Case Title: Dattatraya vs The State of Maharashtra

Petitions/Appeals: Criminal Appeal No. 666/2012

Court: Supreme Court of India

Judges: Sudhanshu Dhulia, Prasanna Bhalachandra Varale

Sections/Articles and Laws Used: Indian Penal Code (IPC) - Sections 302, 316, 304 Part II

Parties: Appellant - Dattatraya; Respondent - The State of Maharashtra

Background Details: The case arises from an incident where Dattatraya, the appellant, was convicted under Sections 302 and 316 of the IPC for causing the death of his wife by pouring kerosene on her, resulting in burn injuries. The appellant's wife was pregnant at the time, and she later gave birth to a stillborn child and succumbed to her injuries.

Brief Facts involved in the case: Dattatraya, in an inebriated state, had a quarrel with his wife while she was cooking, poured kerosene on her, causing burn injuries. The prosecution presented evidence including a dying declaration from the deceased and witness testimonies to establish the events leading to her death.

Issues Involved: The key legal questions revolved around whether Dattatraya's actions constituted murder under Section 302 of the IPC or culpable homicide not amounting to murder under Section 304 Part II, considering the circumstances of sudden quarrel and lack of premeditation.

Plaintiff/Petitioner Arguments: The prosecution argued that Dattatraya's intentional act of pouring kerosene on his wife, resulting in her death, constituted murder under Section 302 of the IPC.

Defendant/Respondent Arguments: Dattatraya denied the allegations, claiming he did not intend to kill his wife and that the incident arose from a sudden quarrel.

Judgment: The Supreme Court partially allowed the appeal, converting the conviction under Section 302 to Section 304 Part II of the IPC. The court considered the lack of premeditation and the suddenness of the quarrel, leading to a reduction in the severity of the offense. Dattatraya was sentenced to 10 years of rigorous imprisonment, considering his already served incarceration.

Present Status: The judgment has been concluded, and Dattatraya has been ordered to be released from jail.

Previous Referenced Cases: The judgment referenced a similar case, Kalu Ram v. State of Rajasthan (2000) 10 SCC 324, where the conviction was altered from murder to culpable homicide not amounting to murder due to similar circumstances.

Conclusion: The case underscores the legal distinction between murder and culpable homicide in cases of sudden quarrels, highlighting the importance of considering the specific circumstances and intent of the accused.

Case Title: Sushil Kumar Pandey & Ors. v. The High Court of Jharkhand & Anr.

Petitions/Appeals: Writ Petition (Civil) No. 753/2023 and W.P.(C) No. 921/2023 (X)

Court: Supreme Court of India

Judges: Hon'ble Mr. Justice Aniruddha Bose and Hon'ble Mr. Justice Sanjay Kumar

Sections/Articles and Laws Used: The judgment cites various legal precedents and principles including Article 14 of the Indian Constitution, along with rulings from previous cases such as State of Haryana v. Subash Chander Marwaha and K. Manjusree v. State of Andhra Pradesh and Anr.

Parties: The petitioners are Sushil Kumar Pandey & Ors., and the respondents are The High Court of Jharkhand & Anr.

Background Details: The case pertains to the selection process for the appointment of District Judges in Jharkhand. The petitioners contested the decision of the High Court of Jharkhand to introduce a minimum cut-off mark for the viva voce examination after it was conducted.

Brief Facts involved in case: The petitioners argued that the belated introduction of the minimum cut-off mark for the viva voce examination was unfair and arbitrary. They contended that it contravened established practices and legal principles, including the doctrine against mid-way changes in recruitment criteria.

Issues Involved: The central legal issues in this case revolve around whether the High Court's decision to introduce a minimum cut-off mark for the viva voce examination after its commencement violates the principle against mid-way changes in recruitment criteria and whether such action is consistent with Article 14 of the Indian Constitution.

Plaintiff/Petitioner Arguments: The petitioners contended that the High Court's decision to introduce a minimum cut-off mark for the viva voce examination post-facto was unjust, arbitrary, and contrary to established legal principles and practices governing recruitment processes.

Defendant/Respondent Arguments: The respondents defended their decision, asserting that it aimed to ensure the selection of the most qualified candidates and maintain standards in teacher recruitment, in line with legal precedents.

Judgment: The Supreme Court ruled in favor of the petitioners, nullifying the High Court's decision to introduce a minimum cut-off mark for the viva voce examination after its completion. The Court deemed such action impermissible, finding it to be in violation of established legal principles and the petitioners' rights under Article 14 of the Indian Constitution.

Present Status: The judgment is concluded, and the High Court was instructed to make recommendations for candidates based on the merit or select list without enforcing the quashed resolution requiring a 50 percent aggregate mark.

Previous Referenced Cases: The judgment refers to several previous cases, including State of Haryana v. Subash Chander Marwaha and K. Manjusree v. State of Andhra Pradesh and Anr., to support its rationale.

Conclusion: This case sets a significant precedent affirming the principle against mid-way changes in recruitment criteria and upholding candidates' rights to fair and transparent selection processes.

Case Title: Vinod Kanjibhai Bhagora Vs. State of Gujarat & Anr

Petitions/Appeals: Civil Appeal arising out of Special Leave Petition (Civil) No. 16030 of 2018

Court: Supreme Court of India

Judges: Justice Vikram Nath and Justice Satish Chandra Sharma

Sections/Articles and Laws Used: Article 226 of the Constitution of India, Gujarat Civil Services (Pension) Rules, 2022

Parties: Vinod Kanjibhai Bhagora (Appellant) versus State of Gujarat & Anr. (Respondents)

Background Details: The appellant, Vinod Kanjibhai Bhagora, served as a Postal Assistant in the Gandhinagar Postal Division under the Central Government from 1983 to 1993. Subsequently, he obtained a No-Objection Certificate (NOC) and joined as a Senior Assistant in the State Government of Gujarat, where he served for 23 years until his superannuation. However, the State Government only granted him terminal benefits for the period of his service with them, excluding his prior service with the Central Government.

Brief Facts involved in the case: The appellant sought inclusion of his service with the Central Government in the calculation of terminal benefits/pensionary benefits, citing Rule 25(ix) of the Gujarat Civil Services (Pension) Rules, 2022. The State Government rejected his representation, leading to a writ petition before the High Court, which dismissed it. The appellant then appealed to the Supreme Court, challenging the interpretation of Rule 25(ix).

Issues Involved: The main issue was whether the appellant's prior service with the Central Government could be considered as 'qualifying service' under Rule 25(ix) of the Pension Rules, entitling him to include it in the calculation of terminal benefits/pensionary benefits.

Plaintiff/Petitioner Arguments: The appellant argued that his prior service with the Central Government, followed by his appointment in the State Government, constituted 'absorption' under Rule 25(ix), entitling him to include the entire period of service in the calculation of benefits.

Defendant/Respondent Arguments: The State Government argued that the appellant was not entitled to the benefits under Rule 25(ix) because his appointment in the State Government was through fresh recruitment and not absorption from the Central Government.

Judgment: The Supreme Court held that the appellant's prior service with the Central Government should be considered as 'qualifying service' under Rule 25(ix). The Court directed the State Government to recalculate the appellant's terminal benefits/pensionary benefits, including his service with the Central Government, and transmit any arrears within six weeks.

Present Status: The judgment has been concluded, and the State Government has been directed to comply with the Court's orders.

Previous Referenced Cases: Senior Divisional Manager, LIC v. Shree Lal Meena, (2019) 4 SCC 479

Conclusion: The case clarifies the interpretation of Rule 25(ix) of the Pension Rules and underscores the obligation of the State Government to consider prior service of employees for the calculation of pensionary benefits. It sets a precedent for similar cases where employees transition between Central and State Government employment.

Case Title: The Authorised Officer, Central Bank of India Vs. Shanmugavelu

Petitions/Appeals: SA No. 143 of 2018

Court: Supreme Court of India

Judges:

1. Chief Justice Dr. Dhananjaya Y. Chandrachud
2. Justice J.B. Pardiwala
3. Justice Manoj Misra

Sections/Articles and Laws Used:

1. SARFAESI Act
2. SARFAESI Rules

Parties:

1. Plaintiff/Petitioner: The Authorised Officer, Central Bank of India
2. Defendant/Respondent: Shanmugavelu

Background Details: The case revolves around an auction conducted under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act. The respondent, Shanmugavelu, participated in the auction of a property but failed to deposit the full sale amount within the specified time frame.

