TABLE OF CONTENTS

SESSION 1 CONSTITUTIONAL INTERPRETATIONS: REFLECTIONS ON TRANSFORMATION, CONTINUITIES & CONSTITUTION'S SILENCES		
1.	Justice Jayasankaran Nambiar A.K, Re-Imagining Constitutional Interpretation in India, Journal of the Indian Law Institute, vol.64, April-June 2022, pp.157-180	1
2.	Arvind P. Datar and Rahul Unnikrishnan, <i>Interpretation of Constitutions: A Doctrinal Study</i> , 29(2) NLSI Rev, 136 (2017)	24
3.	Jeffrey Goldsworthy, <i>Raz on Constitutional Interpretation</i> , 22(2) Law and Philosophy, 167-193 (Mar., 2003)	35
4.	Sudershan Satalkar, Living Originalism and Moral Interpretation: Is it the Answer to Long-Standing Questions in the Indian Constitutional Sphere? 2022 SCC OnLine Blog OpEd 11	62
5.	Lawrence H. Tribe, <i>Soundings and Silences</i> , 115(3) Mich L R Online 26 (2016)	71
6.	Upendra Baxi, <i>Preliminary Notes in Transformative Constitutionalism</i> , in Transformative Constitutionalism: Comparing the apex courts of Brazil, Indian and South Africa, Published by, Pretoria University Law Press (PULP) 2013	115
7.	Arvind P. Datar, <i>A Seventy Year Journey – Seventy Landmark Cases</i> in THE CONSTITUTION OF INDIA CELEBRATING AND CALIBRATING 70 YEARS, edited by Dr. Lalit Bhasin, Law & Justice Publishing Co. (2020)	146
8.	Sandeep Suresh, <i>The Transformative Constitution: A Radical Biography in Nine Acts, International Journal of Constitutional Law</i> , Volume 18, Issue 2, July 2020, Pages 668–672	168

Additional Readings:

- Robert Post, *Theories of Constitutional Interpretation*, Representations 13–41, 13-41 (1990)
- Robert A. Schapiro, *Identity and Interpretation in State Constitutional Law*, 84 Virginia Law Review 389-457 (1998)
- Arthur Stock, Justice Scalia's Use of Sources in Statutory and Constitutional Interpretation: How Congress Always Loses, 1990 Duke Law Journal 160-192 (1990)
- David A. Strauss, *Common Law Constitutional Interpretation*, 63 The University of Chicago Law Review 877-935 (1996)
- Keith E. Whittington, *Dworkin's "Originalism": The Role of Intentions in Constitutional Interpretation*, The Review of Politics, Spring, 2000, Vol. 62, No. 2 (Spring, 2000), pp. 197-229
- Aharon Barak, Purposive Interpretation in Law, 371 Princeton University Press, 2005).
- Richard H. Fallon Jr., How to Choose a Constitutional Theory, 87 CAL L. REV. 535
- Thomas W. Merrill, Textualism and the Future of the Chevron Doctrine, 72 Wash. U. L. Q. 351 (1994)
- Note, *Textualism's Mistake*, JAN 10, 2022, 135 Harv. L. Rev. 890

