



COURT NEWS

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EDITORIAL BOARD

Hon'ble Mr. Justice Sharad Arvind Bobde, Judge, Supreme Court of India
Hon'ble Mr. Justice Adarsh Kumar Goel, Judge, Supreme Court of India

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LIST OF SUPREME COURT JUDGES (As on 30-06-2018)

S.No.	Name of the Hon'ble Judge	Date of Appointment	Date of Retirement
01.	Hon'ble Shri Dipak Misra, Chief Justice of India	10-10-2011 As CJI: 28-08-2017	03-10-2018
02.	Hon'ble Mr. Justice Ranjan Gogoi	23-04-2012	18-11-2019
03.	Hon'ble Mr. Justice Madan B. Lokur	04-06-2012	31-12-2018
04.	Hon'ble Mr. Justice Kurian Joseph	08-03-2013	30-11-2018
05.	Hon'ble Mr. Justice A.K. Sikri	12-04-2013	07-03-2019
06.	Hon'ble Mr. Justice Sharad Arvind Bobde	12-04-2013	24-04-2021
07.	Hon'ble Mr. Justice N.V. Ramana	17-02-2014	27-08-2022
08.	Hon'ble Mr. Justice Arun Mishra	07-07-2014	03-09-2020
09.	Hon'ble Mr. Justice Adarsh Kumar Goel	07-07-2014	07-07-2018
10.	Hon'ble Mr. Justice R.F. Nariman	07-07-2014	13-08-2021
11.	Hon'ble Mr. Justice Abhay Manohar Sapre	13-08-2014	28-08-2019
12.	Hon'ble Mrs. Justice R. Banumathi	13-08-2014	20-07-2020
13.	Hon'ble Mr. Justice Uday Umesh Lalit	13-08-2014	09-11-2022
14.	Hon'ble Mr. Justice A.M. Khanwilkar	13-05-2016	30-07-2022
15.	Hon'ble Dr. Justice D.Y. Chandrachud	13-05-2016	11-11-2024
16.	Hon'ble Mr. Justice Ashok Bhushan	13-05-2016	05-07-2021
17.	Hon'ble Mr. Justice L. Nageswara Rao	13-05-2016	08-06-2022
18.	Hon'ble Mr. Justice Sanjay Kishan Kaul	17-02-2017	26-12-2023
19.	Hon'ble Mr. Justice Mohan M. Shantanagoudar	17-02-2017	05-05-2023
20.	Hon'ble Mr. Justice S. Abdul Nazeer	17-02-2017	05-01-2023
21.	Hon'ble Mr. Justice Navin Sinha	17-02-2017	19-08-2021
22.	Hon'ble Mr. Justice Deepak Gupta	17-02-2017	07-05-2020
23.	Hon'ble Ms. Justice Indu Malhotra	27-04-2018	14-03-2021

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APPOINTMENTS AND RETIREMENTS IN THE SUPREME COURT OF INDIA (FROM 01-04-2018 TO 30-06-2018)

APPOINTMENT

Name of the Hon'ble Judge	Date of Appointment
Hon'ble Ms. Justice Indu Malhotra	27-04-2018

RETIREMENTS

S.No.	Name of the Hon'ble Judge	Date of Retirement
1	Hon'ble Mr. Justice R.K. Agrawal	05-05-2018
2	Hon'ble Mr. Justice Jasti Chelameswar	23-06-2018

APPOINTMENTS IN THE HIGH COURTS (FROM 01-04-2018 TO 30-06-2018)

S. No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Calcutta	Jyotirmay Bhattacharya (As Chief Justice)	01-05-18
		Biswajit Basu	02-05-18
		Amrita Sinha	02-05-18
		Abhijit Gangopadhyay	02-05-18
		Jay Sengupta	02-05-18
2	Chhattisgarh	Parth Prateem Sahu	18-06-18
		Gautam Chourdiya	18-06-18
		Vimla Singh Kapoor	18-06-18
		Rajani Dubey	18-06-18
3	Karnataka	Mohammad Nawaz	02-06-18
		H.T. Narendra Prasad	02-06-18
4	Madhya Pradesh	Sanjay Dwivedi	19-06-18
		Akhil Kumar Srivastava	19-06-18
		Brij Kishore Shrivastava	19-06-18
		Rajendra Kumar Srivastava	19-06-18
		Mohd. Fahim Anwar	19-06-18
5	Madras	P.T. Asha	04-06-18
		M. Nirmal Kumar	04-06-18
		Subramonium Prasad	04-06-18
		N. Anand Venkatesh	04-06-18
		G.K. Ilanthiraiyan	04-06-18
		Krishnan Ramasamy	04-06-18
		C. Saravanan	04-06-18
6	Manipur	R.Sudhakar (As Chief Justice)	18-05-18
7	Meghalaya	M.Yaqoob Mir (As Chief Justice)	21-05-18
8	Punjab & Haryana	Krishna Murari (As Chief Justice)	02-06-18
9	Tripura	Arindam Lodh	07-05-18

**TRANSFERS BETWEEN THE HIGH COURTS
(FROM 01-04-2018 TO 30-06-2018)**

From (Name of concerned High Court)	To (Name of concerned High Court)	Name of the Hon'ble Judge	Date of Transfer
Gauhati	Kerala	Hrishikesh Roy	29-05-18

VACANCIES IN THE COURTS

A) SUPREME COURT OF INDIA (As on 30-06-2018)

Sanctioned Strength	Working strength	Vacancies
31	23	08

B) HIGH COURTS (As on 30-06-2018)

S.No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	93	67
2	Hyderabad (A.P & Telangana)	61	28	33
3	Bombay	94	69	25
4	Calcutta	72	37	35
5	Chhatisgarh	22	16	6
6	Delhi	60	35	25
7	Gujarat	52	29	23
8	Gauhati	24	18	6
9	Himachal Pradesh	13	8	5
10	Jammu & Kashmir	17	8	9
11	Jharkhand	25	17	8
12	Karnataka	62	30	32
13	Kerala	47	35	12
14	Madhya Pradesh	53	35	18
15	Madras	75	63	12
16	Manipur	5	3	2
17	Meghalaya	4	2	2
18	Orissa	27	15	12
19	Patna	53	32	21
20	Punjab & Haryana	85	50	35
21	Rajasthan	50	33	17
22	Sikkim	3	3	0
23	Tripura	4	3	1
24	Uttarakhand	11	8	3
Total		1079	670	409

- Above statement is compiled on the basis of figures received from the High Courts.

