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(ii) Article 226 – Writ jurisdiction of High Court – Interim orders – Bank employee retired in accordance with Regulations – On the complaints by employee to Chief Commissioner for Persons with Disabilities, that his request for being relieved under ‘Exit Policy Scheme’ had not been accepted, show cause notice and interim directions issued to the Bank – In writ petition, High Court ordered the Bank to implement the interim directions passed by Deputy Chief Commissioner – Held: Mandatory interim orders are issued in exceptional cases, only where failure to do so will lead to an irreversible or irretrievable situation – In service matters relating to retirement, there is no such need to issue *ex-parte mandatory* directions – Order passed by High Court is unsustainable – Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 – State Bank of Patiala (Officers) Service Regulations, 1979 – Regulation 19.

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(1) (i) Alleged abduction and detention by police personnel – *Suo motu* contempt proceedings initiated by High Court – Conviction of accused – Held: Conviction not justified – Contempt proceedings were concluded without ensuring compliance of the mandatory provisions of the statutory Rules framed for the purpose (1952 Rules) – Accused were never informed as to what were the charges against them – Relevant documents on the basis of which High Court had taken a *prima facie* view while initiating *suo motu* contempt proceedings, were not made available to them – Notice itself was not only defective, but inaccurate and mis-leading – Principles of natural justice were not observed – Contempt of Courts Act, 1971 – s.23 – Allahabad High Court Rules, 1952 – rr. 5 and 6.

(ii) Contempt proceedings – Nature of – Safeguards provided to contemnor – Held: Contempt proceedings are quasi-criminal in nature – Contemnor is entitled to protection of all safeguards/rights provided in criminal jurisprudence, including the benefit of doubt –

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(iii) Contempt proceedings – Requirement of expeditious conclusion – Applicability of CrPC and Evidence Act – Held: In spite of the contempt proceedings being quasi-criminal in nature, provisions of CrPC and Evidence Act are not attracted thereto, since such proceedings have to be concluded expeditiously.

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otherwise they will not be able to carry out their professional duties without fear – It is for the complainant to clearly make out a case of negligence before a medical practitioner is proceeded against criminally – A medical practitioner would be liable only where his conduct fell below that of standards of a reasonably competent practitioner in his field – A mere deviation from normal professional practice is not necessarily evidence of negligence – Guidelines laid down – Penal Code, 1860 – ss. 88 and 92.

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(2) s. 27 – Scope and applicability of – Held: s. 27 reveals that a ‘person must be accused of any offence’ and that he must be ‘in the custody of a police officer’ and it is not essential that such an accused must be under formal arrest – Accused having been taken in custody day before the formal arrest and recoveries made when they were in custody, has no adverse effect on recoveries made on disclosure statement.

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(2) (i) s. 13(1)(i-a) – Divorce – On ground of cruelty – Standard required to establish cruelty – Held: It would be sufficient to show that the conduct of one of the spouses is so abnormal and below the accepted norm that the other spouse could not reasonably be expected to put up with it – To establish cruelty it is not necessary that physical violence should be used – Continued ill-treatment, cessation of marital intercourse, studied neglect, indifference of one spouse to the other may lead to an inference of cruelty.

(ii) ss. 10 and 13 – Petition of husband for divorce on ground of cruelty – Dismissed by trial court – Single Judge of High Court found both the parties to be at fault and granted decree of judicial separation instead of divorce – Wife challenged the decree of judicial separation – Division Bench re-appreciated the entire evidence and passed decree for divorce – Held: Husband had not challenged the decree passed by Single Judge,

yet the effect of the order passed by Division Bench was as if appeal of the husband against the decree of judicial separation was allowed – Also, not a case where it was necessary for Division Bench to correct any glaring and serious errors committed by court below which had resulted in miscarriage of justice – There was no compelling necessity, independently placed before Division Bench to justify reversal, of the decree of judicial separation – Order passed by Single Judge restored.