Case Law

- 1. Indian Medicines Pharmaceuticals Corpn. Ltd. v. Kerala Ayurvedic Coop. Society Ltd., 2023 SCC OnLine SC 5
- 2. State of Rajasthan v. Komal Lodha, 2023 SCC OnLine SC 41
- 3. People's Union for Civil Liberties v. Union of India, (2003) 4 SCC 399
- 4. S.R. Chaudhuri v. State of Punjab, (2001) 7 SCC 126
- 5. State of Punjab v. Mohinder Singh Chawla, (1997) 2 SCC 83
- 6. S. R. Bommai v. Union of India, AIR 1994 SC 1918
- 7. Mohini Jain v. State of Karnataka, (1992) 3 SCC 666
- 8. Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
- 9. Shantistar Builders v. Narayan Khimalal Totame, (1990) 1 SCC 520
- 10. Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545
- 11. Hussainara Khatoon & Ors vs Home Secretary, State Of Bihar, 1979 AIR 1369
- 12. Minerva Mills Ltd. v. Union of India, (1980) 3 SCC 625
- 13. Ramana Dayaram Shetty v. International Airport Authority of India, (1979) 3 SCC 489
- 14. Mohinder Singh Gill v. Chief Election Commr., (1978) 1 SCC 405
- 15. Maneka Gandhi v. Union of India, (1978) 1 SCC 248
- 16. Gobind v. State of Madhya Pradesh, (1975) 2 SCC 148
- 17. E.P. Royappa v. State of T.N., (1974) 4 SCC 3
- 18. Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225
- 19. Rustom Cavasjee Cooper v. Union of India, (1970) 1 SCC 248
- 20. Union of India v. Metal Corpn. of India Ltd., AIR 1967 SC 637
- 21. Golak Nath v. State of Punjab, AIR 1967 SC 1643
- 22. Ishwari Khetan Sugar Mills (P) Ltd. and Ors. vs. State of Uttar Pradesh and Ors. (1980) 4 SCC 136
- 23. Kavalappara Kottarathil Kochunni v. State of Madras, AIR 1960 SC 1080
- 24. Sri Venkataramana Devaru v State of Mysore, AIR 1958 SC 255
- 25. State of W.B. v. Bela Banerjee, AIR 1954 SC 170
- 26. State of W.B. v. Anwar Ali Sarkar, AIR 1952 SC 75
- 27. S. Krishnan v. State of Madras, AIR 1951 SC 301
- 28. Janardhan Reddy v. State of Hyderabad, AIR 1951 SC 217
- 29. Ashwani Kumar v. Union on India [2020] 13SCC 585

SESSION 2 DEVELOPMENT OF CONSTITUTIONAL MORALITY: ADHERING TO THE CONSTITUTIONAL NORMS & ETHOS		
1.	Jeremy Waldron, <i>Judges As Moral Reasoners</i> , Oxford University Press and New York University School of Law, 7 (1) I.Con, 1–24 (2009).	173
2.	William D. Guthrie, <i>Constitutional Morality</i> , 196 (681) The North American Review, 154-173 (Aug., 1912)	197
3.	K. K. Venugopal, <i>Constitutional Morality</i> in THE CONSTITUTION OF INDIA CELEBRATING AND CALIBRATING 70 YEARS, edited by Dr. Lalit Bhasin, Law & Justice Publishing Co. (2020)	219
4.	S.S. Naganand, <i>Tests of Constitutional Morality & Manifest Arbitrariness – Judicial Innovation</i> in the constitution of India Celebrating and Calibrating 70 YEARS, edited by Dr. Lalit Bhasin, Law & Justice Publishing Co. (2020)	229
5.	Arvind Narrain, A New Language of Morality: From the Trial of Nowshirwan to the Judgment in Naz Foundation, Transformative Constitutionalism: Comparing the apex courts of Brazil, Indian and South Africa, Published by, Pretoria University Law Press (PULP), (2013)	239
6.	Gopal Subramanium, <i>Constitutional Morality: Is it a Dilemma for State, Courts and Citizens?</i> , 1st D.V. Subba Rao Memorial Lecture delivered on April 24, 2016, Centre for Policy Studies	261
7.	Dr. Abhinav Chandrachud, <i>The Many Meanings of Constitutional Morality</i> , (January 18, 2020). Available at http://dx.doi.org/10.2139/ssrn.3521665	340

Additional Readings:

- Tony Honoré, *The Necessary Connection between Law and Morality, Oxford Journal of Legal Studies*, Autumn, 2002, Vol. 22, No. 3 (Autumn, 2002), pp. 489-495
- L. C. Green, *Law and Morality in a Changing Society*, The University of Toronto Law Journal, Autumn, 1970, Vol. 20, No. 4 (Autumn, 1970), pp. 422-447
- Dana Patton, The Supreme Court and Morality Policy Adoption in the American States: The Impact of Constitutional Context, Political Research Quarterly, Sep., 2007, Vol. 60, No. 3 (Sep., 2007), pp. 468-488

Case Law

- 1. Kaushal Kishor v. State of U.P., 2023 SCC OnLine SC 6
- 2. Kantaru Rajeevaru v. Indian Young Lawyers Association, (2020) 3 SCC 52
- 3. Shrimat Balasaheb Patil v Speaker, Karnataka Legislative Assembly, (2020) 2 SCC 595
- 4. Indian Young Lawyers Association & Ors v. The State of Kerala, (2019) 11 SCC 1
- 5. K. S. Puttaswamy (Aadhaar) v. Union of India, (2019) 1 SCC 1

