341, Article 342, SC/ST (Prevention of Atrocities) Act, 1989

Parties: The Hattee community of Trans Giri area of Sirmour District (petitioner), Union of India and State of Himachal Pradesh (respondents)

Background Details: The case revolves around the inclusion of the Hattee community of the Trans Giri area of Sirmour District in the Scheduled Tribes (ST) list in Himachal Pradesh. The State Government recommended their inclusion, which was approved by the Union Cabinet and resulted in the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2023. However, concerns were raised about the exclusion of certain communities already notified as Scheduled Castes (SC) in the region.

Brief Facts: The State Government recommended the inclusion of the Hattee community in the ST list, excluding those already notified as SCs. The Union Cabinet approved this recommendation, and a Bill was introduced in Lok Sabha for the same. However, the Bill did not mention the exclusion of SC communities, which raised questions about the legality of including both SCs and STs from the same region.

Issues Involved: The key issue was the legality and constitutionality of including the Hattee community in the ST list while excluding or not excluding SC communities already notified in the region.

Plaintiff/Petitioner Arguments: The petitioners argued that including SCs, OBCs, and dominant castes like Rajputs and Brahmins in the ST list would dilute the benefits meant for genuine ST communities and violate the principle of equality.

Defendant/Respondent Arguments: The respondents did not offer a satisfactory explanation for not excluding SC communities from the ST list as recommended by the State Government and the Union Cabinet.

Judgment: The Court granted interim relief by staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related notifications until 18.03.2024, citing concerns of manifest arbitrariness and glaring unconstitutionality in the impugned law.

Present Status: The case is pending further hearings and final decision.

Previous Referenced Cases: Ram Singh v. Union of India (2015) 4 SCC 697

Conclusion: The case highlights the importance of ensuring that the process of inclusion or exclusion in the SC and ST lists is done with proper consideration of legal principles and without diluting the benefits meant for marginalized communities. It also underscores the need for clear and consistent criteria in such matters to avoid confusion and legal challenges.

Case Title: Rakesh Kainthla v. State of Himachal Pradesh

Petitions/Appeals: Criminal Revision Petition

Court: High Court of Himachal Pradesh

Judges: Rakesh Kainthla (Judge), Saurav Pathania (Judge)

Sections/Articles and Laws Used: Section 397 of the Code of Criminal Procedure, 1973; Section 482 of the Code of Criminal Procedure, 1973; Section 228 of the Code of Criminal Procedure, 1973; Article 20(3) of the Constitution of India

Parties: Rakesh Kainthla (Petitioner), State of Himachal Pradesh (Respondent)

Background Details: The case involves a criminal revision petition filed by Rakesh Kainthla challenging the order of the trial court. The trial court had framed charges against him based on a statement made by the victim. The High Court was called upon to examine the legality and regularity of the procedure followed by the trial court.

Brief Facts involved in case: The victim had made a statement implicating Rakesh Kainthla in a criminal offense. Based on this statement, the trial court framed charges against Rakesh Kainthla. However, he challenged this order through a criminal revision petition, arguing that the procedure followed by the trial court was illegal.

Issues Involved: The key legal question in this case was whether the trial court had followed the correct procedure in framing charges against Rakesh Kainthla based on the statement made by the victim.

Plaintiff/Petitioner Arguments: Rakesh Kainthla argued that the trial court had not followed the correct procedure and had framed charges against him based on an illegal order. He contended that the statement made by the victim should not have been used to frame charges against him.

Defendant/Respondent Arguments: The State of Himachal Pradesh argued that the trial court had followed the correct procedure in framing charges against Rakesh Kainthla. They contended that the statement made by the victim was admissible as evidence and had been properly considered by the trial court.

Judgment: The High Court upheld the order of the trial court and dismissed Rakesh Kainthla's criminal revision petition. The court held that the trial court had followed the correct procedure in framing charges against him based on the statement made by the victim.

Present Status: The judgment is final and no further appeals are pending.

Previous Referenced Cases: The judgment refers to various legal principles and precedents related to the jurisdiction of the revisional court and the admissibility of evidence in criminal cases, including Pooran Mal v. Director of Inspection (Investigation) and Amit Kapoor v. Ramesh Chandra.

Conclusion: The case of Rakesh Kainthla v. State of Himachal Pradesh clarifies the scope of the revisional court's jurisdiction and the admissibility of evidence in criminal cases. It highlights the importance of following the correct procedure in framing charges and the limited nature of the revisional court's powers.

Case Title: Dolby Builders Pvt. Ltd. v. State of Haryana & Ors.

Petitions/Appeals: Civil Appeal No. 1742 of 2023

Court: Supreme Court of India

Judges: Justice A.K. Mishra, Justice Dinesh Maheshwari

Sections/Articles and Laws Used: Works of Defence Act, 1903; Article 300A of the Constitution of India

Parties: Dolby Builders Pvt. Ltd. (Appellant/Plaintiff) v. State of Haryana & Ors. (Respondents/Defendants)

Background Details: The case revolves around the construction of a hospital by Dolby Builders Pvt. Ltd. in the vicinity of a Defence Establishment, specifically the Ordnance Depot in Shakur Basti. The Ministry of Defence had issued guidelines on 21.10.2016 regarding constructions near Defence Establishments. The appellant had obtained permission in 2008 to construct the hospital, but the Ministry raised objections based on the 2016 guidelines, leading to a legal dispute.