Manisha Tyagi v. Deepak Kumar 554

(3) (i) s.28 – Power of High Court – Scope of – Held: While exercising power u/s. 28, High Court as the first court of appeal is both a court of law and also of facts – In exercise of its power, first appellate court can come to a finding different from one arrived at by trial court – Code of Civil Procedure, 1973 – O. 41 r. 33.

(ii) s.13(1)(ia) and (ib) – Divorce petition by husband on the ground of cruelty and desertion – Held: Evidence of daughter of parties was vital in the facts of the case – She clearly stated that her father used to beat her mother – Thus, wife had sufficient reason to live apart, and cannot be held guilty of either cruelty or desertion.

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(ii) ss.148 and 151 – Issue of notice where income has escaped assessment – Sanction for – Held: Tribunal being the final fact finding authority under the Act, having recorded a finding of fact that approval/sanction for re-opening of assessment in terms of s.148 r/w s.151 existed even prior to 31.5.2001, though written communication of sanction was received by Assessing Officer on 8.6.2001, there is no reason to interfere with the said finding given by tribunal.

(iii) ss.56 and 57 – ‘Income from other sources’ – Deductions towards cost of funds and proportionate administrative and other expenses, in respect of income by way of interest on deposits held with Scheduled Banks, bonds and other securities – Held: Question involves applicability of ss. 56 and 57, but as it remained unanswered by authorities below, question remitted to High Court for consideration.

M/s. The Totgars’ Cooperative Sale Society Limited v. Income Tax Officer, Karnataka 496

(2) s.115-J – Book profit – Depreciation – Assessee claiming depreciation u/r.5 of Income Tax Rules – Assessing Officer allowing it as per Schedule XIV to the Companies Act – High Court upholding the same – But, similar view of High Court stood reversed by judgment of Supreme Court – Held: Section 115-J is a special provision relating only to certain companies – Once company falls within the ambit of its being MAT company, s.115-J applies and company would be required to prepare its profits and loss accounts only in terms of parts II and III of Schedule VI to Companies Act – s. 115J (1A) is needed to be read in strict sense – By legislative incorporation, only Parts II and III of Schedule VI to Companies Act have been incorporated legislatively into s.115-J – Therefore, the question of applicability of Parts II and III of Schedule VI to Companies Act does not arise – If the judgment of Supreme Court is to be accepted, then the very purpose of enacting s. 115J would stand defeated – Matter needs re-consideration by a larger Bench – Income Tax Rules, 1962 – r.5 – Companies Act, 1956 – Schedule VI, Parts II and III and Schedule XIV.

M/s. Dynamic Orthopedics Pvt. Ltd. v. Commissioner of Income Tax, Cochin, Kerala 879

(3) s.143(2) – Issuance of notice u/s.143(2) for block assessment proceedings – Requirement of – Held: Is mandatory.

Assistant Commissioner of Income Tax and Anr. v. M/s. Hotel Blue Moon 282

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Santuram Yadav and Anr. v. Secretary, Krishi Upaj M.S. Bemetara and Anr. 852

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(1) Mandatory/Prohibitory Injunction – Power of Authorities under the 1995 Act to issue.

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(2) Temporary injunction – Application for, filed in suit before trial court – Parties directed to maintain *status quo* – On defendants' bringing it to notice of court that the entire dispute was pending before Supreme Court, application for temporary injunction rejected – On the same ground appeal dismissed by High Court – Held: Since the matter pending before Supreme Court has been decided, orders passed by High Court and trial court set aside – Matter remitted to trial court.

S. Narahari Rao v. Sathyanarayana & Ors. 583

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(1) (i) Difference between 'subrogation' and 'assignment' – Held: Equitable assignment of rights and remedies of assured in favour of insurer, implied in a contract of indemnity, is known as 'subrogation' – It occurs automatically, when insurer settles the claim under the policy, by reimbursing the entire loss suffered by assured – It need not be evidenced by any writing – Assignment refers to transfer of a right by instrument for consideration – When there is absolute assignment, assignor is left with no title or interest in the property or right, which is the subject matter of assignment.

(ii) Subrogation – Principles of – Explained.