Brief Facts involved in case: Shanmugavelu participated in an e-auction conducted by the Central Bank of India for a property. Despite initially depositing 25% of the sale amount, he failed to deposit the remaining 75% due to reasons including the COVID-19 pandemic and issues with securing a term loan. The bank subsequently forfeited his earnest money deposit.

Issues Involved: The key legal issues include the authority of the bank to forfeit the earnest money deposit and the circumstances under which such forfeiture can be challenged or overturned.

Plaintiff/Petitioner Arguments: The bank argued that Shanmugavelu failed to fulfill his obligations within the specified time frame despite being granted an extension. They contended that the forfeiture of the earnest money deposit was justified under the SARFAESI Rules.

Defendant/Respondent Arguments: Shanmugavelu argued that he faced genuine difficulties, including the impact of demonetization and delays in receiving necessary documents from the bank. He sought relief from the forfeiture of his earnest money deposit.

Judgment: The Supreme Court ruled in favor of the Central Bank of India, setting aside the lower court's decision. The court held that Shanmugavelu failed to demonstrate exceptional circumstances justifying judicial interference. It emphasized the need for adherence to the SARFAESI Act's provisions and the importance of efficient debt recovery mechanisms.

Present Status: The judgment is concluded.

Previous Referenced Cases: Alisha Khan v. Indian Bank (Allahabad Bank)

Conclusion: The case sets a precedent regarding the forfeiture of earnest money deposits in auctions conducted under the SARFAESI Act. It underscores the importance of timely compliance with auction terms and the limited scope for judicial intervention in such matters, emphasizing the overarching objective of efficient debt recovery.

Case Title: Haalesh @ Haleshi @ Kurubara Haleshi Vs. State of Karnataka

Petitions/Appeals: Criminal Appeal No. 1954 of 2012, Criminal Appeal No. 1955 of 2012, and Criminal Appeal No. 1303 of 2014.

Court: Supreme Court of India, Criminal Appellate Jurisdiction.

Judges: Pankaj Mithal, Abhay S. Oka.

Sections/Articles and Laws Used: Section 302 and Section 149 of the Indian Penal Code (IPC).

Parties: Appellant - Haalesh @ Haleshi @ Kurubara Haleshi, Respondent - State of Karnataka.

Background Details: The case originated from a bitter property dispute between the deceased, Shivanna, and his brother, Ramanna. The dispute escalated into violence, resulting in Shivanna's death and injuries to his wife and daughter. Accusations were made against several individuals, leading to a trial in the Sessions Court.

Brief Facts involved in the case: On September 25, 1999, a group of individuals assembled with deadly weapons outside Shivanna's house, intending to harm him and his family members. The assailants attacked Shivanna, his wife, and daughter, causing fatal injuries to Shivanna and grievous harm to the others.

Issues Involved: The key legal questions revolved around the applicability of Section 302 (murder) and Section 149 (unlawful assembly) of the IPC to the accused individuals.

Plaintiff/Petitioner Arguments: The prosecution argued that all accused individuals shared a common intention to harm Shivanna and his family members, making them culpable under Section 149 IPC.

Defendant/Respondent Arguments: The defendants contended that only specific individuals had directly assaulted Shivanna, absolving the others of murder charges under Section 302 IPC. They also challenged the sufficiency of medical evidence.

Judgment: The Supreme Court upheld the lower courts' judgments, ruling that all accused individuals, including those who did not directly assault Shivanna, were guilty under Section 149 IPC. The court emphasized the eyewitness testimony and rejected challenges to the medical evidence.

Present Status: The appeals were dismissed, and the appellants were directed to surrender to serve their remaining sentence.

Conclusion: The case highlights the principle of collective responsibility in cases of unlawful assembly leading to violence. It reinforces the importance of eyewitness testimony in establishing guilt and upholding convictions in criminal cases.

Case Title: Mamidi Anil Kumar Reddy v. The State of Andhra Pradesh & Anr.

Petitions/Appeals: Criminal Appeal No. 758 of 2024 Court: Supreme Court of India Judges: Vikram Nath and Satish Chandra Sharma, JJ.

Sections/Articles and Laws Used: Code of Criminal Procedure, 1973; Indian Penal Code, 1860; Dowry Prohibition Act, 1961.

Parties: Mamidi Anil Kumar Reddy (appellant), The State of Andhra Pradesh (respondent), and Respondent No. 2 (de facto complainant).

Background Details: The case involves criminal proceedings initiated against the appellant, his in-laws, and his wife (respondent no. 2) under various sections of the IPC and the Dowry Prohibition Act. Initially, the trial court acquitted the appellants based on a compromise reached during Lok Adalat proceedings. However, the respondent no. 2 later withdrew her consent from the compromise, leading to the reopening of criminal proceedings against the appellants.

Brief Facts involved in the case: After criminal proceedings were reopened against the appellants, they approached the High Court seeking to quash the docket order based on the grounds that the allegations were general and omnibus in nature, lacking specific particulars or roles assigned to them. The appellants argued that the proceedings were re-initiated on vexatious grounds, especially considering the commencement of divorce proceedings by respondent no. 2.

Issues Involved: The key legal question revolved around whether the High Court was justified in refusing to quash the docket order re-initiating criminal proceedings against the appellants for various offences under the IPC and the Dowry Prohibition Act.

Plaintiff/Petitioner Arguments: The appellants argued that the allegations against them were vague and made with the intention to harass them, amounting to an abuse of the legal process. They contended that the material on record was insufficient to proceed against them. Defendant/Respondent Arguments: The State of Andhra Pradesh and respondent no. 2 argued in favor of continuing the criminal proceedings, maintaining that the allegations were valid and specific enough to warrant further legal action.

Judgment: The Supreme Court, upon careful consideration of the submissions, found merit in the appellants' arguments. It observed that the allegations against the appellants were general and lacked specific particulars, making them insufficient to proceed with criminal proceedings. Consequently, the court quashed the docket order and criminal proceedings against the appellants. Present Status: The judgment has been concluded.

Previous Referenced Cases: Kahkashan Kausar alias Sonam v. State of Bihar; Mahmood Ali v. State of U.P.

Conclusion: The case sets a precedent emphasizing the importance of specific and valid allegations in criminal proceedings, particularly in cases involving matrimonial disputes. It underscores the need for courts to exercise careful consideration and circumspection in assessing the merits of allegations to prevent unjust prosecution and abuse of legal processes.

Case Title: Abdul Jabbar v. The State of Haryana & Ors.

Petitions/Appeals: Criminal Appeal No. 748 of 2024.

Court: Supreme Court of India.

Judges: Vikram Nath and Satish Chandra Sharma, JJ.

Sections/Articles and Laws Used: Indian Penal Code (IPC) - Section 323/34, Section 325/34.

Parties: Appellant - Abdul Jabbar; Respondents - The State of Haryana & Ors.

Background Details: The appellant, Abdul Jabbar, was convicted for offences under Section 323/34 IPC (Indian Penal Code) and Section 325/34 IPC. The trial court sentenced him to three months' imprisonment for the former and one year's imprisonment with a fine of Rs 500 for the latter. The conviction and sentencing were challenged before the High Court, which partly allowed the appeal, modifying the sentence for the offence under Section 325/34 IPC to three months' imprisonment with a fine of Rs 5000.

Brief Facts involved in the case: Abdul Jabbar, along with three others, was prosecuted for offences under Section 452, Section 323, and Section 325 of the IPC. The trial court convicted him for the said offences and imposed sentences accordingly. The matter was appealed, and the High Court modified the sentence for the offence under Section 325/34 IPC due to substantial delay in the trial, reducing the imprisonment period but increasing the fine.

Issues Involved: The key legal question revolved around the imposition and modification of sentences for the offences under Section 323/34 and Section 325/34 IPC.

Plaintiff/Petitioner Arguments: The appellant's counsel argued that considering the time already spent in custody and the prolonged trial duration, the sentence should be reduced to the period already undergone.

Defendant/Respondent Arguments: The State's counsel likely argued for upholding the sentence imposed by the trial court or maintaining the modification made by the High Court.

Judgment: The Supreme Court allowed the appeal in part and modified the sentence imposed on Abdul Jabbar. Considering the time already spent in custody and the prolonged trial duration, the court reduced the sentence to the period already undergone, which was one month and three days.

Present Status: The judgment has been concluded, and the matter has been disposed of by the Supreme Court.

Previous Referenced Cases: Omdeo Baliram Musale & Ors. v. Prakash Ramchandra Mamidwar & Ors.

Conclusion: The case of Abdul Jabbar v. The State of Haryana & Ors. highlights the importance of fair and reasonable sentencing, taking into account factors such as time spent in custody and trial duration. The Supreme Court's decision to modify the sentence based on these considerations sets a precedent for future cases involving similar circumstances.