Brief Facts involved in the case: Dolby Builders Pvt. Ltd. obtained permission in 2008 to construct a hospital near the Ordnance Depot. However, the Ministry of Defence raised objections based on guidelines issued in 2016 regarding constructions near Defence Establishments, claiming the construction violated security restrictions.

Issues Involved: The main legal question was whether the Ministry of Defence's objections based on the 2016 guidelines were valid, and whether these guidelines could supersede the permission granted to the appellant in 2008.

Plaintiff/Petitioner Arguments: Dolby Builders Pvt. Ltd. argued that the 2016 guidelines could not supersede the permission granted in 2008, and that the guidelines were not legally binding as they were not backed by an Act of Parliament or a State legislature.

Defendant/Respondent Arguments: The Ministry of Defence argued that the 2016 guidelines were issued to enhance security near Defence Establishments, and that they were legally binding to protect national security interests.

Judgment: The Supreme Court held that the 2016 guidelines could not supersede the permission granted to the appellant in 2008. It emphasized that any restriction on the right to property must be imposed through a legal process, such as an Act of Parliament or a State legislature, and not through executive instructions.

Present Status: The judgment has been concluded, and the Ministry of Defence was directed to scrutinize the application for NOC by Dolby Builders Pvt. Ltd. as per the 2016 guidelines and issue the NOC if found eligible.

Previous Referenced Cases: The court referenced P.H. Paul Manoj

Case Title: Court on its Own Motion v. State of Himachal Pradesh and Ors.

Petitions/Appeals: Civil Writ Petitions No. 8301 and 9528 of 2023

Court: High Court of Himachal Pradesh

Judges: Hon'ble Chief Justice M.S Ramachandra Rao and Hon'ble Justice Jyotsna Rewal Dua

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, Letter TBD(F) 4-1/2023 of the Tribal Development Department of the Government of Himachal Pradesh

Parties: The Court on its Own Motion (Applicant), State of Himachal Pradesh and Ors. (Respondents)

Background Details: The case pertains to the constitutional validity and implications of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and a related letter issued by the Tribal Development Department of the Government of Himachal Pradesh. The amendments seek to include certain communities, including the Hattees, in the list of Scheduled Tribes in the state. This has raised concerns among existing Scheduled Tribes and other stakeholders regarding reservation benefits and constitutional principles.

Brief Facts involved in the case: The State of Himachal Pradesh passed the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, which aimed to include the Hattees community among the Scheduled Tribes in the state. This decision led to legal challenges, with petitions filed questioning the constitutional validity of the amendment and its potential impact on existing Scheduled Tribe communities and their reservation benefits.

Issues Involved: The main legal issues revolve around the constitutionality of granting Scheduled Tribe status to the Hattees community, the potential impact on existing Scheduled Tribe communities, and the interpretation of Article 332 of the Constitution regarding reserved seats in legislative assemblies.

Plaintiff/Petitioner Arguments: The petitioners argued that granting Scheduled Tribe status to the Hattees community would affect the benefits of reservation extended to existing Scheduled Tribe members. They also contended that such a move would dilute the SC/ST (Prevention of Atrocities) Act, 1989, and go against the constitutional principle of equality.

Defendant/Respondent Arguments: The respondents likely argued in favor of the amendment, citing the social and historical backgrounds of the Hattees community and their need for inclusion among the Scheduled Tribes. They may have also argued that the amendment was made after due consideration and consultation.

Judgment: The Court, after considering the arguments and the implications of the amendment, stayed the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and the related letter of the Tribal Development Department of the Government of Himachal Pradesh. The Court found prima facie evidence of manifest arbitrariness and unconstitutionality in the impugned law. The stay was granted to prevent irreparable injury and to maintain the status quo until further hearings could be conducted.

Present Status: The case is likely pending further hearings and a final decision on the constitutional validity of the amendment.

Previous Referenced Cases: The judgment does not explicitly reference any previous cases or legal precedents.

Conclusion: The case highlights the complexities and challenges involved in determining the status of communities for the purposes of reservation and affirmative action. It underscores the importance of balancing the rights and interests of different groups within the framework of the Constitution. The decision to stay the implementation of the amendment indicates a cautious approach by the Court, ensuring that no irreversible actions are taken pending a more detailed examination of the issues involved.

Case Title: Kanu Sanyal vs. District Magistrate, Darjeeling & Ors.

Petitions/Appeals: Writ of habeas corpus

Court: Supreme Court of India

Judges: Not specified in the provided text

Sections/Articles and Laws Used: Not specified in the provided text

Parties: Kanu Sanyal (petitioner) vs. District Magistrate, Darjeeling & Ors. (respondents)

Background Details: The case involves a writ of habeas corpus filed by Kanu Sanyal before the Supreme Court of India. A writ of habeas corpus is a legal action through which a person can seek relief from unlawful detention or imprisonment. In this case, Kanu Sanyal was seeking his release from custody, alleging that he was being illegally detained by the District Magistrate of Darjeeling and others.

Brief Facts involved in the case: Kanu Sanyal, the petitioner, alleged that he was being unlawfully detained by the District Magistrate of Darjeeling and others. He filed a writ of habeas corpus before the Supreme Court of India seeking his release. The petitioner claimed that his detention was illegal and that he was being deprived of his liberty without due process of law.

Issues Involved: The key legal issue in the case was whether Kanu Sanyal's detention was lawful or not. The court had to determine whether there was a valid legal basis for his detention or if it was in violation of his fundamental rights.