(iii) Subrogation – Three categories – Subrogation by equitable assignment; subrogation by contract; and subrogation-cum-assignment – Explained.

(iv) Insurance contract – Settlement of claim – Execution of document by assured in favour of insurer, deed of Subrogation simpliciter or Subrogation-cum-Assignment – Held: Depends upon the intention of parties as evidenced by the wording of document – Title or caption of document, by itself, may not be conclusive – If intention was to have only a subrogation, use of words "assign, transfer and abandon in favour of" would in the context be construed as referring to subrogation only.

Economic Transport Organization v. M/s. Charan Spinning Mills (P) Ltd. and Anr. 887

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INTEREST ACT, 1978:

s. 3 – Interest – Compound interest or interest upon interest – Held: s. 3 does not deal with either *pendente lite* or future interest – Sub-section (3)(c) of s.3 makes it clear that nothing in the said section shall empower court or arbitrator to award interest upon interest – Interest unless otherwise specified, refers to simple interest, that is, interest paid only on the principal and not on any accrued interest – Compound interest can be awarded only if there is a specific contract, or authority under a Statute, for compounding of interest – There is no general discretion in courts or tribunals to award compound interest or interest upon interest – Arbitration and Conciliation Act, 1996 – s.31(7).

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(1) Contextual background – Statement of Object and Reasons – Held: Has to be taken into consideration for arriving at clear interpretation where the language is extremely general and not clear.

State of Madhya Pradesh v. Balram Mihani & Ors. 209

(2) Remedial/welfare/labour statutes – Interpretation of – Held: Such statutes should receive liberal construction having due regard to the Directive Principles of the State Policy, so as to secure the relief contemplated by the statute – Constitution of India, 1950.

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(ii) Interim orders – Issuance of, when warranted. (See under: Constitution of India, 1950 as also Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995) 6

(2) Interpretation of – The observation in *Three Circles* case that *Mcdermott* case held that interest awarded on the principal amount upto the date of award becomes the principal amount and

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(Also see under: Arbitration and Conciliation Act, 1996)

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(5) *Per incuriam* – Applicability of – Judgment passed per incuriam is relevant to the doctrine of precedent and not to the doctrine of *res-judicata*.

S. Nagaraj (dead) by LRs. & Ors. v. B.R. Vasudeva Murthy & Ors. Etc. Etc. 586

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(1) ss. 79-A, 79-B and 80.
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(2) s. 132 – Question regarding occupancy rights – Jurisdiction of civil court – Held: Civil court does not have jurisdiction to decide such a question – Such question is in the domain of Land Tribunal – Jurisdiction.

R. Ravindra Reddy and Or s. v. H. Ramaiah Reddy and Ors. 943

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s.11(3) – Eviction petition – On the ground of bonafide personal requirement – Dismissed by rent controller as also appellate authority – Order upheld by High Court – Meanwhile original owners died – Their LRs, i.e. three daughters sought eviction on basis of requirement pleaded by original owners – Held: Eviction proceedings could not be continued by LRs of deceased-owners – LRs of deceased-owners were married and settled in their respective matrimonial homes in different cities and at different places – Deceased-owners did not have any dependant family member for whose personal occupation they could have sought eviction – On the death of original owners, their right to seek eviction on the ground of

personal occupation became extinct.
(Also see under: Rent Control and Eviction)

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(1) s.6, First proviso, Explanation I – Limitation
for issuance of s.6 declaration – Computation of
– Held: Where any order of stay is granted in
favour of land owners, actual period covered by
order of stay should be excluded while computing
period of limitation for issuance of s.6 notification
– Thereafter, if declaration is quashed by any
Court, it would only enure to the benefit of those
who had approached the Court – The benefit
would certainly not extend to those who had not
approached the Court – After a long lapse of time,
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(2) (i) ss. 18(2) and 54 – Acquisition of land –
Award by Land Acquisition Collector – Application
seeking reference u/s. 18 – Rejection of, by
Collector since it was made beyond a period of
six months from the date of award – Writ petition

dismissed on the ground that appeal maintainable
u/s. 54 – Review petition also dismissed – Held:
Award was not made in the presence of the land
owners – Notice of award was issued but was not
sent by post nor served on land owners – No
evidence placed by Collector to show knowledge
on the part of land owners – Thus, claim of land
owners that they became aware that award was
made only when notice was tendered to them is
correct and application was filed in time – Collector
directed to make reference u/s. 18 – Limitation.