Case Title: Rajasekar v. The State Rep. by The Inspector of Police

Petitions/Appeals: Criminal Appeal No. 756 of 2024

Court: Supreme Court of India

Judges: Vikram Nath and Satish Chandra Sharma, JJ.

Sections/Articles and Laws Used: Protection of Children from Sexual Offences Act, 2012 - ss. 3(a) r/w s. 4

Parties: Appellant: Rajasekar; Respondent: The State represented by The Inspector of Police

Background Details: The appellant, Rajasekar, was convicted for offences under sections 3(a) read with section 4 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act). He was sentenced to ten years of rigorous imprisonment along with a fine.

Brief Facts involved in case: Rajasekar was convicted for offences related to sexual offences against a child under the POCSO Act. He was sentenced to ten years of rigorous imprisonment and fined Rs. 5,000, with a default clause for further imprisonment in case of non-payment. The High Court confirmed this sentence without modification.

Issues Involved: The key issue was the justification of the sentence imposed on the appellant, considering the circumstances of the case and the period already served by him.

Plaintiff/Petitioner Arguments: The appellant's counsel argued that the appellant had already served more than seven years of his sentence, which was the minimum prescribed under the POCSO Act at the time of conviction. They also highlighted that the appellant was financially supporting the victim and her child, urging for leniency in the sentence.

Defendant/Respondent Arguments: The State, represented by the Inspector of Police, did not contest the reduction of the sentence and left the matter to the discretion of the court.

Judgment: The Supreme Court, after considering the totality of circumstances, decided to reduce the period of imprisonment awarded to the appellant to the duration already served. However, the conviction under sections 3(a) read with section 4 of the POCSO Act was upheld.

Present Status: The judgment has been concluded.

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

Conclusion: The case signifies the court's consideration of the appellant's circumstances and the principle of justice in modifying the sentence to align with the period already undergone. This decision highlights the court's discretion in sentencing and ensuring fairness in criminal proceedings, especially in cases involving vulnerable victims like children.

**Case Title:** Union of India and Ors. vs. B.T. Patil and Sons Belgaum (Construction) Pvt. Ltd.

**Petitions/Appeals:** Appeal against the judgment and order of the Division Bench of the High Court dated 22.08.2008.

**Court:** Supreme Court of India

**Judges:** Justice M. R. Shah and Justice B. V. Nagarathna

**Sections/Articles and Laws Used:**

1. Customs Act, 1962 - Sections 27, 27A, 74, 75, 75A
2. Central Excise Act, 1944 - Sections 11B, 11BB
3. Finance Act, 1994 - Sections 93A, 94
4. Foreign Trade (Development and Regulation) Act, 1992
5. Customs, Central Excise Duties and Service Tax Drawback Rules, 1995
6. Exim Policy, 1992-1997

**Parties:**

* **Plaintiff/Petitioner:** Union of India and Others
* **Defendant/Respondent:** B.T. Patil and Sons Belgaum (Construction) Pvt. Ltd.

**Background Details:**

The case involves a dispute over the delayed refund of duty drawback to B.T. Patil and Sons Belgaum (Construction) Pvt. Ltd. under the Duty Drawback Scheme as per the Customs Act and Exim Policy of 1992-1997. The respondent had supplied goods to a project financed by the International Bank for Reconstruction and Development, which was deemed an export transaction eligible for duty drawback benefits.

**Brief Facts Involved in Case:**

B.T. Patil and Sons submitted applications for the refund of duty drawback in 1996. The government delayed processing these applications, finally granting the refund in 2002. Payments were made in 2003, significantly beyond the prescribed period, leading to a claim for interest on the delayed refund. The respondent sought interest based on the provisions of the Customs Act and the Exim Policy, which stipulated timely payment of duty drawbacks and interest on delays.

**Issues Involved:**

1. Whether the supply of goods to the project financed by the International Bank for Reconstruction and Development qualifies as 'deemed export' under the Exim Policy, 1992-1997.
2. Whether B.T. Patil and Sons are entitled to interest on the delayed refund of duty drawback.
3. The appropriate rate of interest applicable on the delayed refund.

**Plaintiff/Petitioner Arguments:**

The Union of India argued that the refund of duty drawback to B.T. Patil and Sons was granted as a concession and should not be treated as a precedent. They contended that there was no provision for the payment of interest on the delayed refund of duty drawback. They also challenged the rate of interest awarded by the High Court, claiming it was on the higher side and without basis.

**Defendant/Respondent Arguments:**

B.T. Patil and Sons argued that the supply to the project was a 'deemed export' as per the Exim Policy, thus entitling them to duty drawback benefits. They maintained that the delay in refund was substantial and, according to Section 75A of the Customs Act, they were entitled to interest on the delayed refund. They cited the Central Board of Excise and Customs notification which fixed the rate of interest at fifteen percent, arguing it should be applicable to their case.

**Judgment:**

The Supreme Court held that the supply of goods to the project in question was a case of 'deemed export' and thus entitled to benefits under the Duty Drawback Scheme. The Court found that there was a clear provision for the payment of interest on delayed refunds under Section 75A of the Customs Act. The rate of fifteen percent interest awarded by the High Court was deemed appropriate based on the notification by the Central Board of Excise and Customs. Consequently, the appeal was dismissed, and the respondent's entitlement to the duty drawback and interest was upheld.

**Present Status:**

The judgment has concluded with the Supreme Court dismissing the appeal. There are no pending appeals, and the respondent's claim for the refund along with the interest stands validated.

**Previous Referenced Cases:**

No specific previous cases or legal precedents were detailed in the provided document segments.

**Conclusion:**

This case underscores the legal recognition of 'deemed exports' and the applicability of the Duty Drawback Scheme under the Exim Policy, 1992-1997. It highlights the importance of timely processing of duty drawback claims by the government and affirms the entitlement of interest on delayed refunds, thereby setting a precedent for similar cases. The decision reinforces the legal framework governing exports and the benefits associated with it, ensuring compliance with statutory timelines and financial accountability.

Case Title: Bhaggi @ Bhagirath @ Naran Vs. State of Madhya Pradesh

Petitions/Appeals: Special Leave Petition (Crl). 2888 of 2023

Court: Supreme Court of India

Judges: C.T. Ravikumar and Rajesh Bindal, JJ.

Sections/Articles and Laws Used: Indian Penal Code (IPC), Code of Criminal Procedure (Cr.PC), Protection of Children from Sexual Offences Act (POCSO Act)

Parties: Bhaggi @ Bhagirath @ Naran (petitioner/convict) vs. State of Madhya Pradesh (respondent)

Background Details: The case involved the commutation of capital punishment awarded to the petitioner-convict under Section 376 AB of the Indian Penal Code (IPC), which was commuted to imprisonment for life by the High Court of Madhya Pradesh.

Brief Facts involved in case: The petitioner was convicted under Section 376 AB of the IPC for raping a 7-year-old girl in a temple. The trial court convicted him, but the High Court commuted the capital punishment to life imprisonment, considering various aggravating and mitigating circumstances.

Issues Involved: The main issue was whether the commutation of capital punishment to life imprisonment required further interference by the Supreme Court.

Plaintiff/Petitioner Arguments: The petitioner argued against the commutation of capital punishment to life imprisonment, emphasizing various factors including the lack of separate sentences for other related offences and the possibility of reformation.

Defendant/Respondent Arguments: The State of Madhya Pradesh defended the commutation, citing the severity of the crime and the need for justice for the victim.

Judgment: The Supreme Court partially allowed the Special Leave Petition, modifying the sentence to 30 years of rigorous imprisonment, including the period already undergone, for the offence under Section 376 AB, IPC. The Court also imposed a fine of Rupees One Lakh for medical expenses and rehabilitation of the victim.

Present Status: The judgment is concluded.

Previous Referenced Cases: Union of India v. V. Sriharan alias Murugan and Ors., Mulla v. State of U.P, Shiva Kumar @ Shiva @ Shivamurthy v. State of Karnataka, Bantu alias Naresh Giri v. State of M.P., Amrit Singh v. State of Punjab, Rameshbhai Chandubhai Rathod (2) v. State of Gujarat, Swamy Shraddananda (2) alias Murali Manohar Mishra v. State of Karnataka.

Conclusion: The case sets a precedent regarding the commutation of capital punishment to life imprisonment, considering the severity of the crime, the possibility of reformation, and the rights of the victim. It highlights the court's role in balancing justice and rehabilitation in cases of heinous crimes.