Plaintiff/Petitioner Arguments: The petitioner argued that his detention was illegal and that he was being deprived of his liberty without due process of law. He claimed that the District Magistrate of Darjeeling and others were acting beyond their authority in detaining him.

Defendant/Respondent Arguments: The arguments made by the respondents, including the District Magistrate of Darjeeling, were not specified in the provided text.

Judgment: The Supreme Court, in its judgment, held that a writ of habeas corpus is not to be entertained when a person is committed to judicial custody or police custody by a competent court by an order that prima facie does not appear to be without jurisdiction or passed in an absolutely mechanical or wholly illegal manner. The court found that Kanu Sanyal's detention was not illegal and that there was a valid legal basis for his custody.

Present Status: The present status of the judgment is not provided in the text.

Previous Referenced Cases: The judgment does not explicitly reference any previous cases or legal precedents.

Conclusion: The case of Kanu Sanyal vs. District Magistrate, Darjeeling & Ors. highlights the importance of the writ of habeas corpus as a legal remedy to challenge unlawful detention. It also underscores the court's role in ensuring that individuals are .

1. **Case Title**: Buddula Seethamma and Others v. The State of Telangana and Others.
2. **Petitions/Appeals**: Writ Petition No. 33827 of 2023.
3. **Court**: High Court for the State of Telangana at Hyderabad.
4. **Judges**: The Honourable Sri Justice N.V. Shravan Kumar.
5. **Sections/Articles and Laws Used**: Article 226 of the Constitution of India, Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
6. **Parties**: The petitioners are Buddula Seethamma and others, and the respondents are The State of Telangana and others.
7. **Background Details**: The petitioners, belonging to the ST Koya community, are residents of Gowraram Village, Dummugudem Mandal, Bhadradri Kothagudem District. They possess agricultural lands mentioned in forest ownership certificates but are facing threats and interference from the forest authorities.
8. **Brief Facts involved in the case**: The petitioners' agricultural lands, covered by forest ownership certificates, are under threat of being vacated by forest authorities. The petitioners allege that such actions are illegal, arbitrary, and in violation of their fundamental rights and the Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006.
9. **Issues Involved**: The key issue is whether the actions of the forest authorities in threatening to vacate the petitioners' agricultural lands are legal and constitutional.
10. **Plaintiff/Petitioner Arguments**: The petitioners argue that they are cultivating within the boundaries of their patta lands and are not encroaching on forest lands. They seek protection from interference and threats from the forest authorities.
11. **Defendant/Respondent Arguments**: The forest authorities argue that the petitioners are encroaching on forest lands under the guise of patta lands and that proper procedures will be followed to grant lands to the petitioners.
12. **Judgment**: The court closed the writ petition without costs, noting that there are disputed questions of fact that cannot be decided under Article 226. The forest authorities assured that they would not interfere with the petitioners' lands beyond the jurisdiction of the patta lands.
13. **Present Status**: The writ petition is closed.
14. **Previous Referenced Cases**: Not applicable.
15. **Conclusion**: The case highlights the importance of land rights and the challenges faced by tribal communities in securing and protecting their lands. It underscores the need for clear procedures and communication between authorities and tribal communities to avoid such disputes.

**Case Title:** Gautam Prasad Budha S/o Late Kailash Prasad v. The State of Bihar and Others

**Petitions/Appeals:** Civil Writ Jurisdiction Case No. 1175 of 2024

**Court:** High Court of Judicature at Patna

**Judges:** Honorable Mr. Justice Mohit Kumar Shah

**Sections/Articles and Laws Used:** Constitution of India, 1950

**Parties:**

* **Petitioner:** Gautam Prasad Budha
* **Respondents:** The State of Bihar, Bihar State Power (Holding) Company Limited, and others

**Background Details:** Gautam Prasad Budha, the petitioner, sought promotion to the post of Law Officer and Deputy Law Advisor, which he claimed was due since 2019 and April 1, 2023, respectively. He alleged that the respondents' failure to promote him violated his fundamental, human, and natural rights.

**Brief Facts involved in the case:** The petitioner, Gautam Prasad Budha, had not been promoted to the positions of Law Officer and Deputy Law Advisor, which he claimed were due to him since 2019 and April 1, 2023, respectively. He alleged that this denial of promotion violated his rights under the Constitution of India, 1950.

**Issues Involved:** The key issue in this case was whether the respondents' failure to promote the petitioner to the positions of Law Officer and Deputy Law Advisor was illegal, arbitrary, and violated his fundamental, human, and natural rights.

**Plaintiff/Petitioner Arguments:** The petitioner argued that the respondents' failure to promote him was illegal, arbitrary, and violated his fundamental, human, and natural rights. He sought a writ of mandamus to compel the respondents to consider his promotion and grant him all associated benefits.

**Defendant/Respondent Arguments:** The respondents argued that the petitioner's promotion had not been denied, but rather, it was a process that needed to be followed. They stated that the petitioner could approach the appropriate authorities for redressal of his grievances.

**Judgment:** The court disposed of the writ petition, granting the petitioner liberty to approach the Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., Patna, for redressal of his grievances. The court directed that if the petitioner filed a representation within two weeks, it would be disposed of within six weeks thereafter.

**Present Status:** The present status of the judgment is not provided in the document.

**Previous Referenced Cases:** No previous cases or legal precedents were referenced in the judgment.

**Conclusion:** This case highlights the importance of timely consideration of promotions and adherence to due process in employment matters. It underscores the significance of fundamental rights and the need for proper redressal mechanisms in cases of alleged violations.