(ii) ss. 54 and 18 – Appeals in proceedings before
court – Order of Land Acquisition Collector
refusing to make a reference to civil court for
determination of compensation – Appeal
thereagainst u/s 54 – Held: Not maintainable since
s. 54 does not provide for appeals against the
awards or orders of Land Acquisition Collector.

(iii) s. 18 – Application seeking reference under
– Delay in filing of – Condonation of delay by
Land Acquisition Collector – Held: Collector is
not a civil court, provisions of s. 5 of the 1963 Act
are not applicable to proceedings before the
Collector – Collector cannot entertain any
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seeking reference, even if there are genuine and
bonafide grounds for condoning delay – Limitation
Act, 1963 – s. 5.

(iv) s. 18 (2) proviso (b) – Reference to court –
Period of six months under clause (b) of proviso
to s. 18 – Reckoning of, from the date of
knowledge of the award of Collector or from the
date of award itself – Held: Words ‘date of the
collector’s award’ in proviso (b) to s. 18 is to be

read as referring to the date of knowledge of the essential contents of the award, and not the actual date of the Collector's award – Limitation.

(v) s. 18 (2) proviso (b) – Interpretation of.

Bhagwan Das & Ors. Etc. v. State of U.P. & Ors. 1145

(3) (i) s. 23 – Land acquisition – Compensation – Belting method – Held: Acquisition relates to a comparatively small extent of compact contiguous village land – The view of High Court that compensation should be awarded at an uniform rate does not call for interference – Guidelines for belting method when to be adopted, laid down.

(ii) s. 23 – Compensation – Enhancement on the basis of sale exemplar – Held: Compensation awarded on basis of the sale exemplar of more than one year prior to date of preliminary notification increased by 12%.

(iii) s. 23 – Compensation – Deduction towards development cost – Held: 25% deduction adopted by Collector, needs no alteration.

(iv) ss. 34 and 28 – Interest – Held: In regard to compensation that is offered by Land Acquisition Collector interest is payable u/s. 34 – With respect to increase in compensation allowed by reference court or appellate court, interest is awarded u/s 28 – ss. 34 and 28 do not duplicate the award of interest, but together cover the entire amount of compensation awarded.

Haridwar Development Authority v. Raghbir Singh 201

(4) ss. 48, 4 and 6 – Notification and declaration for acquisition of large tract of land for public purpose – Representation for release from acquisition – State Government releasing land of similarly situated landowners from acquisition but rejected appellants' representation who were similarly placed – Challenge to – Held: State Government did not consider representation of appellants by applying the same standards which were applied to other land owners – No uniform policy with regard to release of land from acquisition existed – Thus, action of State Government is violative of Article 14 and discriminatory – Constitution of India, 1950 – Article 14.

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(2) Occupancy rights.
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(See under: Land Acquisition Act, 1894) 1145

(2) Cause of action – Land tribunal granted occupancy rights in respect of suit properties in 1975 – Suit filed in 2005 challenging the order granting occupancy rights – Held: Suit is barred by limitation as records show that predecessor of plaintiffs had knowledge of grant of occupancy rights.

R. Ravindra Reddy and Ors. v. H. Ramaiah Reddy and Ors. 943

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(1) s. 5 – Applicability of, to proceedings before Land Acquisition Collector.