C) DISTRICT & SUBORDINATE COURTS (As on 30-06-2018)

S.No.	State/ Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	3224	1931	1293
2	Andhra Pradesh & Telangana	987	897	90
3(a)	Maharashtra	2294	2274	20
3(b)	Goa	57	45	12
3(c)	Diu and Daman	3	3	0
3(d)	Silvassa	4	3	1
4	West Bengal and Andaman & Nicobar	1013	917	96
5	Chhatisgarh	450	374	76
6	Delhi	799	542	257
7	Gujarat	1496	1112	384
8(a)	Assam	430	350	80
8(b)	Nagaland	34	28	6
8(c)	Mizoram	63	46	17
8(d)	Arunachal Pradesh	28	17	11
9	Himachal Pradesh	159	144	15
10	Jammu & Kashmir	283	224	59
11	Jharkhand	672	466	206
12	Karnataka	1303	1082	221
13(a)	Kerala	534	471	63
13(b)	Lakshadweep	3	2	1
14	Madhya Pradesh	1872	1435	437
15	Manipur	55	40	15
16	Meghalaya	97	39	58
17(a)	Tamil Nadu	1143	905	238
17(b)	Puducherry	26	12	14
18	Odisha	862	646	216
19	Bihar	1837	1149	688
20(a)	Punjab	674	533	141
20(b)	Haryana	645	490	155
20(c)	Chandigarh	30	30	0
21	Rajasthan	1273	1114	159
22	Sikkim	23	19	4
23	Tripura	107	75	32
24	Uttarakhand	292	228	64
TOTAL		22772	17643	5129

- Above statement is compiled on the basis of figures received from the High Courts.

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT [01-04-2018 to 30-06-2018]

i) Table I

						Pendency (At the end of 31-03-2018)		
						Admission matters	Regular matters	Total matters
						32,657	22,802	55,459
Institution (01-04-2018 to 30-06-2018)			Disposal (01-04-2018 to 30-06-2018)			Pendency (At the end of 30-06-2018)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
9,095	355	9,450	7,953	1,524	9,477	33,799	21,633	55,432

Note:

1. Out of the 55,432 pending matters as on 30-06-2018, if connected matters are excluded, the pendency is only of 33,260 matters as on 30-06-2018.

2. Out of the said 55,432 pending matters as on 30-06-2018, 13,877 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 41,555 matters as on 30-06-2018.

ii) Table II

	OPENING BALANCE AS ON 01-04-18	INSTITUTION FROM 01-04-18 TO 30-06-18	DISPOSAL FROM 01-04-18 TO 30-06- 18	PENDENCY AT THE END OF 30-06-18
CIVIL CASES	46,777	6,720	7,471	46,026
CRIMINAL CASES	8,682	2,730	2,006	9,406
ALL CASES (TOTAL)	55,459	9,450	9,477	55,432

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE HIGH COURTS (FROM 01-04-2018 TO 30-06-2018)

Srl. No.	Name of the High Court	Cases brought forward from the previous Quarter (Nos.) (Civil/CrL) As on 01/04/2018			Freshly instituted Cases during the Second Quarter (April - June 2018) Nos. (Civil/CrL)			Disposed of Cases during the Second Quarter (April - June 2018) Nos. (Civil/CrL)			Pending Cases at the end of the Second Quarter (April - June 2018) Nos. (Civil/CrL) (As on 30/06/2018)			% of Institution of Cases w.r.t Opening Balance as on 01/04/2018	% of Disposal of Cases w.r.t Opening Balance as on 01/04/2018	% Increase or Decrease in Pendency w.r.t Opening Balance as on 01/04/2018
		CIVIL	CRL	(Civ+CrL)	CIVIL	CRL	(Civ+CrL)	CIVIL	CRL	(Civ+CrL)	CIVIL	CRL	(Civ+CrL)			
1	Allahabad	531781	379937	911718	34781	43140	77921	32625	36194	68819	533937	386883	920820	8.55	7.55	1.00
2	Hyderabad (A.P & Telangana)	287155	47818	334973	17491	4387	21878	9693	2691	12384	294953	49514	344467	6.53	3.70	2.83
3	Bombay	221408	55054	276462	16992	6300	23292	12884	5149	18033	225516	56205	281721	8.43	6.52	1.90
4	Calcutta	184150	39771	223921	9494	4031	13525	7537	2919	10456	186107	40883	226990	6.04	4.67	1.37
5	Chhatisgarh	37303	23965	61268	5107	4291	9398	3958	3750	7708	38452	24506	62958	15.34	12.58	2.76
6	Delhi	50461	20022	70483	7612	4346	11958	5941	3027	8968	52132	21341	73473	16.97	12.72	4.24
7	Gujarat*	71661	33035	104696	7726	9468	17194	4936	7875	12811	74451	34628	109079	16.42	12.24	4.19
8	Gauhati *	24530	5388	29918	2439	461	2900	3503	564	4067	23466	5285	28751	9.69	13.59	-3.90
9	Himachal Pradesh	27432	5796	33228	5962	1430	7392	4488	1140	5628	28906	6086	34992	22.25	16.94	5.31
10	Jammu & Kashmir	56679	5924	62603	2753	591	3344	3214	476	3690	56218	6039	62257	5.34	5.89	-0.55
11	Jharkhand*	45899	43783	89682	2369	6644	9013	2825	6420	9245	45443	44007	89450	10.05	10.31	-0.26
12	Karnataka	300871	31006	331877	27130	4420	31550	18479	3506	21985	309522	31920	341442	9.51	6.62	2.88
13	Kerala	139372	39659	179031	22258	6523	28781	12234	4671	16905	149396	41511	190907	16.08	9.44	6.63
14	Madhya Pradesh	195114	118637	313751	14492	16093	30585	9968	12377	22345	199638	122353	321991	9.75	7.12	2.63
15	Madras	262779	37270	300049	21890	14390	36280	19353	13883	33236	265316	37777	303093	12.09	11.08	1.01
16	Manipur	3605	185	3790	499	21	520	467	41	508	3637	165	3802	13.72	13.40	0.32
17	Meghalaya	687	29	716	182	30	212	127	14	141	742	45	787	29.61	19.69	9.92
18	Orissa*	123471	47296	170767	7973	9374	17347	8266	11870	20136	123178	44800	167978	10.16	11.79	-1.63
19	Patna	87371	59192	146563	9187	22511	31698	7912	20261	28173	88646	61442	150088	21.63	19.22	2.41
20	Punjab & Haryana	226667	110101	336768	17843	16324	34167	14069	10825	24894	230441	115600	346041	10.15	7.39	2.75
21	Rajasthan	194041	70362	264403	16896	11794	28690	11229	10717	21946	199708	71439	271147	10.85	8.30	2.55
22	Sikkim	157	65	222	47	12	59	29	13	42	175	64	239	26.58	18.92	7.66
23	Tripura	2521	458	2979	461	148	609	435	160	595	2547	446	2993	20.44	19.97	0.47
24	Uttarakhand	20997	10206	31203	3807	2300	6107	3599	1373	4972	21205	11133	32338	19.57	15.93	3.64
	TOTAL	3096112	1184959	4281071	255391	189029	444420	197771	159916	357687	3153732	1214072	4367804	10.38	8.36	2.03

- Above statement is compiled on the basis of figures received from the High Courts

Opening balance modified by the High Court concerned.

* After physical verification, data modified by the High Court concerned.