Case Title: W.P.(C) 2615/2022 - Smt. XYZ v. Kendriya Vidyalaya Sangathan & Ors.

Petitions/Appeals: Writ Petition (Civil) No. 2615 of 2022

Court: Delhi High Court

Judges: Jyoti Singh, J.

Sections/Articles and Laws Used: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013; relevant service rules of Kendriya Vidyalaya Sangathan

Parties: Smt. XYZ (Petitioner), Kendriya Vidyalaya Sangathan & Ors. (Respondents)

Background Details: The case involved allegations of sexual harassment and other misconduct against a member of Kendriya Vidyalaya Sangathan (KVS). The petitioner, an employee of KVS, filed a complaint regarding various incidents of misconduct, including sexual harassment, against the respondent.

Brief Facts involved in case: The petitioner alleged instances of sexual misconduct, denial of leave, and other forms of harassment by the respondent. The Internal Complaints Committee (ICC) was constituted to inquire into the matter. The ICC conducted an inquiry and found that the charges against the respondent were not substantiated.

Issues Involved: The key issues were whether the ICC's inquiry was conducted fairly, whether the rules and procedures were followed, and whether the petitioner's allegations were proven.

Plaintiff/Petitioner Arguments: The petitioner argued that the ICC did not properly consider the evidence and that the inquiry was biased in favor of the respondent. The petitioner also questioned the validity of the ICC's composition and the manner in which the inquiry was conducted.

Defendant/Respondent Arguments: The respondent argued that the ICC followed the prescribed rules and procedures, and that the allegations against the respondent were not substantiated by the evidence presented.

Judgment: The court found that the ICC's inquiry was conducted in accordance with the law and the rules. The court noted that the petitioner's allegations were vague and unsubstantiated, and that there was no evidence of bias in the inquiry. The court dismissed the petitioner's writ petition, upholding the ICC's findings.

Present Status: The judgment was delivered on December 21, 2023, and there is no indication of any pending appeals.

Previous Referenced Cases: The judgment references previous cases such as Shital Prasad Sharma v. State of Rajasthan & Ors. and Debjani Sengupta, which dealt with similar issues related to sexual harassment at the workplace and the role of ICCs in conducting inquiries.

Conclusion: The case serves as an important precedent regarding the proper conduct of inquiries into allegations of sexual harassment at the workplace. It underscores the importance of following the prescribed rules and procedures, maintaining impartiality, and ensuring that allegations are substantiated by evidence. The judgment reaffirms the need for fair and transparent processes in dealing with complaints of sexual harassment.

Case Title: State of Chhattisgarh v. Nitin Aryan @ Satish Kumar Sonwani

Petitions/Appeals: Writ Appeal No.187 of 2021

Court: High Court of Chhattisgarh, Bilaspur

Judges: Hon'ble Shri Ramesh Sinha (Chief Justice) and Hon'ble Shri Ravindra Kumar Agrawal (Judge)

Sections/Articles and Laws Used: Indian Penal Code, Articles 226 and 227 of the Constitution of India

Parties: State of Chhattisgarh (Appellants) vs. Nitin Aryan @ Satish Kumar Sonwani (Respondent)

Background Details: The respondent, Nitin Aryan @ Satish Kumar Sonwani, was involved in a case of fraud and cheating where he falsely presented himself as a Squadron Leader in the Armed Forces to a family seeking a matrimonial match. He demanded a significant amount of money from the family under false pretenses, resulting in a case being filed against him under Section 420/34 and 120B of the IPC.

Brief Facts: The respondent was arrested in connection with the case on 1.5.2012 and remained in custody until the conclusion of his trial on 08.11.2016. He was ultimately found guilty and sentenced to three years of imprisonment for the aforementioned offences. However, he alleged that his right to a speedy trial was violated, and he sought compensation for the excess period of detention.

Issues Involved: The main issue was whether the respondent's detention during the pendency of the trial constituted "illegal detention" warranting compensation.

Plaintiff/Petitioner Arguments: The State argued that the respondent's detention was lawful as it was based on a judicial order. They contended that the respondent had opportunities to raise any grievances regarding his detention during the trial itself and that the writ petition under Article 226 was not maintainable.

Defendant/Respondent Arguments: The respondent argued that he was entitled to compensation for "illegal detention" due to the excess period of detention beyond his eventual sentence. He claimed a violation of his right to a speedy trial.

Judgment: The Court held that the respondent's detention was judicial and not illegal. It ruled that the State was not responsible for any alleged illegal detention, as the respondent had been in custody based on a lawful order of a competent court. The Court allowed the writ appeal, setting aside the order of the Single Judge and dismissing the writ petition.

Present Status: The judgment has been delivered, and the writ petition has been dismissed.

Previous Referenced Cases: Naresh Shridhar Mirajkar v. State of Maharashtra, Radul Shah v. State of Bihar, State of Rajasthan v. Mst Vidhyawati, Abdul Rehman Antulay & Ors. v. R.S. Nayak & Anr, P. Ramchandra Rao v. State of Karnataka, Nilabati Behera v. State of Orissa, D K Basu v. State of West Bengal, "Common Cause" a registered Society through its Director vs. Union of India and others, Chairman, Railway Board and others v. Chandrima Das (Mrs) and others

Conclusion: The case underscores the distinction between "judicial detention" and "illegal detention" and clarifies that detention based on a lawful order of a competent court cannot be considered illegal. It reaffirms the principle that grievances regarding detention during trial should be raised within the legal framework and not through a writ petition under Article 226.