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(2) s.5 – Condonation of delay – Appeal by Government Corporation against judgment and decree in civil suit – Also application for condonation of delay of 4 years – Allowed by Division Bench – Held: High Court committed grave error by condoning more than four years' delay in filing of appeal ignoring the judicially accepted parameters for exercise of discretion u/s. 5 – Law Department of the Government Corporation did not approach High Court with

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Abolition of Inams – During pendency of Inamdars' application for registration as occupants, land granted to Sangha for construction of house – Conversion fine paid – Inamdars challenging the grant, but later settled the matter out of Court agreeing for an amount in addition to the amount towards the price of the land – Later, legal representatives of Inamdars challenging the order of grant – Held: Issue having attained finality, cannot be re-opened for fresh adjudication in subsequent challenge – Inamdars by entering into the agreement with the Sangha, waived their occupancy right – Inamdars were bound by the agreement – Grant in favour of Sangha not liable to be cancelled – Grant also not contrary to ss. 79-A, 79-B and 80 of Land Reforms Act as conversion fine paid u/s. 95 (2) and (7) of Land Revenue Act – Moreover, this issue not raised at initial stage – Karnataka Land Reforms Act, 1961 – ss. 79-A, 79-B and 80 – Karnataka Land Revenue Act, 1964 – s. 95 (2) and (7).

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Such a case does not come within ambit of s. 50
– Provision is applicable only in a case of search
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ss. 138 and 141 – Vicarious liability of Directors
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the company would not be liable for a criminal
offence u/s.138 – Complaint u/s.138 must spell
out as to how and in what manner the accused-
director was in-charge of or was responsible to
the accused company for the conduct of its
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Directors are unspecific and general and no
particular role is assigned to them, then vicarious
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(3) s. 302 – Murder – Dispute between the parties – Appellant firing gun shot at deceased resulting in his death – Conviction of appellant u/s. 302 and imposition of sentence of life imprisonment by courts below – Held: Appreciation of evidence by courts below neither perverse nor unreasonable – Homicidal death of deceased proved by testimony of the doctor – Testimony of eye-witnesses reliable – FIR filed promptly – Evidence.

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(4) s.302/34.
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(5) s. 302/34 – Murder – Prosecution of appellants-accused with other co-accused – In the assault co-accused were armed while the appellants-accused were unarmed – Incident was result of a previous incident of misbehavior of deceased with womenfolk – Conviction of the appellants-accused u/s. 302 with aid of s. 34, by courts below – Sentenced to life imprisonment – Held: Common intention of appellants-accused with the co-accused to murder not proved – Conviction u/s. 302/34 not sustainable – Conviction altered to u/s. 304 (Part I) r/w s. 34 – Sentence of appellant No. 2 altered to two years RI – Appellant No. 1, since is a juvenile, his case referred to Juvenile Justice Board – Juvenile Justice (Care and Protection of Children) Act, 2000 – ss. 15 and 20.

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(6) ss. 302/34 and 307.
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(7) s. 302/120-B – Murder of deceased by fire shots – A-4 and A-5 engaged on payment by A-1, A-2, A-3 and A-6 for killing deceased – Conviction of A-4 and A-5 u/s. 302/120-B and ss. 25(1)(b)(a) and 27 and sentenced to death – Conviction of A-1, A-2, A-6 u/s. 302/120B and sentenced to life imprisonment – High Court upheld death sentence against A-4 and A-5 but acquitted A-1, A-2 and A-6 – Held: Circumstantial evidence against A-4 and A-5 did not constitute a complete chain as to be consistent with their guilt – Thus, order of High Court as regards A-4 and A-5 set aside and that of A-1, A-2 and A-6 upheld – Evidence – Arms Act, 1959 – ss. 25(1)(b)(a) and 27.

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(8) ss. 302/149, 365 and 148 – Abduction and murder for ransom – Eye-witnesses to the incident – Three of them injured in the incident – Prosecution case supported by medical evidence – Accused identified by two of the eye-witnesses in Test Identification Parade – Conviction and death sentence by courts below – Held: Conviction justified – In view of the socio-economic background of the convicts, death sentence altered to life imprisonment – Life sentence to extend to their full life, subject to remission by Government – Sentence/Sentencing.