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE DISTRICT & SUBORDINATE COURTS (FROM 01-04-2018 TO 30-06-2018)

Srl. No	Name of the State/UT	Cases brought forward from the previous Quarter (Nos.) (Civil/Crl.) As on 01/04/2018			Freshly instituted Cases (Nos.) during the Second Quarter (April - June 2018) (Civil/Crl.)			Disposed of Cases (Nos.) during the Second Quarter (April - June 2018) (Civil/Crl.)			Pending Cases (Nos.) at the end of the Second Quarter (April - June 2018) (Civil/Crl.) (As on 30/06/2018)			% of Institution of Cases w.r.t Opening Balance as on 01/04/2018	% of Disposal of Cases w.r.t Opening Balance as on 01/04/2018	% Increase or Decrease in Pendency w.r.t Opening Balance as on 01/04/2018
		CIVIL	CRL.	(Civ+Crl.)	CIVIL	CRL.	(Civ+Crl.)	CIVIL	CRL.	(Civ+Crl.)	CIVIL	CRL.	(Civ+Crl.)			
1	Uttar Pradesh	1576964	4948163	6525127	104848	849943	954791	76672	750887	827559	1605140	5047219	6652359	14.63	12.68	1.95
2	Andhra Pradesh & Telangana	515571	529499	1045070	59851	119230	179081	50968	104176	155144	524454	544553	1069007	17.14	14.85	2.29
3(a)	Maharashtra	1149054	2251885	3400939	100048	426136	526184	83529	400148	483677	1165573	2277873	3443446	15.47	14.22	1.25
3(b)	Goa	21553	19201	40754	2446	7452	9898	2472	6039	8511	21527	20614	42141	24.29	20.88	3.40
3(c)	Diu and Daman	950	814	1764	157	228	385	85	198	283	1022	844	1866	21.83	16.04	5.78
3(d)	Silvassa	1426	2066	3492	110	263	373	74	248	322	1462	2081	3543	10.68	9.22	1.46
4(a)	West Bengal	483019	1400350	1883369	38694	158995	197689	34768	134242	169010	486945	1425103	1912048	10.50	8.97	1.52
4(b)	Andaman & Nicobar	4116	6238	10354	275	1246	1521	497	1142	1639	3894	6342	10236	14.69	15.83	-1.14
5	Chhattisgarh	58873	212701	271574	7422	42492	49914	7971	43407	51378	58324	211786	270110	18.38	18.92	-0.54
6	Delhi*	186054	611329	797383	31747	169382	201129	29226	143888	173114	188677	636839	825516	25.22	21.71	3.53
7	Gujarat	457071	1053944	1511015	40975	255276	296251	50338	250609	300947	447708	1058611	1506319	19.61	19.92	-0.31
8(a)	Assam	69136	211577	280713	9218	75149	84367	10167	62840	73007	68187	223886	292073	30.05	26.01	4.05
8(b)	Nagaland	2364	2702	5066	431	612	1043	365	615	980	2430	2699	5129	20.59	19.34	1.24
8(c)	Mizoram	2699	3042	5741	1536	2197	3733	1209	1955	3164	3026	3284	6310	65.02	55.11	9.91
8(d)	Arunachal Pradesh	1901	8052	9953	522	1076	1598	456	1548	2004	1967	7580	9547	16.06	20.13	-4.08
9	Himachal Pradesh	109865	135309	245174	22606	68599	91205	19873	76115	95988	112598	127793	240391	37.20	39.15	-1.95
10	Jammu & Kashmir	53892	110844	164736	7357	26156	33513	6822	28391	35213	54427	108609	163036	20.34	21.38	-1.03
11	Jharkhand*	59731	271006	330737	6812	37946	44758	6202	40594	46796	60341	268358	328699	13.53	14.15	-0.62
12	Karnataka	716240	737729	1453969	70938	187278	258216	64521	170267	234788	722657	754740	1477397	17.76	16.15	1.61
13(a)	Kerala	410373	1237124	1647497	58291	188787	247078	45924	180909	226833	422740	1245002	1667742	15.00	13.77	1.23
13(b)	Lakshadweep	159	227	386	11	79	90	15	81	96	155	225	380	23.32	24.87	-1.55
14	Madhya Pradesh	299429	1046075	1345504	66825	304546	371371	59832	281635	341467	306422	1068986	1375408	27.60	25.38	2.22
15	Manipur	3568	3264	6832	553	446	999	454	715	1169	3667	2995	6662	14.62	17.11	-2.49
16	Meghalaya	3353	11073	14426	445	2098	2543	518	2369	2887	3280	10802	14082	17.63	20.01	-2.38
17(a)	Tamil Nadu*	606781	458086	1064867	75767	125411	201178	63464	118446	181910	619468	465021	1084489	18.89	17.08	1.84
17(b)	Puducherry	12894	14597	27491	1872	1339	3211	1893	1116	3009	12873	14820	27693	11.68	10.95	0.73
18	Odisha	298374	912737	1211111	17948	74550	92498	12921	39751	52672	303401	947536	1250937	7.64	4.35	3.29
19	Bihar	351434	1887860	2239294	20679	105719	126398	15365	74099	89464	356748	1919480	2276228	5.64	4.00	1.65
20(a)	Punjab	249528	336626	586154	45519	115194	160713	38159	113127	151286	256888	338693	595581	27.42	25.81	1.61
20(b)	Haryana	265882	400187	666069	38440	108592	147032	33454	116293	149747	270868	392486	663354	22.07	22.48	-0.41
20(c)	Chandigarh	16585	32236	48821	2568	31325	33893	2598	24503	27101	16555	39058	55613	69.42	55.51	13.91
21	Rajasthan	470341	1185676	1656017	49811	312853	362664	47145	295892	343037	473007	1202637	1675644	21.90	20.71	1.19
22	Sikkim	501	917	1418	277	452	729	263	515	778	515	854	1369	51.41	54.87	-3.46
23	Tripura	9257	75946	85203	1550	16415	17965	1746	31832	33578	9061	60529	69590	21.08	39.41	-18.32
24	Uttarakhand	33703	187601	221304	7503	71571	79074	6657	59888	66545	34549	199284	233833	35.73	30.07	5.66
	TOTAL	8502641	20306683	28809324	894052	3889033	4783085	776623	3558480	4335103	8620556	20637222	29257778	16.60	15.05	1.56

- Above statement is compiled on the basis of figures received from the High Courts

* After physical verification, pendency modified by the High Court concerned.

SOME SUPREME COURT JUDGMENTS / ORDERS OF PUBLIC IMPORTANCE (01-04-2018 TO 30-06-2018)

1. On 6th April, 2018, in the case of *Mangla Ram v. The Oriental Insurance Co. Ltd. & Ors.* [Civil Appeal Nos. 2499 - 2500 of 2018], in a motor accident claim case, it was held that “the finding of the Tribunal that the appellant contributed to the occurrence of the accident by driving the motorcycle on the wrong side of the road”, was manifestly wrong and could not be sustained.