**Case Title:** Rajani Dubey vs. South Eastern Coalfields Ltd. & Ors.

**Petitions/Appeals:** The case involves a petition (M.P. No. 567/1991) filed by the petitioners.

**Court:** High Court of Madhya Pradesh

**Judges:** Presided over by Judge Rajani Dubey

**Sections/Articles and Laws Used:** Article 12 of the Indian Constitution, relevant laws regarding education department pay scales and government employee rights.

**Parties:** Petitioners: Rajani Dubey and others; Respondents: South Eastern Coalfields Ltd. (SECL) and others.

**Background Details:** The petitioners, who were teachers employed by SECL, filed a petition in 1991 seeking proper pay scales and benefits equivalent to those of government-employed teachers in the Education Department. The High Court of Madhya Pradesh, in 1998, directed SECL to pay the petitioners the salary difference from their appointment as Upper Division Teachers.

**Brief Facts involved in the case:** SECL had been running a school, and the petitioners, who were teachers in this school, sought pay parity with government teachers. The court found that SECL, being a government company, must adhere to legal provisions and ensure fair pay to its teachers.

**Issues Involved:** The primary issue was whether SECL, as a government company, was obligated to pay its teachers according to government standards.

**Plaintiff/Petitioner Arguments:** The petitioners argued that SECL, being a government entity, should follow government pay scales for teachers to ensure fairness and adherence to constitutional principles.

**Defendant/Respondent Arguments:** SECL argued that while they provided grant-in-aid to the school, they had no administrative or financial control over it, and thus, were not liable for the teachers' salaries.

**Judgment:** The court directed the District Collector to form a committee with education officials and SECL representatives to determine the liability for paying the petitioners according to the High Court's 1998 order. SECL was to bear any additional financial burden on the school management.

**Present Status:** The case concluded with this judgment, directing further action to determine liability for paying the petitioners.

**Previous Referenced Cases:** The judgment referenced the High Court's 1998 order and the subsequent contempt petition (Cont. Pet No. 322/2001).

**Conclusion:** This case sets a precedent for government entities like SECL to ensure fair wages and benefits for their employees, even if they are not directly responsible for administrative matters. It emphasizes the importance of upholding constitutional principles, especially regarding employee rights and fair wages.

Case Title: State of Himachal Pradesh v. Suresh Kumar Kashyap & Ors.

Petitions/Appeals: Civil Writ Petition No. 8301 of 2023 & Civil Writ Petition No. 9528 of 2023

Court: Himachal Pradesh High Court

Judges: Hon'ble Mr. Justice Surya Kant, Chief Justice and Hon'ble Mr. Justice Sureshwar Thakur

Sections/Articles and Laws Used: Article 342(2) of the Constitution of India, Constitution (Scheduled Tribes) Order, 1950

Parties:

* Plaintiff/Petitioner: State of Himachal Pradesh
* Defendant/Respondent: Suresh Kumar Kashyap & Ors.

Background Details: The case concerns the inclusion of the Hattee community of the Trans Giri area of Sirmour District, Himachal Pradesh, in the Scheduled Tribes (ST) list. The State Government recommended this inclusion, which was approved by the Union Cabinet and led to the introduction of the Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022 in the Lok Sabha.

Brief Facts involved in the case:

* The Hattee community includes various castes like Khosh, Koll, Bhaty, Dhaki, Barayee, Doom, Lohar, Chanal, and Chamar.
* Previous attempts to include the Hattee community in the ST list were rejected in 1995, 2006, and 2017 due to lack of homogeneity and the use of a blanket term covering multiple castes.
* The State Government sought to exclude already notified Scheduled Castes (SC) from the Hattee community for inclusion in the ST list.

Issues Involved:

* Whether the Hattee community of the Trans Giri area should be included in the ST list.
* Whether SCs should be excluded from the Hattee community for ST list inclusion.

Plaintiff/Petitioner Arguments:

* The State Government argued for the inclusion of the Hattee community in the ST list, excluding already notified SCs.
* The Union Cabinet and the State Government approved this proposal.

Defendant/Respondent Arguments:

* The respondents argued against the inclusion, citing lack of homogeneity and the use of a blanket term covering multiple castes.

Judgment: The Court found that the inclusion of SCs in the ST list through the impugned law was arbitrary and prima facie violated the principle of mutual exclusivity between SCs and STs. The Court also questioned the Ministry of Tribal Affairs' advice regarding the exclusion of SCs without proper constitutional amendment. The implementation of the impugned law was stayed.

Present Status: The case is currently pending further proceedings.

Previous Referenced Cases:

* Ram Singh v. Union of India (2015) 4 SCC 697

Conclusion: The case highlights the complexities involved in categorizing communities for reservation benefits. It underscores the need for careful consideration and adherence to legal principles when making such decisions to avoid arbitrariness and ensure the proper application of reservation policies.

Case Title: Writ Petition No. 25971 of 2023

Petitions/Appeals: IA No. 1 of 2023, IA No. 2 of 2023, IA No. 3 of 2023, IA No. 4 of 2023

Court: High Court for the State of Telangana

Judges: Hon'ble Sri Justice C.V. Bhaskar Reddy

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Section 151 CPC, Section 41-A Cr.P.C, RTI Act, Sec. 19(8)(c) of RTI Act, D.K Basu vs. State of Bengal (1997) 1 SCC 416, and Monetary & Hindustan Paper Corporation Ltd. Vs. Ananta Bhallacharjee (2004) 6 SCC 213.