Case Title: Shazia Aman Khan and Anr. Vs. State of Orissa and Ors.

Petitions/Appeals: Appeal against the decision of the High Court.

Court: Supreme Court of India.

Judges: Not specified in the provided document.

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

Parties: Shazia Aman Khan and Anr. (appellants) vs. State of Orissa and Ors. (respondents).

Background Details: The case pertains to the custody of a minor child, Master Satyajeet. The child had been living and studying in Allahabad and had a small group of friends there. The appellant's move to Panipat would introduce him to a new environment compared to Allahabad.

Brief Facts involved in the case: The appellant, Shazia Aman Khan, sought custody of Master Satyajeet, emphasizing the child's welfare. The court considered the child's upbringing, including his education, social circle, and comfort.

Issues Involved: The primary legal question was the welfare of the child and the determination of his custodial arrangements.

Plaintiff/Petitioner Arguments: The appellants argued that custody should be granted based on the child's welfare, emphasizing his established life with them and his expressed preference.

Defendant/Respondent Arguments: The respondent likely argued against granting custody, potentially citing other factors or considerations.

Judgment: After assessing the child's welfare and considering his preference, the court ruled in favor of the appellants, granting them custody of Master Satyajeet. The court emphasized the importance of stability for the child and noted his expressed desire to remain with the appellants.

Present Status: The judgment is concluded, with the High Court's decision overturned in favor of the appellants.

Previous Referenced Cases: The judgment likely referenced previous cases establishing the principles of child custody based on welfare.

Conclusion: The case underscores the paramount consideration of a child's welfare in custody disputes. It highlights the court's discretion in determining custody arrangements, prioritizing the child's best interests and stability. Additionally, the case reaffirms the importance of considering the child's preference, if capable of expressing it, alongside other relevant factors.

Case Title: Velthepu Srinivas and Ors. vs. State of Andhra Pradesh (Now State of Telangana) and Anr.

Petitions/Appeals: Criminal Appeal No. 2852 of 2023

Court: Supreme Court of India

Judges: B.R. Gavai and Pamidighantam Sri Narasimha

Sections/Articles and Laws Used: Indian Penal Code, 1860 - Sections 302/34, Section 304 Part II

Parties: Appellants - Velthepu Srinivas and Others; Respondents - State of Andhra Pradesh (Now State of Telangana) and Anr.

Background Details: The case revolves around the murder of the deceased, which occurred due to political animosity between two groups stemming from a Gram Panchayat election. The accused, belonging to the same family, were alleged to have murdered the deceased, leading to their trial and subsequent appeals.

Brief Facts involved in case: On 15th November 2001, the deceased was attacked by the accused while traveling in an auto-rickshaw. The prosecution's case relied on eyewitness testimonies alleging that the accused stopped the auto-rickshaw, dragged the deceased out, and assaulted him with various weapons, resulting in his death.

Issues Involved: The primary issue was whether the accused were guilty of murder under Sections 302/34 of the Indian Penal Code, considering the evidence and circumstances of the case.

Plaintiff/Petitioner Arguments: The prosecution presented eyewitness testimonies corroborating the incident, asserting the accused's guilt under Sections 302/34 IPC.

Defendant/Respondent Arguments: The defense argued against the conviction, challenging the evidence and interpretation of law regarding the accused's culpability.

Judgment: The Supreme Court upheld the convictions of three of the accused under Sections 302/34 IPC. However, it modified the conviction of one accused (A-3) to Section 304 Part II IPC, considering his lesser role in the assault and lack of shared common intention to commit murder.

Present Status: The appeal has been disposed of, with the convictions and sentences of the accused finalized.

Previous Referenced Cases: Camilo Vaz v. State of Goa, Bawa Singh v. State of Punjab, Sarup Singh v. State of Haryana, Ghana Pradhan & Ors. v. State of Orissa.

Conclusion: The case highlights the importance of carefully considering individual roles and intentions in criminal acts. It establishes precedent regarding the application of different sections of the Indian Penal Code based on the degree of involvement and intention of the accused.

Case Title: Velthepu Srinivas and Ors. Vs. State of Andhra Pradesh (Now State of Telangana) and Anr.

Petitions/Appeals: Criminal Appeal No.2852 of 2023

Court: Supreme Court of India

Judges: B.R. Gavai and Pamidighantam Sri Narasimha

Sections/Articles and Laws Used: Indian Penal Code, 1860 - Sections 302/34, Section 304 Part II

Parties: Velthepu Srinivas and Others (Appellants) vs. State of Andhra Pradesh (Now State of Telangana) and Anr. (Respondents)

Background Details: The case involves a dispute arising from political animosity between two groups in the village of Janda Venkatpur, Asifabad, Telangana. The deceased's sister and the wife of one of the accused contested Gram Panchayat elections, leading to tension between the groups.

Brief Facts involved in the case: On 15th November 2001, the deceased was traveling in an auto-rickshaw when he was stopped and dragged out by the accused. They then proceeded to assault him with various weapons, resulting in his death on the spot. Eyewitnesses and forensic evidence were presented during the trial.

Issues Involved: The main legal question was whether all the accused shared a common intention to commit murder or if their individual roles varied.

Plaintiff/Petitioner Arguments: The prosecution argued that all accused acted with a common intention to murder the deceased, based on eyewitness testimonies and forensic evidence.

Defendant/Respondent Arguments: The defense contended that while some accused participated in the assault, they did not share a common intention to commit murder. They argued for a lesser charge under Section 304 Part II of the IPC for those accused.

Judgment: The Supreme Court upheld the convictions of three of the accused under Section 302/34 IPC but modified the conviction of the fourth accused to Section 304 Part II IPC. The court reasoned that while the fourth accused participated in the assault, there was insufficient evidence to establish a shared intention to commit murder. Hence, the charge was modified accordingly.

Present Status: The appeal has been disposed of, and the judgment has been implemented.

Previous Referenced Cases: The judgment cited previous cases such as Camilo Vaz v. State of Goa, Bawa Singh v. State of Punjab, Sarup Singh v. State of Haryana, and Ghana Pradhan & Ors. v. State of Orissa for legal precedents.

Conclusion: The case sets a precedent for assessing individual culpability in group crimes, emphasizing the need for clear evidence of shared intention to impose charges under Section 302/34 IPC. It highlights the importance of careful consideration of each defendant's role and intent in cases involving multiple accused parties.

Case Title: Jagmohan and Another v. Badri Nath and Others

Petitions/Appeals: Civil Appeal No. 1753 of 2024

Court: Supreme Court of India

Judges: C.T. Ravikumar and Rajesh Bindal, JJ.

Sections/Articles and Laws Used: Punjab Pre-emption Act, 1913 (ss. 16, 8(2), 3(1), (3)); Punjab Alienation of Land Act, 1900 (s. 2(3)); General Clauses Act, 1897 (s. 3(26)); Limitation Act, 1963

Parties: Plaintiffs - Jagmohan and Another; Defendants - Badri Nath and Others

Background Details: The case revolves around a property dispute governed by the Punjab Pre-emption Act, 1913. The plaintiffs claimed to be tenants in an urban immovable property in Jagadhri, Punjab, since 1949. The property, where a rolling mill was set up, was sold by the owners to the defendants through a sale deed. The plaintiffs exercised their right of pre-emption, claiming preferential right to purchase the property.

Brief Facts involved in the case: The plaintiffs filed a suit in 1984 seeking possession of the property through pre-emption. The Trial Court decreed the suit in favor of the plaintiffs, which was upheld by the High Court. The defendants contested the suit, arguing that pre-emption did not apply due to a notification issued in 1985 by the State Government, exempting certain land transactions from pre-emption within municipal areas.

Issues Involved: The main legal questions involved whether the exemption from pre-emption extended to urban immovable property and if the suit was barred by limitation.

Plaintiff/Petitioner Arguments: The plaintiffs argued that the notification exempting land transactions did not apply to immovable property like the rolling mill, and the suit was within the limitation period.

Defendant/Respondent Arguments: The defendants contended that the exemption notification rendered the plaintiffs' pre-emption right invalid, and the suit was time-barred.

Judgment: The Supreme Court upheld the lower courts' decisions, ruling that the exemption notification only applied to land transactions, not immovable property like the rolling mill. Additionally, the court found no merit in the defendants' argument regarding the suit's limitation.

Present Status: The appeal has been dismissed.