The Supreme Court observed that “the spot where the motor vehicle was found lying after the accident cannot be the basis to assume that it was driven in or around that spot at the relevant time. It can be safely inferred that after the accident of this nature in which the appellant suffered severe injuries necessitating amputation of his right leg above the knee level, the motorcycle would be pushed forward after the collision and being hit by a high speeding jeep. Neither the Tribunal nor the High Court has found that the spot noted in the site map, one foot wrong side on the middle of the road was the spot where the accident actually occurred. However, the finding is that as per the site map, the motorcycle was found lying at that spot. That cannot be the basis to assume that the appellant was driving the motorcycle on the wrong side of the road at the relevant time. Further, the respondents did not produce any contra evidence to indicate that the motorcycle was being driven on the wrong side of the road at the time when the offending vehicle dashed it.”

In this view of the matter, it was held that there was “no legal evidence to answer the issue of contributory negligence against the appellant.”

2. On 9th April, 2018, in the case of *Shafin Jahan v. Asokan K.M. & Ors.* [Criminal Appeal No.366 of 2018], it was held that the High Court had “completely erred by taking upon itself the burden of annulling the marriage between the appellant and the respondent no.9 when both stood embedded to their vow of matrimony.” It was held that “in the case at hand, the father in his own stand and perception may feel that there has been enormous transgression of his right to protect the interest of his daughter but his view point or position cannot be allowed to curtail the fundamental rights of his daughter who, out of her own volition, married the appellant.”

The Supreme Court observed that “when the liberty of a person is illegally smothered and strangled and his/her choice is throttled by the State or a private person, the signature of life melts and living becomes a bare subsistence. That is fundamentally an expression of acrimony which gives indecent burial to the individuality of a person and refuses to recognize the other’s identity. That is reflection of cruelty which the law does not countenance. The exposé of facts in the

present case depicts that story giving it a colour of different narrative. It is different since the State that is expected to facilitate the enjoyment of legal rights of a citizen has also supported the cause of a father, an obstinate one, who has endeavoured immensely in not allowing his daughter to make her own choice in adhering to a faith and further making Everestine effort to garrotte her desire to live with the man with whom she has entered into wedlock. The thought itself is a manifestation of the idea of patriarchal autocracy and possibly self-obsession with the feeling that a female is a chattel. It is also necessary to add here that the High Court on some kind of assumption, as the impugned judgment and order would reflect, has not been appositely guided by the basic rule of the highly valued writ of habeas corpus and has annulled the marriage. And that is why the order becomes a sanctuary of errors.”

3. On 11th April, 2018, in the case of *Asok Pande v. Supreme Court of India Thr. Its Registrar* [Writ Petition (Civil) No. 147 of 2018], a three Judge Bench held that the petitioner was “not entitled to seek a direction that Benches of this Court should be constituted in a particular manner or, as he seeks, that there should be separate divisions of this Court. The former lies exclusively in the domain of the prerogative powers of the Chief Justice.”

It was held that “in his capacity as a Judge, the Chief Justice is *primus inter pares*: the first among equals. In the discharge of his other functions, the Chief Justice of India occupies a position which is *sui generis*.” The Bench held that Article 146 of the Constitution “reaffirms the position of the Chief Justice of India as the head of the institution. From an institutional perspective the Chief Justice is placed at the helm of the Supreme Court. In the allocation of cases and the constitution of benches the Chief Justice has an exclusive prerogative. As a repository of constitutional trust, the Chief Justice is an institution in himself. The authority which is conferred upon the Chief Justice, it must be remembered, is vested in a high constitutional functionary. The authority is entrusted to the Chief Justice because such an entrustment of functions is necessary for the efficient transaction of the administrative and judicial work of the Court. The ultimate purpose behind the entrustment of authority to the Chief Justice is to ensure that the Supreme Court is able to fulfill and discharge the constitutional obligations which govern and provide the rationale for its existence. The entrustment of functions to the Chief Justice as the head of the institution, is with the purpose of securing the position of the Supreme Court as an independent safeguard for the preservation of personal liberty. There cannot be a presumption of mistrust. The oath of office demands nothing less.”

4. On 17th April, 2018, in the case of *SCM Solifert Limited & Anr. v. Competition Commission of India* [Civil Appeal No. 10678 of 2016], it was held that ex post facto notice is not contemplated under the provisions of section 6(2) of the Competition Act, 2002.

The Supreme Court held that the expression “proposes to enter into a combination” in section 6(2) and “further details to be disclosed in the notice to the Commission are of the ‘proposed combination’ and the specific provisions contained in section 6(2A) of the Act provides that no combination shall come into effect until 210 days have passed from the date on which notice has been given or passing of orders under section 31 by the Commission, whichever is earlier. The intent of the Act is that the Commission has to permit combination to be formed, and has an opportunity to assess whether the proposed combination would cause an appreciable adverse effect on competition. In case combination is to be notified ex-post facto for approval, it would defeat the very intendment of the provisions of the Act.”

5. On 17th April, 2018, in the case of *Competition Commission of India v. Thomas Cook (India) Ltd. & Anr.* [Civil Appeal No.13578 of 2015], it was held that the imposition of penalty under section 43A of the Competition Act, 2002 is “on account of breach of a civil obligation, and the proceedings are neither criminal nor quasi-criminal; the penalty has to follow.” It was held that the “only discretion in the provision under section 43A is with respect to quantum of penalty.”

6. On 18th April, 2018, in the case of *Sisters of St. Joseph of Cluny v. The State of West Bengal & Ors.* [Civil Appeal No. 3945 of 2018], with reference to provisions of the National Commission for Minority Educational Institutions Act, as it originally stood in 2004, and the amendments made in 2006, it was held that “harmoniously read, all applications for the establishment of a minority educational institution after the Amendment Act of 2006 must go only to the competent authority set up under the statute.” It was held that “on the other hand, for the declaration of its status as a minority educational institution at any stage post establishment”, the National Commission for Minority Educational Institutions (NCMEI) “would have the power to decide the question and declare such institution’s minority status.”

7. On 19th April, 2018, in the case of *Reji Thomas & Ors. v. The State of Kerala & Ors.* [Civil Appeal No. 4001 of 2018], the question for consideration was whether the High Court, in exercise of its power under Article 226 of the Constitution of India could have extended the statutory period, within which an Election Petition under the Kerala Cooperative Societies Act, 1969 should have been entertained. It was held that “once the mechanism provided under the Statute provides for a time schedule for preferring an election petition, in the absence of a provision in the Statute for enlarging the time under any given circumstances, no court, whether the High Court under Article 226 or this Court under Article 32, 136 or 142 of the Constitution can extend the period in election matters. In the matter of limitation in election cases, the Court has to adopt strict interpretation of the provisions.”