(Also see under: Sentence/Sentencing)

Mulla & Anr. v. State of U.P. 633

(9) ss. 302/323/34 – Murder – Acquittal by trial court – Conviction by High Court – Held: Trial court was not justified in acquitting the accused when

there was overwhelming evidence against him – Medical evidence corroborated evidence of eye-witnesses – Eye-witnesses categorically named appellant and attributed specific role to him – There was mis-reading of evidence and non-appreciation of law in proper perspective by trial court.

Abdul Mannan v. State of Assam 1030

(10) (i) ss. 302, 364-A, 201 and 120-B – Kidnapping for ransom – Young boy poisoned to death – Conviction u/ss. 302, 364-A, 201 and 120-B and award of death sentence by courts below – Propriety of – Held: Kidnapping must be dealt with in the harshest possible manner and obligation rests on courts too – Boy was not only kidnapped for ransom but was murdered in the process – On basis of the evidence on record, award of death sentence to two accused upheld – However, death sentence awarded to female accused, commuted to life imprisonment as she apparently acted under pressure of her husband.

(ii) s. 364-A – Kidnapping for ransom – Provision for death or life imprisonment – Purpose of amendment – Held: Is to act as a deterrent even in a case where kidnapping does not result in the death of the victim.

(Also see under: Evidence as also Sentence/Sentencing)

Vikram Singh & Ors. v. State of Punjab 22

(11) s. 304-B – Dowry death – Death of bride by 95% burn injuries in her matrimonial home within 4 months of marriage – Husband convicted and in-laws and sisters-in-law of deceased acquitted

– Plea of husband that since prosecution case was disbelieved in respect of other accused, presumption u/s 113-B of Evidence Act stood rebutted and he was also entitled to acquittal – Held: Prosecution case fully proved by oral and medical evidence – It is for the defence to dispel the presumption u/s 113-B – In a case where prosecution evidence has been discarded with respect to four of the five accused, presumption u/s 113-B could to some extent be said to be dispelled, but in the instant case, on an over view the primary role and the weight of the evidence has been on the husband – Evidence Act, 1872 – s.113-B.

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(12) ss. 304-B and 498-A – Dowry death – Wife subjected to cruelty and harassment by husband demand for dowry – Wife committed suicide by hanging herself – Conviction and sentence u/ss. 304-B, 498-A and ss. 3 and 4 of 1961 Act – Conviction upheld by High Court and sentence partly modified – Held: Ingredients of s.304-B satisfied – It pointed towards guilt of husband – Husband failed to discharge presumption raised against him – Conviction u/s 304-B upheld but sentence reduced from life imprisonment to R.I. for 10 years while other conviction and sentence upheld – Evidence Act, 1872 – s.113-B – Dowry Prohibition Act, 1961 – ss. 3 and 4.

G.V. Siddaramesh v. State of Karnataka 380

(13) s.307 – Accused, armed with licensed gun of his brother, allegedly fired bullet shots at informant's brother and injured him – Trial court convicted accused u/s 307 and u/s 27 of Arms

Act – Appellate court held that the firing was accidental and acquitted accused – High Court convicted accused u/s.307 – Justification of – Held: Justified.

Satyavir Singh v. State of U.P. 729

(14) s. 376 – Allegation of commission of rape on victim by accused – Acquittal by trial court – Conviction u/s. 376 and sentence of rigorous imprisonment for ten years awarded by High Court – Held: Sustainable – Conviction by High Court based on evidence on record.

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PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995:

(i) Applicability of the Act – Bank employee, three days prior to his completing the age of retirement, filing application for being relieved under the 'Exit Policy Scheme' of the Bank – On the request not being accepted, employee filing complaints before the Commissioner for Persons with Disabilities, Dehradun and Chief Commissioner for Persons with Disabilities, New Delhi – Employee filing writ petition and contempt petition before Allahabad High Court – Held: Grievances and complaints of persons with disabilities have to be considered by courts and authorities with compassion, understanding and expedition – But the provisions of the Act cannot be pressed into service to seek any relief or advantage where the complaint or grievance relates to an alleged discrimination, which has nothing to do with the disability of person – Issuing interim orders when not warranted,

merely because the petitioner is a person with disability, is as insidious as failing to issue interim orders when warranted – Administration of justice – Interim orders.