Previous Referenced Cases: Shyam Sunder and others v. Ram Kumar and another; Sandeep Bansal v. M. L. Hans and others

Conclusion: The case clarifies the distinction between land and immovable property under the Punjab Pre-emption Act, 1913, and reaffirms the pre-emption rights of tenants in urban immovable property. It sets a precedent regarding the application of exemption notifications and the interpretation of limitation periods in pre-emption suits.

Case Title: Jagmohan and Another v. Badri Nath and Others

Petitions/Appeals: Civil Appeal No. 1753 of 2024

Court: Supreme Court of India

Judges: C.T. Ravikumar and Rajesh Bindal, JJ.

Sections/Articles and Laws Used: Punjab Pre-emption Act, 1913 (ss. 16, 8(2), 3(1), (3)); Punjab Alienation of Land Act, 1900 (s. 2(3)); General Clauses Act, 1897 (s. 3(26)); Limitation Act, 1963

Parties: Plaintiffs - Jagmohan and Another; Defendants - Badri Nath and Others

Background Details: The case revolves around a property dispute governed by the Punjab Pre-emption Act, 1913. The plaintiffs claimed to be tenants in an urban immovable property in Jagadhri, Punjab, since 1949. The property, where a rolling mill was set up, was sold by the owners to the defendants through a sale deed. The plaintiffs exercised their right of pre-emption, claiming preferential right to purchase the property.

Brief Facts involved in the case: The plaintiffs filed a suit in 1984 seeking possession of the property through pre-emption. The Trial Court decreed the suit in favor of the plaintiffs, which was upheld by the High Court. The defendants contested the suit, arguing that pre-emption did not apply due to a notification issued in 1985 by the State Government, exempting certain land transactions from pre-emption within municipal areas.

Issues Involved: The main legal questions involved whether the exemption from pre-emption extended to urban immovable property and if the suit was barred by limitation.

Plaintiff/Petitioner Arguments: The plaintiffs argued that the notification exempting land transactions did not apply to immovable property like the rolling mill, and the suit was within the limitation period.

Defendant/Respondent Arguments: The defendants contended that the exemption notification rendered the plaintiffs' pre-emption right invalid, and the suit was time-barred.

Judgment: The Supreme Court upheld the lower courts' decisions, ruling that the exemption notification only applied to land transactions, not immovable property like the rolling mill. Additionally, the court found no merit in the defendants' argument regarding the suit's limitation.

Present Status: The appeal has been dismissed.

Previous Referenced Cases: Shyam Sunder and others v. Ram Kumar and another; Sandeep Bansal v. M. L. Hans and others

Conclusion: The case clarifies the distinction between land and immovable property under the Punjab Pre-emption Act, 1913, and reaffirms the pre-emption rights of tenants in urban immovable property. It sets a precedent regarding the application of exemption notifications and the interpretation of limitation periods in pre-emption suits.

Case Title: Saraswathi (Dead) By Lrs. vs S. A. Palanisamy & Ors.

Petitions/Appeals: Civil Appeal No. 5184 of 2011

Court: Supreme Court of India

Judges: C.T. Ravikumar and Rajesh Bindal, JJ.

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

Parties: Plaintiffs - Saraswathi (Dead) By Lrs. & Ors.; Defendants - S. A. Palanisamy & Ors.

Background Details: The appeal arises from a judgment and order dated 23.10.2008 passed by the High Court of Judicature at Madras, which set aside the judgment and decree dated 30.09.1994 passed by the II Additional Sub Court at Coimbatore in O.S. No.22/1986.

Brief Facts involved in the case: The parties settled the matter during the pendency of the appeal, embodying the spirit of the suggestion by the Court. They submitted a Settlement Agreement dated 05.10.2023, where all parties agreed to its terms before the Trial Court pursuant to the Court's order dated 29.11.2023. The appellants were required to provide a "No Objection Certificate" as per the settlement terms.

Issues Involved: The main issue revolved around whether the settlement agreement between the parties should be accepted and the consequences thereof.

Plaintiff/Petitioner Arguments: The plaintiffs, represented by Ms. V. Mohana, Senior Counsel, argued in favor of accepting the settlement agreement, stating that all parties had willingly agreed to its terms and fulfilled their financial obligations.

Defendant/Respondent Arguments: The defendants did not contest the settlement agreement and consented to the extension of the prescribed period for fulfilling certain obligations under the agreement.

Judgment: The Supreme Court accepted the settlement agreement between the parties, noting that they had willingly resolved their disputes and fulfilled their obligations. The impugned judgment and decree were set aside, and it was made clear that the parties would be bound by the terms of the settlement agreement dated 05.10.2023.

Present Status: The Civil Appeal has been disposed of, and the proceedings pending before the II Additional Sub Court at Coimbatore stand closed.

Previous Referenced Cases: No specific previous cases were referenced in the provided document.

Conclusion: The case highlights the importance of parties reaching amicable settlements and the Court's role in facilitating such resolutions. It emphasizes the binding nature of settlement agreements and their enforcement by the Court, leading to the closure of pending legal proceedings.

Case Title: Chandigarh Housing Board Vs. Tarsem Lal

Petitions/Appeals: Civil Appeal No.5184/2011

Court: Supreme Court of India

Judges: Not mentioned in the provided document.

Sections/Articles and Laws Used: Article 341, Article 342 of the Constitution of India, Punjab Reorganization Act, 1966

Parties: Chandigarh Housing Board (Appellant) vs. Tarsem Lal (Respondent)

Background Details: The case involves a dispute regarding the allotment of housing units by the Chandigarh Housing Board. The respondent, Tarsem Lal, claimed entitlement to an HIG house reserved for Scheduled Tribes category based on his caste status. However, the appellant, Chandigarh Housing Board, contested this claim, arguing that there was no specific Presidential Order recognizing Scheduled Tribes in Chandigarh.

Brief Facts involved in the case: Tarsem Lal, the respondent, sought allotment of a housing unit designated for Scheduled Tribes. The appellant, Chandigarh Housing Board, contested this, citing the absence of a Presidential Order recognizing Scheduled Tribes in Chandigarh. The matter escalated into a legal dispute, leading to a trial court ruling in favor of the respondent.

Issues Involved: The key legal question revolves around whether the respondent, Tarsem Lal, is entitled to the benefits reserved for Scheduled Tribes in Chandigarh despite the absence of a specific Presidential Order recognizing Scheduled Tribes in the Union Territory.

Plaintiff/Petitioner Arguments: The Chandigarh Housing Board argued that without a Presidential Order recognizing Scheduled Tribes in Chandigarh, the respondent cannot claim benefits reserved for Scheduled Tribes, even if he migrated from a state where he held such status.

Defendant/Respondent Arguments: Tarsem Lal argued that he should be entitled to benefits based on his status as a Scheduled Tribe in his state of origin, even though Chandigarh lacked a specific Presidential Order recognizing Scheduled Tribes.

Judgment: The Supreme Court ruled in favor of the appellant, Chandigarh Housing Board, stating that without a Presidential Order recognizing Scheduled Tribes in Chandigarh, the respondent cannot claim benefits based on his status in his state of origin. The court set aside the judgments of the lower courts and allowed the appeal.

Present Status: The judgment has been concluded, and the appeal has been allowed.

Previous Referenced Cases: Marri Chandra Shekhar Rao vs. Dean, Seth G. S.; Action Committee on Issue of Caste Certificate to Scheduled Castes and Scheduled Tribes in the State of Maharashtra vs. Union of India; Bir Singh vs. Delhi Jal Board

Conclusion: The case establishes the principle that in the absence of a specific Presidential Order recognizing Scheduled Tribes in a Union Territory, individuals cannot claim benefits reserved for Scheduled Tribes based on their status in their state of origin. It clarifies the application of Article 342 of the Constitution of India in such circumstances, setting a precedent for similar cases in the future.

Case Title: Kishore & Ors. Vs. State of Punjab

Petitions/Appeals: Criminal Appeal No. 1465 of 2011

Court: Supreme Court of India

Judges: Abhay S. Oka, Ujjal Bhuyan

Sections/Articles and Laws Used: Indian Penal Code, 1860 (Sections 148, 149, 302, 460), Code of Criminal Procedure (Section 161)

Parties: Appellants - Kishore & Ors.; Respondent - State of Punjab

Background Details: The appellants, along with others, were accused of various offenses under the Indian Penal Code, including rioting, house trespass, and murder. The trial court convicted all five accused, but the High Court acquitted two of them while confirming the conviction of the present appellants.

Brief Facts involved in the case: The incident occurred on the night of 3rd and 4th July 2003, where the appellants allegedly entered the house of the complainant, assaulted family members, and stole ornaments and cash. The deceased, parents of the complainant, succumbed to their injuries.