8. On 19th April, 2018, in the case of *Tehseen Poonawalla v. Union of India and Anr.* [Writ Petition (Civil) No.19 of 2018], the petitioners sought inquiry into the circumstances of the death of Brijgopal Harikishan Loya, a judicial officer in the

State of Maharashtra in the rank of a district judge, who died on 1st December, 2014. On consideration of the facts and circumstances of the case, a three Judge Bench came to the conclusion that there was “absolutely no merit in the writ petitions.” The Bench held that there was no reason for the court to doubt the clear and consistent statements of the four judicial officers who had accompanied Mr. Loya to the hospital on 1st December, 2014. It was held that “the documentary material on the record indicated that the death of Judge Loya was due to natural causes. There is no ground for the court to hold that there was a reasonable suspicion about the cause or circumstances of death which would merit a further inquiry.”

9. On 24th April, 2018, in the case of *Income Tax Officer Ward No.16(2) v. M/s TechSpan India Private Ltd. & Anr.* [Civil Appeal No.2732 of 2007], the point for consideration was whether the re-opening of completed assessment was justified in the facts and circumstances of the case. A notice had been served upon the respondent by the Revenue for re-opening assessment under Section 148 of the Income Tax Act, 1961 on the ground that deduction under Section 10A of the Act had been allowed in excess and income escaped assessment in the original assessment.

In the facts and circumstances of the case, the Supreme Court came to the conclusion that “the question as to how and to what extent deduction should be allowed under Section 10A of the IT Act was well considered in the original assessment proceedings itself.” Hence, the Supreme Court held that “initiation of the re-assessment proceedings under Section 147 by issuing a notice under Section 148 merely because of the fact that now the Assessing Officer is of the view that the deduction under Section 10A was allowed in excess, was based on nothing but a change of opinion on the same facts and circumstances which were already in his knowledge even during the original assessment proceedings.” Accordingly it was held that the High Court was justified in quashing the notice under Section 148 of the Income Tax Act, 1961.

10. On 24th April, 2018, in the case of *Delhi Administration v. Vidya Gupta* [Criminal Appeal No.625 of 2018], the Supreme Court examined the contention raised by accused-respondent that since the ‘Ghee’ found to be adulterated was not itself meant for sale, but was meant to be used as an ingredient in the sweets that were in turn meant for sale, no offence was made out under the provisions of the Prevention of Food Adulteration Act, 1954. It was held that Explanation to Section 7 of the Prevention of Food Adulteration Act, 1954, “does not support this contention” since it “clearly lays down that if a person stores any adulterated food for the purpose of manufacturing from it any article of food for sale, he shall be deemed to store adulterated food. The purpose of this provision is clear, it prohibits the storing of adulterated food notwithstanding the fact that such adulterated food is itself not offered for sale, but is used in making some food which is offered for sale. It is clearly to prevent the adulteration of food and its sale to the public even when it is meant to be used for preparing some other food which is offered for sale.”

Thus, the Supreme Court held that “either way, whether the adulterated food is stored for sale, or if such food is stored for making some other food which is sold, such storing is an offence.” It was observed that the “Parliament has rightly assumed that no one, who offers food for sale, would store food which is not meant to be used in some food meant for sale.”

11. On 1st May, 2018, in the case of *Alakh Alok Srivastava v. Union of India & Ors.* [Writ Petition (C) No.76 of 2018], keeping in view the protection of the children and the statutory scheme conceived under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), a three Judge Bench deemed it “necessary to issue certain directions so that the legislative intent and the purpose are actually fructified at the ground level and it becomes possible to bridge the gap between the legislation remaining a mere parchment or blueprint of social change and its practice or implementation in true essence and spirit is achieved.” The Bench deemed it appropriate to issue the following directions:-

“(i) The High Courts shall ensure that the cases registered under the POCSO Act are tried and disposed of by the Special Courts and the presiding officers of the said courts are sensitized in the matters of child protection and psychological response. (ii) The Special Courts, as conceived, be established, if not already done, and be assigned the responsibility to deal with the cases under the POCSO Act. (iii) The instructions should be issued to the Special Courts to fast track the cases by not granting unnecessary adjournments and following the procedure laid down in the POCSO Act and thus complete the trial in a time-bound manner or within a specific time frame under the Act. (iv) The Chief Justices of the High Courts are requested to constitute a Committee of three Judges to regulate and monitor the progress of the trials under the POCSO Act. The High Courts where three Judges are not available the Chief Justices of the said courts shall constitute one Judge Committee. (v) The Director General of Police or the officer of equivalent rank of the States shall constitute a Special Task Force which shall ensure that the investigation is properly conducted and witnesses are produced on the dates fixed before the trial courts. (vi) Adequate steps shall be taken by the High Courts to provide child friendly atmosphere in the Special Courts keeping in view the provisions of the POCSO Act so that the spirit of the Act is observed.”

12. On 7th May, 2018, in the case of *Lok Prahari Through Its General Secretary v. The State of Uttar Pradesh & Ors.* [Writ Petition (C) No.864 of 2016], the allocation of government bungalows to constitutional functionaries enumerated in Section 4(3) of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, as amended in 2016, after such functionaries demit public office(s) was examined on the touchstone of Article 14 of the Constitution of India.

The Supreme Court held that “the Chief Minister, once he/she demits the office, is at par with the common citizen, though by virtue of the office held, he/she

may be entitled to security and other protocols. But allotment of government bungalow, to be occupied during his/her lifetime, would not be guided by the constitutional principle of equality.” It was held that “undoubtedly, Section 4(3) of the 1981 Act would have the effect of creating a separate class of citizens for conferment of benefits by way of distribution of public property on the basis of the previous public office held by them. Once such persons demit the public office earlier held by them there is nothing to distinguish them from the common man. The public office held by them becomes a matter of history and, therefore, cannot form the basis of a reasonable classification to categorize previous holders of public office as a special category of persons entitled to the benefit of special privileges. The test of reasonable classification, therefore, has to fail. Not only that the legislation i.e. Section 4(3) of the 1981 Act recognizing former holders of public office as a special class of citizens, viewed in the aforesaid context, would appear to be arbitrary and discriminatory thereby violating the equality clause. It is a legislative exercise based on irrelevant and legally unacceptable considerations, unsupported by any constitutional sanctity.”

Consequently, it was held that “Section 4(3) of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 is ultra vires the Constitution of India as it transgresses the equality clause under Article 14” and “liable to be struck down.”

13. On 9th May, 2018, in the case of *Kalpana Mehta and Others v. Union of India and Others* [Writ Petition (Civil) No. 558 of 2012], the questions for consideration before a five Judge Constitution Bench were: (i) Whether in a litigation filed before the Supreme Court either under Article 32 or Article 136 of the Constitution of India, the Court can refer to and place reliance upon the report of the Parliamentary Standing Committee; and (ii) Whether such a Report can be looked at for the purpose of reference and, if so, can there be restrictions for the purpose of reference regard being had to the concept of parliamentary privilege and the delicate balance between the constitutional institutions that Articles 105, 121 and 122 of the Constitution conceive.