Parties:

* Petitioners: 1) Mohammed Ahmed, 2) Osman Bin Mohd Sabir, 3) Aqima Begum
* Respondents: 1) The State of Telangana, 2) Director General Of Police, Telangana State, 3) The Commissioner of Police, Hyderabad City, 4) The Inspector Of Police, Central Crime Station, SZCT-WZ-CCS-DD, Hyderabad

Background Details: The petitioners, Mohammed Ahmed, Osman Bin Mohd Sabir, and Aqima Begum, were involved in a dispute concerning a house property they owned. The police, represented by the respondents, particularly Respondent No. 4, had registered a complaint against them for an alleged offense under Section 420 r/w 34 IPC based on a complaint by one Syed Raheemuddin Shah Quadri. The petitioners alleged harassment by the police and interference in their civil disputes.

Brief Facts involved in the case: The petitioners claimed to have purchased a house property and were in possession of it. They received a notice under Section 41-A Cr.P.C, but when they requested copies of the complaint and F.I.R. to file a detailed reply, they were allegedly threatened by Respondent No. 4 and not provided with the information. They also made an RTI application to know the contents of the complaint, which was not fulfilled.

Issues Involved: The main issue was whether the police had the authority to interfere in civil disputes between the petitioners and another party, and whether their actions, including threats and refusal to provide information under RTI, were legal.

Plaintiff/Petitioner Arguments: The petitioners argued that the police had no right to harass them, interfere in their civil disputes, or demand certain documents without following due process. They claimed their fundamental rights were violated.

Defendant/Respondent Arguments: The respondents argued that they were acting on a complaint of a cognizable offense and had the right to investigate. They contended that the petitioners were trying to evade investigation.

Judgment: The court directed the police not to interfere in the civil disputes between the petitioners and Syed Raheemuddin Shah Quadri. It also instructed them to follow due procedure if the petitioners' presence was required for investigation. The writ petition was disposed of without costs.

Present Status: The judgment has been concluded.

Previous Referenced Cases: D.K Basu vs. State of Bengal (1997) 1 SCC 416, and Monetary & Hindustan Paper Corporation Ltd. Vs. Ananta Bhallacharjee (2004) 6 SCC 213.

Conclusion: The case highlighted the importance of police discretion and adherence to due process in investigations. It clarified the boundaries of police intervention in civil disputes and emphasized the need for transparency and respect for fundamental rights.

Case Title: WP(C) No.12971 of 2017

Petitions/Appeals: NA

Court: High Court of Kerala

Judges: Honorable Justice Raja Vijayaraghavan V.

Sections/Articles and Laws Used: Major Port Trust Act, 1963; Cochin Port Trust (Recruitment Seniority, Promotions) Regulations, 2010; RSP Regulations 2010.

Parties: Petitioner - Not specified; Respondents - Cochin Port Trust, Safety Officer (3rd Respondent).

Background Details: The case involves a dispute regarding the promotion of the 3rd respondent from Safety Officer to Executive Engineer (Electrical/Electronics and Communication) in the Cochin Port Trust. The petitioner challenges the promotion on the grounds of the 3rd respondent not meeting the eligibility criteria.

Brief Facts involved in case: The 3rd respondent, an Engineer with qualifications in Electrical Engineering and Industrial Safety, was upgraded to the post of Assistant Engineer (Electrical) and subsequently appointed as Safety Officer, a statutory obligation. The petitioner challenges the 3rd respondent's promotion to Executive Engineer, citing lack of experience and expertise.

Issues Involved: The key issue is whether the promotion of the 3rd respondent to Executive Engineer meets the eligibility criteria specified in the relevant regulations.

Plaintiff/Petitioner Arguments: The petitioner argues that the 3rd respondent did not meet the experience requirements for the promotion and lacked the expertise to fulfill the role of Executive Engineer.

Defendant/Respondent Arguments: The respondents contend that the 3rd respondent's promotion was in accordance with the regulations and that his qualifications and experience were sufficient for the role.

Judgment: The court dismissed the petition, ruling that the promotion of the 3rd respondent was valid and in compliance with the regulations. The court emphasized that the reduction in the petitioner's chance of promotion due to the new regulations was not grounds for judicial review.

Present Status: The judgment has been concluded.

Previous Referenced Cases: Cochin Port Trust and Others v. M Satheesan and Others; State of H.P. v. Raj Kumar; Maharashtra State Board of Secondary and Higher Secondary Education v. Paritosh Bhupesh Kurmarsheth; Kamal Kanti Dutta v. Union of India; Pankajaksy v. George Mathew; A. Satyanarayana v. S. Purushotham.

Conclusion: This case highlights the importance of adhering to regulations in promotions within government entities. It establishes that the reduction in an employee's chance of promotion due to changes in regulations does not warrant judicial review if the promotion was made in accordance with the law.

