

TOP 50 SUPREME COURT JUDGMENTS OF 2023

1. Demonetisation Verdict – Vivek Narayan Sharma (Demonetisation Case-5 J.) v. Union of India, (2023) 3 SCC 1

The Constitution Bench of S. Abdul Nazeer, B.R Gavai*, A.S. Bopanna, V. Ramasubramanian, B.V. Nagarathna**, JJ. upheld the Centre's 2016 demonetisation scheme in a 4:1 majority and held that demonetisation was proportionate to the Union's stated objectives and was implemented in a reasonable manner. Justice Gavai, wrote the majority opinion for himself and SA Nazeer, A.S. Bopanna, V. Ramasubramanian, JJ, Nagarathna, J was the lone dissenter who held that though demonetisation was well-intentioned and well thought of the manner in which it was carried out was improper and unlawful.

2. Ministers and their Freedom of Speech – Kaushal Kishor v. State of Uttar Pradesh, 2023 SCC OnLine SC 6

The Constitution Bench ruled against imposing further restrictions on freedom of speech of Ministers.

3. Euthanasia Judgment Modified – Common Cause (A Regd. Society) v. Union of India, 2023 SCC OnLine SC 99

The 5-Judge Constitution Bench modified guidelines for living will and advance medical directive, simplifying the process for withdrawal of life support for terminally ill patients.

4. Appointment of Election Commissioners – Anoop Baranwal v. Union of India, (2023) 6 SCC 161

The Constitution Bench held that the Chief Election Commissioner and Election Commissioners shall be appointed by the President on the advice of a 3-member committee consisting of the Prime Minister, Leader of Opposition, and Chief Justice of India, until a law is made by Parliament.

5. Bhopal Gas Tragedy – Union of India v. Union Carbide Corp., 2023 SCC OnLine SC 264

The Constitution Bench dismissed the Centre's plea seeking enhanced compensation for victims of the Bhopal Gas Tragedy.

6. Divorce under Article 142 – Shilpa Sailesh v. Varun Sreenivasan, 2023 SCC OnLine SC 544

The Supreme Court held that it can dissolve marriages on grounds of irretrievable breakdown under Article 142.

7. Maharashtra Political Crisis – Subhash Desai v. Governor of Maharashtra, 2023 SCC OnLine SC 607

The Court upheld the Governor's decision inviting Eknath Shinde to form the Government, refusing to quash Uddhav Thackeray's resignation.

8. Abrogation of Article 370 – Article 370 of the Constitution, In re, 2023 SCC OnLine SC 1647

The five-Judge Bench unanimously upheld the abrogation of Article 370 and directed early restoration of statehood.