It was held that the Parliamentary Standing Committee report can be taken aid of, for the purpose of interpretation of a statutory provision wherever it is so necessary and also it can be taken note of as existence of a historical fact. It was held that in a litigation filed either under Article 32 or Article 136 of the Constitution of India, the Supreme Court can take on record the report of the Parliamentary Standing Committee. However, the report cannot be impinged or challenged in a court of law. It was further held that the Parliamentary Standing Committee report being in the public domain can invite fair comments and criticism from the citizens as in such a situation, the citizens do not really comment upon any member of the Parliament to invite the hazard of violation of parliamentary privilege.

14. On 9th May, 2018, in the case of *Union of India v. Rina Devi* [Civil Appeal No. 4945 of 2018], it was held that death or injury in the course of boarding or de-boarding a train will be an ‘untoward incident’ entitling a victim to the compensation and will not fall under the proviso to Section 124A of the Railways Act, 1989 merely on the plea of negligence of the victim as a contributing factor.

It was further held that “mere presence of a body on the Railway premises will not be conclusive to hold that injured or deceased was a bona fide passenger for which claim for compensation could be maintained. However, mere absence of ticket with such injured or deceased will not negative the claim that he was a bona fide passenger. Initial burden will be on the claimant which can be discharged by filing an affidavit of the relevant facts and burden will then shift on the Railways and the issue can be decided on the facts shown or the attending circumstances. This will have to be dealt with from case to case on the basis of facts found.”

15. On 11th May, 2018, in the case of *Commissioner of Central Excise, Indore v. M/s Grasim Industries Ltd. through its Secretary* [Civil Appeal No.3159 of 2004], what is excise duty and what is the relationship between the nature of the duty and the measure of the levy were the two questions that arose for determination. The specific questions posed for determination were:(1) Whether Section 4 of the Central Excise Act, 1944 (as substituted with effect from 1-7-2000) and the definition of “transaction value” in clause (d) of sub-section (3) of Section 4 are subject to Section 3 of the Act; (2) Whether Sections 3 and 4 of the Central Excise Act, despite being interlinked, operate in different fields and what is their real scope and ambit; and (3) Whether the concept of “transaction value” makes any material departure from the deemed normal price concept of the erstwhile Section 4(1)(a) of the Act.

A five Judge Constitution Bench held that the measure of the levy contemplated in Section 4 of the Central Excise Act “will not be controlled by the nature of the levy. So long a reasonable nexus is discernible between the measure and the nature of the levy both Section 3 and 4 would operate in their respective fields”. Further, it was held that “transaction value” as defined in Section 4(3)(d) brought into force by the Amendment Act, 2000, statutorily engrafts the additions to the ‘normal price’ under the old Section 4 as held to be permissible in *Bombay Tyre International Ltd.* case “besides giving effect to the changed description of the levy of excise introduced in Section 3 of the Act by the Amendment of 2000.” Infact, the Supreme Court was “of the view that there is no discernible difference in the statutory concept of ‘transaction value’ and the judicially evolved meaning of ‘normal price’.”

16. On 16th May, 2018, in the case of *Kerala State Road Transport Corporation v. Baby P.P. & Ors.* [Civil Appeal No. 5257 of 2018], a three Judge Bench held that “a temporary permit cannot be issued to a private stage carriage operator to traverse on the notified route which is being served by the State Transport Undertaking (STU), in excess of the permissible distance provided under the scheme.”

In the facts and circumstances of the case, it was held that it was “not open for a private stage carriage operator (the respondent no. 1) to operate its services by overlapping on a notified route for more than 5 kms or 5% (whichever is less) of the route of the private stage carriage operator (as specified under the Scheme) which is being served by the STU.”

17. On 18th May, 2018, in the case of *State by Lokayuktha Police v. H. Srinivas* [Criminal Appeal No.775 of 2018], it was held that “the concept of maintaining General Diary has its origin under the Section 44 of Police Act of 1861 as applicable to States, which makes it an obligation for the concerned Police Officer to maintain a General Diary, but such non-maintenance *per se* may not be rendering the whole prosecution illegal.” However, on the other hand, it was also held that “such non-maintenance of General Diary may have consequences on the merits of the case, which is a matter of trial.”

The Supreme Court observed that its’ conclusion herein was strengthened by the fact that “CrPC itself has differentiated between irregularity and illegality. The obligation of maintenance of General Diary is part of course of conduct of the concerned officer, which may not itself have any bearing on the criminal trial unless some grave prejudice going to the root of matter is shown to exist at the time of the trial.” It was observed that “conspicuous absence of any provision under CrPC concerning the omissions and errors during investigation also bolsters the conclusion reached herein.”

18. On 18th May, 2018, in the case of *M/s. B. Himmatlal Agrawal v. Competition Commission of India & Anr.* [Civil Appeal No. 5029 of 2018], the question for consideration was whether the order of the National Company Law Appellate Tribunal dismissing the main appeal itself of the appellant for non-compliance of the direction to deposit the amount as a condition for grant of stay, was justified and legal.

Earlier, the Competition Commission of India (CCI) had imposed penalties on the appellant firm for involvement in anti-competitive and unfair trade practices. Thereafter, the appellant had filed statutory appeal thereagainst before the National Company Law Appellate Tribunal and also prayed for interim stay of the penalty order.

In the facts and circumstances of the case, the Supreme Court held that “the condition of deposit was attached to the order of stay” and “in case of non-compliance of the said condition, the consequence would be that stay has ceased to operate as the condition for stay is not fulfilled.” The Supreme Court observed that “non-compliance of the conditional order of stay would have no bearing insofar as the main appeal is concerned.”

It was held that Section 53B of the Competition Act, 2002 “does not impose any condition of pre-deposit for entertaining the appeal. Therefore, right to file the appeal and have the said appeal decided on merits, if it is filed within the period of limitation, is conferred by the statute and that cannot be taken away by imposing the condition of deposit of an amount leading to dismissal of the main appeal itself if the said condition is not satisfied. Position would have been different if the provision of appeal itself contained a condition of pre-deposit of certain amount. That is not so. Sub-section (3) of Section 53B specifically cast a duty upon the Appellate Tribunal to pass order on appeal, as it thinks fit i.e. either confirming, modifying or setting aside the direction, decision or order appealed against. It is to be done after giving an opportunity of hearing to the parties to the appeal. It, thus, clearly implies that appeal has to be decided on merits.”

The Supreme Court observed that “the Appellate Tribunal, which is the creature of a statute, has to act within the domain prescribed by the law/statutory provision. This provision nowhere stipulates that the Appellate Tribunal can direct the appellant to deposit a certain amount as a condition precedent for hearing the appeal. In fact, that was not even done in the instant case.” It was held that in the instant case “the condition of deposit of 10% of the penalty was imposed insofar as stay of penalty order passed by the CCI is concerned” and “therefore, at the most, stay could have been vacated.”