Case Title: CWP Nos. 8103/2023 & 9528/2023 - Raj Kumar Vs. Union of India

Petitions/Appeals: CWP Nos. 8103/2023 & 9528/2023

Court: High Court of Himachal Pradesh

Judges: Justice M.S Ramachandra Rao (Chief Justice) and Justice Jyotsna Rewal Dua

Sections/Articles and Laws Used: Article 341, Article 342, Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Parties:

* Petitioners: Raj Kumar and others (CWP No. 8103/2023) and Hatu Ram and others (CWP No. 9528/2023)
* Respondents: Union of India, State of Himachal Pradesh

Background Details: The case revolves around the inclusion of the Hattee community of Trans Giri area of Sirmour District, Himachal Pradesh, into the Scheduled Tribes (ST) list. The State government recommended this inclusion, which was approved by the Union Cabinet. Subsequently, the Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022, was introduced in Lok Sabha to effect this inclusion.

Brief Facts involved in case: The petitioners, representing Scheduled Caste (SC) communities, challenged this inclusion, arguing that it would result in the loss of benefits and reservations enjoyed by SC communities. They contended that the Hattee community does not fulfill the traits/characteristics of Scheduled Tribes and that their addition would affect the benefits extended to SCs under the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956.

Issues Involved:

1. Whether the inclusion of the Hattee community in the ST list is arbitrary and unconstitutional.
2. Whether the inclusion would adversely impact the rights and benefits of SC communities.
3. Whether the Hattee community fulfills the criteria for classification as Scheduled Tribes.

Plaintiff/Petitioner Arguments: The petitioners argued that the inclusion of the Hattee community as STs would result in the loss of benefits and reservations for SC communities. They contended that the Hattee community does not fulfill the criteria for classification as STs and that their inclusion is against the principle of equality.

Defendant/Respondent Arguments: The respondents, including the Union of India and the State of Himachal Pradesh, argued in favor of the inclusion, stating that it was based on the recommendations of the State government and the Union Cabinet. They contended that the inclusion was necessary to uplift the socio-economic status of the Hattee community.

Judgment: The court granted interim relief to the petitioners, staying the implementation of the Constitution (Scheduled Tribes) Orders (Second Amendment) Act, 2023, and related notifications. The court found prima facie evidence of manifest arbitrariness and glaring unconstitutionality in the impugned law. It also noted a balance of convenience in favor of the petitioners and the likelihood of irreparable injury if the interim relief was not granted.

Present Status: The case is pending further proceedings, with a scheduled hearing on March 18, 2024.

Previous Referenced Cases: Ram Singh v. Union of India (2015) 4 SCC 697

Conclusion: The case highlights the complex interplay between the rights and benefits of different communities classified as SCs and STs. It underscores the need for careful consideration and examination of the legal and constitutional implications of including or excluding communities from these lists. The judgment emphasizes the importance of ensuring that such decisions are made based on valid criteria and without causing undue harm to any community's rights or benefits.

**Case Title:** Abdul Mannan v. State of Telangana & Ors.

**Petitions/Appeals:** Writ Petition No. 18822 of 2023

**Court:** High Court for the State of Telangana at Hyderabad

**Judges:** Hon'ble Sri Justice C. V. Bhaskar Reddy

**Sections/Articles and Laws Used:** Article 226 of the Constitution of India

**Parties:**

* Petitioner: Mr. Abdul Mannan
* Respondents:
  1. State of Telangana, represented by its Principal Secretary Home department
  2. Commissioner of Police, Hyderabad City
  3. Dy Commissioner of Police, West Zone
  4. Asst Commissioner of Police, West Zone, Panjagutta
  5. Station House Officer, S.R. Nagar Police Station
  6. Mr. Ramanjaneyulu, S/o [not known], S.I. of Police, S.R. Nagar Police Station

**Background Details:**  
The petitioner, Mr. Abdul Mannan, approached the High Court seeking a writ, order, or direction, particularly in the form of a Writ of Mandamus, declaring the action of Respondent no. 6 (Mr. Ramanjaneyulu) in putting him inside lockup without any complaint against him, illegal, arbitrary, and against the law. He was put in lockup when he accompanied his wife, who was called to the police station by Respondent No. 6.

**Brief Facts involved in case:**  
The petitioner's wife and her mother went to her father's house to settle family disputes, which led to an altercation. When they tried to file a complaint at the police station, they were told to come back the next day. Upon returning, the petitioner and his wife were involved in a disturbance, and the police, instead of registering a case against the culprits, put the petitioner in lockup.

**Issues Involved:**

1. Whether the action of putting the petitioner in lockup without any complaint against him violates his fundamental rights under Articles 14, 19, and 300A of the Constitution of India.
2. Whether the police are liable to pay damages for tarnishing the petitioner's image in society.

**Plaintiff/Petitioner Arguments:**  
The petitioner argued that the police action violated his fundamental rights and that the police should be held accountable for their actions.

**Defendant/Respondent Arguments:**  
The respondents, particularly Respondent No. 4, argued that the petitioner and his wife created a disturbance at the police station, and the police kept the petitioner in lockup for a short period to maintain order.

**Judgment:**  
The Court, without expressing any opinion on the merits of the case, directed Respondent No. 2 to consider the petitioner's representation and take appropriate action in accordance with the law.

**Present Status:**  
The case has been disposed of, and any miscellaneous petitions pending in these writ petitions shall stand closed. No costs were awarded.

**Conclusion:**  
The case highlights the importance of police conduct and the protection of fundamental rights. It underscores the role of the judiciary in ensuring that law enforcement agencies act within the bounds of the law and respect the rights of individuals, even in volatile situations.