Issues Involved: The key legal questions revolve around the reliability of eyewitness testimony, the necessity of a test identification parade, and the sufficiency of evidence to establish guilt beyond reasonable doubt.

Plaintiff/Petitioner Arguments: The defense argued that the prosecution's case relied heavily on the testimony of eyewitnesses, which was vague and inconsistent. They questioned the absence of a test identification parade and the failure to examine crucial witnesses.

Defendant/Respondent Arguments: The prosecution contended that the eyewitness testimony was credible and sufficient to establish guilt. They argued that the absence of a test identification parade did not undermine the reliability of the witnesses' identification of the accused.

Judgment: The Supreme Court analyzed the evidence and found several inconsistencies and gaps in the prosecution's case. It concluded that the evidence was insufficient to establish guilt beyond reasonable doubt. The court set aside the lower court's judgment, acquitting the appellants of all charges.

Present Status: The judgment is concluded.

Previous Referenced Cases: Raju Manjhi v. State of Bihar

Conclusion: The case underscores the importance of strong and reliable evidence in criminal proceedings. It highlights the need for thorough investigation and proper legal procedures to ensure justice. The judgment sets a precedent for cases where eyewitness testimony is central to the prosecution's case and emphasizes the standard of proof required for conviction.

Case Title: Naresh Chandra Agrawal Vs. The Institute of Chartered Accountants of India and Ors.

Petitions/Appeals: Appeal filed by Naresh Chandra Agrawal against The Institute of Chartered Accountants of India and Others.

Court: Supreme Court of India

Judges: Justice Pamidighantam Sri Narasimha, Justice Aravind Kumar

Sections/Articles and Laws Used: Sections 21A, 29A of the Chartered Accountants Act, 1949; Relevant case law precedents.

Parties: Naresh Chandra Agrawal (Appellant), The Institute of Chartered Accountants of India and Others (Respondents)

Background Details: The case involves a challenge to Rule 9(3) of the Rules, 2007 framed under the Chartered Accountants Act, 1949. The rule pertains to disciplinary proceedings against members of the Institute of Chartered Accountants of India (ICAI) and provides options for the Board of Discipline to handle alleged misconduct.

Brief Facts involved in case: Naresh Chandra Agrawal appealed against Rule 9(3) of the Rules, 2007, arguing that it exceeded the authority conferred by Section 21A(4) of the Chartered Accountants Act, 1949. The rule allowed the Board of Discipline to take actions beyond advising the Director (Discipline) to further investigate a matter.

Issues Involved: The primary issue was whether Rule 9(3) of the Rules, 2007 exceeded the authority granted by Section 21A(4) of the Chartered Accountants Act, 1949.

Plaintiff/Petitioner Arguments: Naresh Chandra Agrawal argued that Rule 9(3) went beyond the enabling power of Section 21A(4) and created an anomalous situation where the Director (Discipline) had greater powers than the Board of Discipline.

Defendant/Respondent Arguments: The Institute of Chartered Accountants of India and Others contended that Rule 9(3) was essential for ensuring that genuine complaints of professional misconduct were not dismissed prematurely.

Judgment: The Supreme Court dismissed the appeal, ruling that Rule 9(3) was in line with the objectives of the Chartered Accountants Act, 1949. The Court reasoned that while the rule may go beyond the specific provisions of Section 21A(4), it fell within the general delegation of power under Section 29A(1).

Present Status: The judgment was delivered on February 8, 2024.

Previous Referenced Cases: State of Tamil Nadu and Anr. v. P. Krishnamurthy (2006) 4 SCC 517; State of Jammu and Kashmir v Lakhwinder Kumar and Ors. (2013) 6 SCC 333; Academy of Nutrition Improvement v. Union of India (2011) 8 SCC 274.

Conclusion: The case sets a precedent regarding the interpretation of subordinate legislation in relation to the parent Act. It underscores the principle that while specific provisions may be illustrative, they should not restrict the general power conferred by the Act. Additionally, the judgment highlights the importance of ensuring alignment between delegated rules and the overarching objectives of the governing statute.

Case Title: Directorate of Enforcement & Anr. Vs. Bablu Sonkar & Anr.

Petitions/Appeals: Criminal Appeal No(s). of 2024 (@ Special Leave Petition(Crl.) No(s). 16226 of 2023)

Court: Supreme Court of India, Criminal Appellate Jurisdiction

Judges: Justice Abhay S. Oka, Justice Ujjal Bhuyan

Sections/Articles and Laws Used: Prevention of Money Laundering Act, 2002 (PMLA)

Parties: Directorate of Enforcement & Anr. (Appellants) vs. Bablu Sonkar & Anr. (Respondents)

Background Details: The case involves a writ petition filed by Bablu Sonkar (the first respondent) in the Bombay High Court to quash a complaint filed by the Enforcement Directorate under the Prevention of Money Laundering Act, 2002 (PMLA). The petition was heard, and judgment was reserved.

Brief Facts involved in the case: The Bombay High Court roster Bench heard the writ petition, and on 26.06.2023, the case was listed for further hearing. The Bench decided to de-reserve the judgment and hear the case afresh along with other connected matters. The Bench granted interim bail to the first respondent, Bablu Sonkar, despite no bail prayer being made on that day.

Issues Involved: The key legal issue revolves around the propriety of granting bail to the first respondent without a specific bail prayer and when the case was not assigned to the Bench as per the prevailing roster.

Plaintiff/Petitioner Arguments: The Directorate of Enforcement argued that the grant of bail was improper and against the established procedure. They contended that the bail was granted without any prayer being made and without hearing their side.

Defendant/Respondent Arguments: The first respondent, Bablu Sonkar, did not make any specific bail prayer on the day bail was granted. However, they may have benefitted from the Bench's decision to grant interim bail.

Judgment: The Supreme Court partly allowed the appeal and quashed the part of the impugned order that granted bail to the first respondent. The court emphasized the importance of adhering to the roster notified by the Chief Justice and stated that no bench can hear a case unless assigned as per the roster.

Present Status: The judgment has been delivered, and the specific part granting bail to the first respondent has been quashed. The case may proceed for further consideration by the High Court.

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

Conclusion: The case highlights the importance of procedural propriety in the judicial process, particularly concerning the assignment of cases as per the court roster. It serves as a reminder of the significance of following established procedures to ensure fairness and justice in legal proceedings.

Case Title: No.2809759H Ex-Recruit Babanna Machched Vs. Union of India And Ors.

Petitions/Appeals: Civil Appeal Nos. 644-645 of 2017

Court: Supreme Court of India

Judges: Bela M. Trivedi and Pankaj Mithal

Sections/Articles and Laws Used: Armed Forces Tribunal Act, 2007

Parties: Ex-Recruit Babanna Machched (appellant) vs. Union of India and Others (respondents)

Background Details: The case involved the dismissal of appellants who were recruited into the Army through Maratha Light Infantry Regimental Centre. They were accused of obtaining enrollment based on false relationship certificates, leading to their termination from service. The appellants contested that they were recruited under the general category and not as relatives of servicemen or ex-servicemen, thus denying the use of fake certificates.

Brief Facts involved in the case: The appellants were enlisted in the Army under the Unit Headquarters Quota. Subsequently, they received show cause notices alleging fraudulent means in obtaining enrollment, specifically citing fake relationship certificates. The appellants denied these allegations, asserting they applied under the general category and did not submit any relationship certificates.

Issues Involved: The key issues revolved around whether the appellants were enrolled based on false relationship certificates, the validity of their dismissal from service, and the consideration of their explanation in the dismissal process.

Plaintiff/Petitioner Arguments: The appellants argued that they applied under the general category, did not submit any relationship certificates, and were unfairly dismissed without proper consideration of their defense.

Defendant/Respondent Arguments: The respondents contended that the appellants obtained enrollment through fraudulent means, specifically citing fake relationship certificates, and thus justified their dismissal from service.

Judgment: The Supreme Court ruled in favor of the appellants, stating that there was no evidence to support their enrollment through false relationship certificates. The court found that the discharge/dismissal orders were invalid due to the non-consideration of the appellants' plea. Consequently, the court ordered the reinstatement of the appellants with all consequential benefits.

Present Status: The appeals have been allowed, and the appellants are to be reinstated with no order as to costs.

Previous Referenced Cases: S.N. Mukherjee vs. Union of India, Mohinder Singh Gill vs. Chief Election Commissioner, Ex Sig. Man Kanhaiya Kumar vs. Union of India and Ors., S. Muthu Kumaran vs. Union of India and Ors.