19. On 18th May, 2018, in the case of *M/s. Haryana Suraj Malting Ltd. v. Phool Chand* [Civil Appeal No. 5650 of 2018], a three Judge Bench held that “in case a party is in a position to show sufficient cause for its absence before the Labour Court/ Tribunal when it was set *ex parte*, the Labour Court/Tribunal, in exercise of its ancillary or incidental powers, is competent to entertain such an application. That power cannot be circumscribed by limitation. What is the sufficient cause and whether its jurisdiction is invoked within a reasonable time should be left to the judicious discretion of the Labour Court/Tribunal.”

The Bench held that “it is a matter of natural justice that any party to the judicial proceedings should get an opportunity of being heard, and if such an opportunity has been denied for want of sufficient reason, the Labour Court/Tribunal which denied such an opportunity, being satisfied of the sufficient cause and within a reasonable time, should be in a position to set right its own procedure.” “Merely because an award has become enforceable, does not necessarily mean that it has become binding. For an award to become binding, it should be passed in compliance with the principles of natural justice. An award passed denying an opportunity of hearing when there was a sufficient cause for non-appearance can be challenged on the ground of it being nullity. An award which is a nullity cannot be and shall not be a binding award. In case a party is able to show sufficient cause within a reasonable time for its non-appearance in the Labour Court/Tribunal when it was set *ex parte*, the Labour Court/Tribunal is bound to consider such an application and the application cannot be rejected on the ground that it was filed after the award

had become enforceable. The Labour Court/Tribunal is not *functus officio* after the award has become enforceable as far as setting aside an *ex parte* award is concerned. It is within its powers to entertain an application as per the scheme of the Act and in terms of the rules of natural justice. It needs to be restated that the Industrial Disputes Act, 1947 is a welfare legislation intended to maintain industrial peace. In that view of the matter, certain powers to do justice have to be conceded to the Labour Court/Tribunal, whether we call it ancillary, incidental or inherent.”

20. On 18th May, 2018, in the case of *Swaraj Abhiyan (VI) v. Union of India & Ors.* [Writ Petition (Civil) No. 857 of 2015], it was held that that in terms of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 and Schedule II thereof “a worker is entitled to payment of wages within a fortnight of the date on which the work was done, failing which the worker is entitled to the compensation as prescribed in paragraph 29 of the Schedule II of the Act. The burden of compliance is on the State Governments and Union Territory Administrations as well as the Central Government. One entity cannot pass on the burden to another and vice versa.”

In view of the above, it was directed that the Central Government through the Ministry of Rural Development, in consultation with the State Governments and Union Territory Administrations shall prepare an urgent time bound mandatory program to make the payment of wages and compensation to the workers. The Supreme Court held that “this is not only in the interest of the workers who have expended unskilled manual labour but also in furtherance of the rule of law which must be followed in letter and spirit.”

MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY(NJA) (01-04-2018 to 30-06-2018)

West Zone Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunity: The Conference held from 7th to 8th April, 2018 was organized by The Academy in collaboration with the High Court of Bombay and the Maharashtra Judicial Academy and Indian Mediation Centre and Training Institute. A total of 81 participants took part in discourses during this Conference.

East Zone-II Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunity: The Conference held from 12th to 13th May, 2018 was organized by The Academy in collaboration with the Gauhati High Court and the Judicial Academy, Assam. A total of 98 participants took part in discourses during this Conference.

National Orientation Programme for Junior Division Judges: The programme held from 6th to 12th April, 2018 was conceived as capacity building of judicial officers at the primary tier, viz. Civil Judges (Junior Division). The sessions were designed to facilitate participant officers to share experiences and views with counterparts from other States; better appreciation of the judicial role; responsibility of judicial officers in a constitutional democracy; recent developments in juridical thinking and technological advances relevant to accreting performance standards; and to deliberate on several aspects of law and practice relevant to enhancing the quality of performance.

National Judicial Conference for High Court Justices (20th to 22nd April, 2018): The objective of the conference was to provide a platform, for justices to share experiences, insights and suggestions with a panel of distinguished resource persons from the judicial branch; and other relevant domains. The conference facilitated discussions on issues related to supervision and guidance of district judiciary, judicial review within the democratic framework, contemporary challenges for judicial review, policing governance within separation of powers framework, and free and fair elections. The conference also focused on Insolvency and Bankruptcy Code, 2016; corporate fraud and money laundering. Identifying challenges and evolving optimal solutions/strategies to effectuate qualitative justice delivery were amongst the agenda during the conference.

Workshop for Members of Railway Claims Tribunal: The workshop held from 21st to 22nd April, 2018 addressed issues like - Jurisdictional Charter of RCT, overview of railway accidents and claims, norms of strict liability, components of decision making as well as statutory interpretation of some of the key concepts such as untoward incident, self-inflicted injury and criminal act etc. The workshop also discussed on the need for adopting a non-litigative approach, under the superintendence of RCT, methodologies for securing investigatorial support for ascertaining genuineness of claims and to identify appropriate strategies for expeditious disposals in RCT.

Refresher Course for SC/ST [PoA] Courts: The programme held from 27th to 29th April, 2018 was designed to identify appropriate measures/practices, to assist presiding officers of these Special Courts dispose of cases speedily and consistent with the spirit and objects of the Act. The programme explored the evolution and contours of marginalization & social exclusion in India and effective implementation of the legislation. The Refresher course *inter alia* deliberated on various issues under the SC/ST (PoA) Act, 1989 and gender based atrocities against SC/ST women in India. The law and practices relating to award and standardization of victim compensation formed part of the programme discourse.

National Judicial Conference for High Court Justices on the Regime of Goods and Services Tax: The Conference held from 27th to 29th April, 2018 was conceived to provide insights into the GST Act, 2017. It aimed to provide a forum for discussing normative issues pertaining to the evolution of indirect taxes, from a regime of discrete and multiple taxation to one of substantial uniformity across different tax domains and jurisdictions i.e. Federal and State. It explored and identified potential areas of conflict and litigation resultant from this legislative shift, the constitutional evolution in the area and the litigation and socio judicial implications that may arise thereby.

National Judicial Conference for High Court Justices (4th to 6th May, 2018): The Conference was designed to facilitate discussions on issues related to supervision and guidance of district judiciary, judicial review within the democratic framework, contemporary challenges for judicial review, policing governance within separation of powers framework, construing the sounds of Constitution's speech and free and fair elections. The conference focused on emerging issues of insolvency and bankruptcy; corporate fraud and money laundering. Identifying challenges and evolving optimal solutions/strategies to effectuate qualitative justice delivery were amongst the agenda during the conference.

Workshop for Additional District Judges: The workshop held from 4th to 6th May, 2018 aimed to discuss critical areas concerning adjudication at the district level. The sessions involved discussions on issues related to challenges in implementation of the ADR system, Sentencing, Role of Judges in Court and Case Management, Electronic Evidence, Cybercrime, and Fair Sessions Trial. The workshop focused on appellate and revision jurisdiction of District Judges under criminal and civil justice administration.