Case Title: Alaparthi Ankareddy Babu and Others v. The State of Andhra Pradesh and Others

Petitions/Appeals: Writ Petition No. 30761 of 2015

Court: High Court of Andhra Pradesh, Amaravati

Judges: The Honourable Dr. Justice K. Manmadha Rao

Sections/Articles and Laws Used: Article 226 of the Constitution of India

Parties:

* Petitioners: Alaparthi Ankareddy Babu and Others
* Respondents: The State of Andhra Pradesh and Others

Background Details: The petitioners filed a Writ Petition under Article 226 of the Constitution of India seeking a writ or order to declare the proceedings in DVC No. 185 of 2014 on the file of the I Additional Chief Metropolitan Magistrate Court at Vijayawada as illegal, improper, unjust, without jurisdiction, and in violation of fundamental rights guaranteed under the Constitution of India.

Brief Facts: DVC No. 185 of 2014 was filed before the I Additional Chief Metropolitan Magistrate, Vijayawada. However, the case was dismissed vide order dated 11.10.2017. The petitioners sought to challenge these proceedings through the Writ Petition.

Issues Involved: The key legal question in this case was whether the proceedings in DVC No. 185 of 2014 were illegal, improper, unjust, without jurisdiction, and in violation of fundamental rights guaranteed under the Constitution of India.

Plaintiff/Petitioner Arguments: The petitioners argued that the proceedings in DVC No. 185 of 2014 were illegal, improper, unjust, without jurisdiction, and in violation of their fundamental rights. They sought a writ or order to set aside these proceedings.

Defendant/Respondent Arguments: There is no specific mention of the arguments made by the respondents in the summary provided.

Judgment: The Court noted that the DVC No. 185 of 2014 had already been dismissed by the I Additional Chief Metropolitan Magistrate, Vijayawada. As a result, the Court found that nothing further could be adjudicated in the present Writ Petition. The Court closed the Writ Petition, stating that there shall be no order as to costs. Any pending miscellaneous applications were also closed.

Present Status: The judgment appears to be concluded as the Court has closed the Writ Petition and any pending applications.

Previous Referenced Cases: There is no mention of any previous cases or legal precedents referenced in the judgment summary.

Conclusion: The case of Alaparthi Ankareddy Babu and Others v. The State of Andhra Pradesh and Others was a Writ Petition filed under Article 226 of the Constitution of India. The petitioners sought to challenge the proceedings in DVC No. 185 of 2014 on the file of the I Additional Chief Metropolitan Magistrate Court at Vijayawada. However, since the said proceedings had already been dismissed, the Court found no further adjudication was necessary and closed the Writ Petition. This case highlights the importance of timely legal action and the need to exhaust legal remedies in a timely manner.

ase Title: Alaparthi Ankareddy Babu and Others v. The State of Andhra Pradesh and Others

Petitions/Appeals: Writ Petition No. 30761 of 2015

Court: High Court of Andhra Pradesh, Amaravati, Special Original Jurisdiction

Judges: The Honourable Dr. Justice K. Manmadha Rao

Sections/Articles and Laws Used: Article 226 of the Constitution of India

Parties: The petitioners are Alaparthi Ankareddy Babu and others. The respondents are the State of Andhra Pradesh, represented by the Principal Secretary, Department of School Education, and others including the Commissioner of School Education, Director of School Education, District Educational Officer, Deputy Educational Officer, and the Collector and District Magistrate of Kurnool District.

Background Details: The petitioners, primarily Tene Sai Baba, a Secondary Grade Teacher residing in Kurnool, Andhra Pradesh, filed a petition under Article 226 of the Constitution of India. The petition challenges the rejection orders issued by the educational authorities concerning the transfer of the petitioner.

Brief Facts involved in the case: The petitioner, Tene Sai Baba, applied for a transfer from his current posting in Kurnool to another location within the same district. However, the educational authorities rejected his transfer application without proper consideration, alleging that the rejection was a violation of the petitioner's fundamental rights under the Constitution of India, including Articles 14, 16, 19, and 21.

Issues Involved: The key legal issue in this case is whether the rejection of the petitioner's transfer application without proper consideration violates his fundamental rights under the Constitution of India.

Plaintiff/Petitioner Arguments: The petitioner argued that the rejection of his transfer application without proper consideration violated his fundamental rights under the Constitution of India, including Articles 14, 16, 19, and 21. The petitioner sought a writ of mandamus to set aside the rejection orders and direct the authorities to consider his transfer application.

Defendant/Respondent Arguments: The respondents, represented by the Government Pleader for School Education, argued that the rejection of the transfer application was justified based on the rules and regulations governing transfers in the education department. They contended that there was no violation of the petitioner's fundamental rights.

Judgment: The court, after hearing arguments from both sides, noted that the disciplinary proceedings against the petitioner had concluded with a punishment of withholding one increment. The court observed that since the disciplinary proceedings had ended with a major penalty, the petitioner could only be subjected to the punishment and not any additional disadvantage or disqualification. Therefore, the court disposed of the writ petition with a direction to the authorities to consider the petitioner's transfer application without imposing any further disadvantage on him.

Present Status: The judgment appears to be concluded, with the court providing a specific direction to the authorities regarding the petitioner's transfer application.

Previous Referenced Cases: No previous cases or legal precedents were referenced in the judgment.

Conclusion: The case highlights the importance of procedural fairness in administrative decisions, particularly in matters affecting fundamental rights. The court's decision underscores the principle that while disciplinary actions can result in penalties, individuals should not be subject to additional disadvantages or disqualifications beyond the prescribed punishment.