(ii) ss. 47, 58, 59, 61, 62 and 63 r/w r.42 – Power of authorities under the Act to issue mandatory/prohibitory injunction – Held: Neither the Chief Commissioner nor any Commissioner functioning under the Act has power to issue any mandatory or prohibitory injunction or other interim directions – In the instant case, the order of the Deputy Chief Commissioner, not to implement the order of retirement was illegal and without jurisdiction – Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 – r.42 – State Bank of Patiala (Officers) Service Regulations, 1979 – Regulation 19 – Service Law.

(Also see under: Constitution of India, 1950 as also Contempt of Court)

State Bank of Patiala & Ors. v. Vinesh Kumar Bhasin 6

PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) RULES, 1996: r.42.

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(ii) Computer increment, computer allowance – Grant of – Letter dated 6.01.2003 from Government of India to NABARD shows that grant of computer increment to employees/officers of RBBs was declined – Since the Government's decision denies benefit of computer increments, direction issued by High Court requiring the bank to grant the said benefit not sustainable.

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JUDGES OF THE SUPREME COURT OF INDIA

(From 14.01.2010 to 26.02.2010)

Hon'ble Mr. Justice Dalveer Bhandari, Judge, Supreme Court of India was on leave for one day on 11.02.2010 on full allowances.

Hon'ble Mr. Justice H.L. Dattu, Judge, Supreme Court of India was on leave for one day on 11.02.2010 on full allowances.

Hon'ble Mr. Justice Deepak Verma, Judge, Supreme Court of India was on leave for three days from 09.02.2010 to 11.02.2010 on full allowances.

Hon'ble Mr. Justice A.K. Patnaik, Judge, Supreme Court of India was on leave for five days from 22.02.2010 to 26.02.2010 on full allowances.

ERRATA

Page No.	Line No.	Read for	Read as
72	9	appended with certificate from co- pensioner	appended with certificate from co- prisoner
220	8	(Revision Pay) Rules,	(Revision of Pay) Rules,
220	3 from bottom	(Revision Pay) Rules,	(Revision of Pay) Rules,
272	13 from bottom	1.4. The appellants cannot take	1.4. The respondent nos. 1 and 2 cannot take
297	13	It does no deal with either pendente	It does not deal with either pendente
415	21	contrary to what has been injected	contrary to what has been injuncted
425	4	contrary to what has been injected	contrary to what has been injuncted
587	12	The Inamadars	The Inamdars
591	Para 1.3	1.3. In order refusing special leave to appeal	1.3. An order refusing special leave to appeal
686	4	ss. 88, 92 and 370.	ss. 88 and 92.
689	18	Sections 88, 92 and 370 IPC.	Sections 88 and 92 IPC.
860	9	Andhra Pradesh Education Service Rules	Andhra Pradesh Educational Service Rules
860	8-9 from bottom	Andhra Pradesh Education Service Rules Andhra	Pradesh Educational Service Rules

873	19-20	The decision of the Government	The legality of the decision taken by the Government
1040	20	particular relief or relieves granted by the	particular relief granted by the

CORRIGENDA

<i>SCR Volume</i>	<i>Page No.</i>	<i>Line No.</i>	<i>Read for</i>	<i>Read as</i>
2010 (2)	5	9 from bottom	where the peculiar	where the prosecution
2010 (2)	56	15 from top	what had been	what had been seen
2010 (2)	64	18 from top	which acts which would by itself	which act would by itself
2010 (2)	93	2-3 from bottom	public time was not disclosed a <i>prima facie</i> case when and to save the accused	public time when a <i>prima facie</i> case was not disclosed and to save the accused
2010 (2)	118	13 from bottom	Knowledge of the first complain.	knowledge of the first complainant.
2010 (2)	281	4 from bottom	respondent to consider the representation	appellant to consider the representation