SOME IMPORTANT VISITS AND CONFERENCES

(From 01-04-2018 to 30-06-2018)

ABROAD

1. Hon'ble Mr. Justice Madan Bhimarao Lokur (i) attended the 2018 World Congress on Justice for Children “Strengthening Justice Systems for Children: Challenges, including disengagement from violent extremism” held at the UNESCO House in Paris, France from 28th to 30th May, 2018; and (ii) participated in the expert discussions held at Munich, Karlsruhe and Berlin, in Germany from 17th to 22nd June, 2018.
2. Hon'ble Mr. Justice Arjan Kumar Sikri (i) attended the 13th Conference of President of Supreme Courts of Shanghai Cooperation Organization (SCO) Member Countries held at Beijing, China from 23rd to 25th May, 2018; and (ii) attended the 4th ICC Asia Conference on International Arbitration organized by the International Chamber of Commerce held in Hong Kong from 26th to 27th June, 2018.
3. Hon'ble Mr. Justice Arun Mishra visited Hanoi, Vietnam, for sharing with Judges and Court Officials about Mediation Model in India and preparation for development of court-annexed mediation bill in Vietnam held from 9th to 14th June, 2018.
4. Hon'ble Mr. Justice Adarsh Kumar Goel attended the 13th Conference of President of Supreme Courts of Shanghai Cooperation Organization (SCO) Member Countries held at Beijing, China from 23rd to 25th May, 2018.
5. Hon'ble Mr. Justice R.F. Nariman participated, in the expert discussions held at Munich, Karlsruhe, and Berlin, in Germany from 17th to 22nd June, 2018.
6. Hon'ble Mr. Justice Uday Umesh Lalit attended the 13th Conference of President of Supreme Courts of Shanghai Cooperation Organization (SCO) Member Countries held at Beijing, China from 23rd to 25th May, 2018.
7. Hon'ble Dr. Justice D.Y. Chandrachud delivered a series of lectures at the University of Hawai'i William S Richardson School of Law and the Hawai'i State Bar Association between 4th and 12th June, 2018 at Hawai'i, U.S.A.

INLAND

1. Hon'ble Shri Dipak Misra, Chief Justice of India visited Cuttack, Odisha (i) for laying down the foundation stone of Orissa High Court Annexe Building & (ii) to attend the Annual Day Function of the Lawyers Academy on 20th June, 2018.
2. Hon'ble Mr. Justice Jasti Chelameswar (i) visited Nagpur to deliver a lecture at High Court Bar Association on ‘Rule of Law and Role of the Bar’ on the occasion of 12th

lecture of the prestigious “Adv. N.L. Belekar Lecture Series and (ii) also visited Maharashtra National Law University, Nagpur on 14th April, 2018.

3. Hon'ble Mr. Justice Madan Bhimarao Lokur visited (i) Hyderabad to inaugurate Child Friendly Court and to attend the General Council meeting of the NALSAR University of Law at NALSAR University Campus, on 7th April, 2018; and (ii) Lucknow to attend the 4th Round Table Regional Conference on Juvenile Justice Issues (Northern Region) on 12th May, 2018.

4. Hon'ble Mr. Justice Kurian Joseph visited (i) Coimbatore to attend an educational function on 8th April, 2018; (ii) Bhopal to Chair National Seminar for Members of Railway Claims Tribunal organized by the National Judicial Academy on 21st April, 2018; (iii) Guwahati to Chair the National Judicial Conference for High Court Justices organized by the National Judicial Academy, Bhopal on 12th May, 2018; and (iv) Shimla for Colloquium on “Judicial Ethics and Accountability” organized by the Himachal Pradesh Judicial Academy on 30th June, 2018.

5. Hon'ble Mr. Justice Arjan Kumar Sikri visited (i) Bengaluru to attend the Conference on Disability and the State organized by the Law and Society Committee, National Law School of India University, Bangalore on 21st April, 2018; (ii) Shimla to deliver a lecture and to inaugurate the Maiden Volume of “Shimla Law Review” of the Himachal Pradesh National Law University on 29th April, 2018; (iii) Mumbai to attend Conference on ‘Institutional ADR, The Way Forward – Economic and Efficient’ organized by the IMC International ADR Centre on 12th May, 2018; and (iv) Bengaluru to attend ‘Tribute to a Law Teacher: The Inaugural Prof. B. Sadashivaiah Memorial’ Lecture organized on 8th June, 2018.

6. Hon'ble Mr. Justice Sharad Arvind Bobde visited Mumbai to attend the 4th meeting of the General Council of Maharashtra National Law University on 2nd June, 2018.

7. Hon'ble Mr. Justice R. K. Agrawal visited Lucknow to participate in the Valedictory Ceremony of the International Seminar organized by the University of Lucknow on 15th April, 2018.

8. Hon'ble Mr. Justice N.V. Ramana visited Srinagar to take part in the inauguration of Legal Services programmes organized by the NALSA on 20th June, 2018.

9. Hon'ble Mr. Justice Arun Mishra visited (i) Varanasi to attend, as Chief Guest, the Inaugural Session of 6th Mahamana Malaviya National Moot Court Competition on 7th April, 2018; (ii) Kolkata to attend Meeting of General & Executive Council of the W.B. National University of Juridical Sciences on 12th May, 2018; and (iii) Raipur to attend the Meeting of General & Executive Council of Hidayatullah National Law University, Raipur, Chhattisgarh on 2nd June, 2018.

10. Hon'ble Mr. Justice Adarsh Kumar Goel visited Cuttack to attend Executive Council Meeting of National Law University, Cuttack Odisha on 28th April, 2018.

11. Hon'ble Mr. Justice Abhay Manohar Sapre visited Mumbai to attend West Zone Regional Conference on 7th April, 2018.

12. Hon'ble Mr. Justice L. Nageswara Rao visited Hyderabad to preside over as 'Chief Guest' for the 60 years celebrations of City Civil Court Bar Associations, Hyderabad on 8th April, 2018.

13. Hon'ble Mr. Justice Navin Sinha visited Mumbai to participate in the West Zone Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunity conducted by National Judicial Academy, on 7th April, 2018.

14. Hon'ble Mr. Justice Deepak Gupta visited (i) Bhopal to attend National Orientation Programme for Junior Division Judges, organized by National Judicial Academy on 6th April, 2018; (ii) Dharamsala to deliver lecture on "Effective Court Management For Speedy Justice" organized by Himachal Pradesh Judicial Academy on 20th April, 2018; and (iii) Lucknow to attend the Third Regional Consultation (Northern Region) of the Fourth Round of Regional Consultations on "Effective Implementation of Juvenile Justice (Care and Protection of Children) Act, 2015-Focus on Status of Integrated Child Protection Scheme (ICPS)" organized by the Allahabad High Court Juvenile Justice Committee at High Court, Lucknow Bench, on 12th May, 2018.



The Supreme Court Reports

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Highlights of the issue

Distinction between Active and Passive Euthanasia.

Passive Euthanasia in the context of Article 21 of the Constitution.

Advance Directive / Advance Care Directive / Advance Medical Directive – Who can execute and how – What should it contain – How should it be recorded and preserved.

*Common Cause (A Regd. Society) v.
Union of India*

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