Conclusion: The case highlights the importance of due process and fair consideration of evidence in dismissal cases. It establishes precedent in ensuring that individuals are not unfairly terminated from service without proper examination of their defense.

Case Title: Mallappa & Ors. Vs. State of Karnataka

Petitions/Appeals: Appeal against the judgment of the High Court convicting the appellants.

Court: Supreme Court of India

Judges: Justices R. Subhash Reddy and Hrishikesh Roy

Sections/Articles and Laws Used: Indian Penal Code, Criminal Procedure Code

Parties: Mallappa and others (appellants) vs. State of Karnataka (respondent)

Background Details: The case pertains to a violent assault resulting in the death of Marthandappa and severe injuries to PW-4. The incident occurred on June 28, 1997, in the village of Shantpur, Karnataka.

Brief Facts involved in the case: The victims were traveling on a bullock-cart when the accused individuals intercepted them and launched a brutal attack. Marthandappa succumbed to his injuries, while PW-4 sustained severe wounds.

Issues Involved: The central issues revolved around the credibility of eyewitness testimony, the nature and severity of injuries sustained, and the conduct of the witnesses following the incident.

Plaintiff/Petitioner Arguments: The prosecution relied heavily on the testimonies of PW-3 and PW-4, along with medical reports, to establish guilt. They argued that the appellants were responsible for the assault and sought conviction based on the evidence presented.

Defendant/Respondent Arguments: The defendants challenged the credibility of the eyewitness testimony and questioned the severity of injuries. They contended that the prosecution failed to establish guilt beyond a reasonable doubt.

Judgment: The Trial Court acquitted all accused, citing inconsistencies in witness testimonies and insufficient evidence to establish guilt. However, the High Court overturned the acquittal and convicted A3 to A5, prompting an appeal to the Supreme Court. The Supreme Court, upon review, found no illegality or error in the Trial Court's decision. It noted discrepancies in witness accounts and medical reports, leading to doubts about the prosecution's case. Consequently, the Supreme Court set aside the High Court's judgment and restored the acquittal by the Trial Court.

Present Status: The judgment has been concluded, and the appellants are acquitted of all charges.

Previous Referenced Cases: Selvaraj v. State of Karnataka, Jagan M. Seshadri v. State of T.N., Sharad Birdichand Sarda

Conclusion: The case underscores the importance of evidence credibility and the burden of proof in criminal proceedings. It reaffirms the principle of innocence until proven guilty and emphasizes the need for a thorough evaluation of evidence before conviction. The judgment serves as a reminder of the judiciary's role in ensuring fair trials and upholding the principles of justice.

Case Title: K. Babu Vs. M. Swaraj and Ors.

Petitions/Appeals: Civil Appeal No. 5975 of 2023

Court: Supreme Court of India, Civil Appellate Jurisdiction

Judges: Sanjay Kumar, J; Aniruddha Bose, J

Sections/Articles and Laws Used: Sections 80, 81, 83, 84, 100, 101, 123 of the Representation of the People Act, 1951 (Act of 1951); Order VII Rule 11 of the Civil Procedure Code (CPC); Rule 212 of the Rules of the High Court of Kerala, 1971 (Rules of 1971)

Parties: K. Babu (Appellant); M. Swaraj and others (Respondents)

Background Details: The case stemmed from the Kerala Legislative Assembly election held on 06.04.2021, specifically from the 081-Tripunithura Legislative Assembly Constituency. K. Babu was declared elected with a margin of 992 votes over M. Swaraj, the first respondent. Subsequently, an election petition (No. 8 of 2021) was filed by M. Swaraj before the High Court of Kerala at Ernakulam, seeking to declare Babu's election void under various sections of the Act of 1951.

Brief Facts involved in the case: K. Babu and six respondents contested in the election. Babu won, but Swaraj challenged the election's validity through a petition. Babu raised preliminary objections, including non-compliance with Section 81 of the Act of 1951 regarding the election petition's contents and copies filed. He argued that the petition lacked material facts and corrupt practice particulars, thus should be dismissed under Order VII Rule 11 CPC.

Issues Involved: The key legal questions included whether the election petition should be dismissed for non-compliance with statutory provisions, particularly Section 81(3) of the Act of 1951, and if the allegations constituted a corrupt practice under Section 123(3) of the Act.

Plaintiff/Petitioner Arguments: Babu argued that the petition failed to comply with Section 81(3) due to insufficient copies and lacked material facts and corrupt practice particulars, justifying summary rejection under Order VII Rule 11 CPC.

Defendant/Respondent Arguments: Swaraj contended that the petition met statutory requirements and raised valid allegations of corrupt practices, justifying further trial.

Judgment: The Supreme Court upheld the High Court's decision, dismissing Babu's appeal. It reasoned that the objections raised by Babu lacked merit, as the election petition complied with Section 81(3) and Rule 212 of the Rules of 1971. The Court emphasized that defects under Section 83 of the Act were curable, and the non-compliance did not warrant summary dismissal under Section 86(1). It affirmed the High Court's order to proceed with the trial.

Present Status: The judgment has been concluded, and the interim order dated 18.01.2024 has been vacated. Pending miscellaneous applications have been dismissed, and each party is to bear its own costs.

Previous Referenced Cases: T. Phungzathang vs. Hangkhanlian and others; Umesh Challiyill vs. K.P. Rajendran; Ponnala Lakshmaiah vs. Kommuri Pratap Reddy and others; G.M. Siddeshwar vs. Prasanna Kumar; A. Manju vs. Prajwal Revanna alias Prajwal R and others.

Conclusion: The case underscores the importance of complying with statutory provisions in election petitions and the curability of defects under Section 83 of the Act of 1951. It reaffirms the principle that procedural lapses do not warrant summary dismissal if a triable issue exists. The judgment contributes to maintaining the integrity of electoral processes by ensuring fair adjudication of election disputes.

**Case Title:** Greater Noida Industrial Development Authority Vs. Prabhjit Singh Soni & Anr.

**Petitions/Appeals:** This case includes appeals by the Greater Noida Industrial Development Authority (GNIDA) challenging the order dated 04.08.2020 passed by the National Company Law Tribunal (NCLT), which approved the resolution plan, and the subsequent order by the National Company Law Appellate Tribunal (NCLAT).

**Court:** Supreme Court of India

**Judges:** The bench comprised Justice Krishna Murari and Justice Sanjay Karol.

**Sections/Articles and Laws Used:** The case primarily referenced the Insolvency and Bankruptcy Code (IBC) with specific attention to Sections 30(2), 21(2), 22, 24(3)(c), and 60(5)(c) of the IBC, along with Regulations 7, 8, 12, 13, 14, 37, and 38 of the CIRP Regulations, 2016. Additionally, Rule 11 of the NCLT Rules, 2016, and Section 13-A of the Greater Noida Development Act, 1976, were discussed.

**Parties:** The appellant in the case is the Greater Noida Industrial Development Authority (GNIDA). The respondents are Prabhjit Singh Soni and others, including the resolution professional (RP) and the committee of creditors (COC).

**Background Details:** The case centers around the approval of a resolution plan under the IBC for a corporate debtor. GNIDA, a creditor, contended that it was not properly included in the resolution plan and that its claims were not correctly addressed. The NCLT had approved the resolution plan, which GNIDA challenged, leading to this appeal.

**Brief Facts involved in case:** GNIDA submitted its claims against the corporate debtor, which were allegedly not included in the resolution plan correctly. GNIDA claimed it was not informed about the COC meetings and that its substantial claim amount was not considered accurately in the resolution plan. GNIDA argued that it was listed as an operational creditor rather than a financial creditor, and its claim was underestimated in the plan.

**Issues Involved:** The primary issues include whether GNIDA’s claim was properly submitted and considered, whether GNIDA was given notice of the COC meetings, and whether the resolution plan met the requirements of Section 30(2) of the IBC and related regulations.

**Plaintiff/Petitioner Arguments:** GNIDA argued that it was not informed about the COC meetings and was not given an opportunity to participate. It claimed that its submitted claim was ignored and misrepresented in the resolution plan. GNIDA contended that the resolution plan did not meet the statutory requirements, particularly regarding its claim amount and status as a secured creditor.

**Defendant/Respondent Arguments:** The respondents, including the RP and the COC, argued that GNIDA did not submit its claim in the correct form and hence was not considered appropriately. They maintained that the resolution plan was approved following the due process and met all statutory requirements.

**Judgment:** The Supreme Court set aside the orders of the NCLT and NCLAT, holding that GNIDA’s claim was not appropriately considered and that it was not given proper notice of the COC meetings. The Court found that the resolution plan did not meet the necessary legal requirements, including the proper classification and acknowledgment of GNIDA's claim. The case was remanded to the COC for reconsideration of the resolution plan, ensuring it meets the parameters set out by the IBC and related regulations.

**Present Status:** The judgment concluded with the resolution plan being sent back to the COC for re-submission after satisfying the legal requirements. The appeals of GNIDA were allowed, and the previous approvals by NCLT and NCLAT were set aside.

**Previous Referenced Cases:** The judgment referenced previous cases, including the Union Bank of India vs. Financial Creditors of M/s Amtek Auto Ltd. & Ors. and judgments concerning the powers of NCLT to recall orders based on procedural errors or fraud.

**Conclusion:** The case underscores the importance of proper procedural compliance in the insolvency resolution process under the IBC. It highlights that creditors must be adequately informed and their claims accurately considered. The decision reaffirms the inherent powers of tribunals to recall orders to prevent injustice and ensure the fair treatment of all stakeholders in the insolvency process.

Case Title: Dr. Kavita Kamboj vs High Court Of Punjab And Haryana on 16 January, 2024

Petitions/Appeals: Special Leave Petition (Civil) Diary No(s).508/2024, along with several related petitions and applications.

Court: Supreme Court of India

Judges: Hon'ble the Chief Justice, Hon'ble Mr. Justice J.B. Pardiwala, and Hon'ble Mr. Justice Manoj Misra presided over the case.

Sections/Articles and Laws Used: The case involved interpretation and application of relevant provisions of the Indian Constitution and possibly other statutes pertaining to the jurisdiction of the High Court.

Parties: The petitioner, Dr. Kavita Kamboj, was challenging the final judgment and order dated 20-12-2023 passed by the High Court of Punjab & Haryana at Chandigarh. The respondents included the High Court of Punjab and Haryana and others.

Background Details: The case originated from the final judgment and order passed by the High Court of Punjab & Haryana, which presumably involved issues related to Dr. Kavita Kamboj's rights or interests.

Brief Facts involved in the case: Dr. Kavita Kamboj filed a Special Leave Petition challenging the final judgment and order of the High Court of Punjab & Haryana. The specifics of the case, including the nature of the dispute and the events leading to it, were not provided in the available document.

Issues Involved: The case likely raised questions regarding the legality, correctness, or constitutionality of the final judgment and order issued by the High Court of Punjab & Haryana.

Plaintiff/Petitioner Arguments: Dr. Kavita Kamboj, represented by her legal counsel, argued before the Supreme Court that the final judgment and order of the High Court were erroneous, unjust, or unconstitutional. The petitioner may have presented various grounds or legal arguments to support her challenge.

Defendant/Respondent Arguments: The respondents, including the High Court of Punjab & Haryana and other parties, presented their arguments defending the legality and validity of the final judgment and order under challenge. They may have countered the petitioner's arguments and provided reasons for upholding the decision of the High Court.

Judgment: The Supreme Court, after hearing the arguments from both sides, decided to list the Special Leave Petitions for further hearing on the next day, i.e., 17 January 2024. No specific decision or reasoning behind this order was provided in the available document.

Present Status: The judgment of the Supreme Court is pending, and the case is scheduled for further hearing on 17 January 2024.

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

Conclusion: The case of Dr. Kavita Kamboj vs High Court Of Punjab And Haryana involves a challenge to the final judgment and order of the High Court, with the Supreme Court of India currently considering the matter. The outcome of this case could have significant implications for the rights and interests of the parties involved, and it awaits further adjudication by the Supreme Court.

Case Title: Satender Kumar Antil vs Central Bureau Of Investigation on 13 February 2024

Petitions/Appeals: Not specified in the provided document.

Court: Supreme Court of India

Judges: Justices M. M. Sundresh and S.V.N. Bhatti

Sections/Articles and Laws Used: The Criminal Procedure Code (CrPC) and various Supreme Court orders and directions.

Parties: Satender Kumar Antil (Petitioner) vs. Central Bureau of Investigation (Respondent)

Background Details: The case pertains to the compliance of various directions issued by the Supreme Court regarding the treatment of undertrial prisoners and the implementation of procedural norms outlined in the Criminal Procedure Code (CrPC). The court is concerned with ensuring that the rights of undertrial prisoners are protected, including compliance with bail conditions and timely adjudication of bail applications.

Brief Facts involved in the case: The Supreme Court issued a series of directions to all states, union territories, high courts, and other stakeholders regarding the treatment of undertrial prisoners and the functioning of the criminal justice system. These directions include providing details of First Information Reports (FIRs), compliance with bail conditions, creation of Special Courts, and training of prosecutors.

Issues Involved: The main issues revolve around the compliance of the directions issued by the Supreme Court, particularly regarding the treatment of undertrial prisoners, adherence to bail conditions, establishment of Special Courts, and training of prosecutors. The court seeks to ensure that the rights of undertrial prisoners are safeguarded and that the criminal justice system operates effectively.

Plaintiff/Petitioner Arguments: The petitioner, Satender Kumar Antil, likely argued for strict adherence to the directions issued by the Supreme Court to protect the rights of undertrial prisoners and ensure fair and timely adjudication of their cases.

Defendant/Respondent Arguments: The Central Bureau of Investigation (CBI), as the respondent, is likely tasked with providing updates on the implementation of the Supreme Court's directions and any challenges faced in doing so.

Judgment: The Supreme Court directs all states, union territories, high courts, and other stakeholders to file updated compliance affidavits within a specified timeframe. The court also orders the formation of an empowered committee and provides detailed Standard Operating Procedures (SOP) for the treatment of undertrial and convicted prisoners.

Present Status: The judgment was delivered on February 13, 2024. The case may be subject to further monitoring and compliance reporting.

Previous Referenced Cases: The judgment refers to previous orders and directions issued by the Supreme Court, including those related to similar matters concerning the rights of undertrial prisoners.

Conclusion: The case underscores the Supreme Court's commitment to upholding the rights of undertrial prisoners and ensuring the effective functioning of the criminal justice system. By issuing detailed directions and SOPs, the court aims to address issues related to bail conditions, timely adjudication of cases, and the treatment of prisoners. The judgment emphasizes the importance of compliance by all stakeholders to uphold the rule of law and protect the rights of individuals within the criminal justice system.

Case Title: State Through Inspector Of Police CBI Chennai vs. Naresh Prasad Agarwal & Anr.

Petitions/Appeals: Criminal Appeal Nos. 829-830 of 2024 arising out of S.L.P.(Criminal) Nos. 2210-2211 of 2024 @ Diary No. 29911 of 2018.

Court: Supreme Court of India.

Judges: Honorable Abhay S. Oka.

Sections/Articles and Laws Used: Code of Criminal Procedure, 1973.

Parties: The State represented by the Inspector of Police, CBI Chennai (appellant) versus Naresh Prasad Agarwal and another (respondents).

Background Details: The case involved two proceedings decided by the learned Single Judge of the Madras High Court. The first was a petition under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the charge sheet in CC No.3 of 2014 pending before the Special Judge, CBI cases, Chennai. The second proceeding was a Criminal Revision Application challenging the rejection of an application for discharge in the same case.

Brief Facts involved in case: The respondents filed a petition under Section 482 of the CrPC to quash the charge sheet, and a Criminal Revision Application challenging the rejection of their application for discharge. The learned Single Judge of the Madras High Court quashed the charge sheet against one respondent and passed an order of discharge for another respondent. However, the detailed judgment was not available until five months after the learned Judge had demitted office.

Issues Involved: The key issue was whether the delay in providing the detailed judgment after the learned Judge had demitted office constituted gross impropriety, and whether it warranted setting aside the impugned judgment.

Plaintiff/Petitioner Arguments: The appellant contended that the delay in providing the detailed judgment after the learned Judge had demitted office was an act of gross impropriety.

Defendant/Respondent Arguments: The respondents urged the Court to independently hear the case on merits.

Judgment: The Supreme Court set aside the impugned judgment and remitted both cases to the High Court of Judicature at Madras for a fresh decision, emphasizing that justice must not only be done but also be seen to be done.

Present Status: The case has been remitted to the High Court of Judicature at Madras for a fresh decision.

Previous Referenced Cases: None referenced in this judgment.

Conclusion: The case underscores the importance of timely delivery of judgments to uphold the principles of justice and fairness. The Supreme Court's decision to set aside the judgment due to the delay in providing the detailed judgment reinforces the fundamental principle that justice delayed is justice denied. This case serves as a reminder to judicial authorities to ensure timely and transparent administration of justice.