- 6. Manoj Narula v. Union of India, 2014 SCC OnLine SC 640
- 7. State (NCT of Delhi) v. Union of India, (2018) 8 SCC Navtej Singh Johar v. Union of India, (2018) 10 SCC 1
- 8. Joseph Shine v. Union of India, (2018) 2 SCC
- 9. Independent Thought v. Union of India, AIR 2017 SC 4904
- 10. Naz Foundation v Government of NCT and Ors., (2009 SCC OnLine Del 1762
- 11. Nashirwar Etc v. The State of Madhya Pradesh, 1975 AIR 360
- 12. Mr. 'X' v. Hospital 'Z', 1998 Supp (1) SCR 723 overruled by Mr. X vs. Hospital Z, (2003) 1 SCC 500
- 13. S.P Gupta v. Union of India, AIR 1982 SC 149
- 14. State of Haryana v. Faridabad Industries Association, CM-936-CWP-2022 in/and CWP-24967-2021
- 15. Jayalakshmi and Others v. State of Tamil Nadu, 2021 SCC Online Mad 16513

Dobbs, State Health Officer of the Mississippi Department of Health, Et Al. v. Jackson Women's Health Organization Et Al., 597 U. S. (2022),

Manifest Arbitrariness:

- 18. Hindustan Construction Company Ltd. v. Union of India, 2019 SCC OnLine SC 1520
- 19. Union of India v. N.S. Rathnam and Sons, (2015) 10 SCC 681
- 20. Asha Sharma v. Chandigarh Administration, (2011) 10 SCC 86
- 21. Mardia Chemicals Ltd v. Union of India, (2004) 4 SCC 311
- 22. Malpe Vishwanath Acharya & Ors v. State of Maharashtra, (1998) 2 SCC 1
- 23. State of Andhra Pradesh v. McDowell & Co., (1996) 3 SCC 709
- 24. Dr. K.R. Lakshmanan v. State of Tamil Nadu & Ors, (1996) 2 SCC 226
- 25. Kumari Srilekha Vidyarthi v. State of U.P., (1991) 1 SCC 212,
- 26. Indian Express Newspaper Pvt. Ltd. & Ors. v. Union of India, (1985) 1 SCC 641
- 27. Ajay Hasia & Ors v. Khalid Mujib Sehravardi & Ors, (1981) 1 SCC 722

SESSION 3 AFFIRMATIVE ACTION, EQUAL OPPORTUNITY & DIVERSITY: AN EVOLVING **JURISPRUDENCE** Jagannath Ambagudia, Democracy and Political Marginality: Reading Invisible 1. 355 Resistance to Political Reservation in India, 32 NAT'I L. Sch. INDIA REV. 211 (2020).V. K. Dixit, Cast, Class & Constitutional Reservations, Paperback Issue, The 374 2. National Law Institute University, Bhopal, (2009) 3. Sawinder Singh, Transforming Affirmative Action Jurisprudence: Applying 417 Eidelson's Theory on the Supreme Court of India, Research Paper No. 2022-02 Surendrakumar Bagde, Dennis Epple and Lowell Taylor, Does Affirmative Action 4. 450 Work? Caste, Gender, College Quality, and Academic Success in India, 106(6) The

	American Economic Review, 1495-1521 (JUNE 2016)	
5.	Amarnath Mohanty, <i>Affirmative Action in India: An Alternative Perspective</i> , Economic and Political Weekly, Jul. Vol. 42, No. 30 (Jul. 28 - Aug. 3, 2007), pp. 3151-3157	478
6.	J. Laxmi Narasimha Rao, <i>Affirmative Action in India: Emerging Contours</i> , 69 (3) The Indian Journal of Political Science, 483-492, (July - Sept., 2008)	486

Additional Readings:

- Dr Durga Das Basu, COMMENTARY ON THE CONSTITUTION OF INDIA, Vol. 3 (Article 15-19), LexisNexis, Ninth Edition (2014)
- Dharma Kumar, *The Affirmative Action Debate in India*, Asian Survey ,Vol. 32, No. 3 (Mar., 1992), pp. 290-302
- Dipankar Gupta, *Towards Affirmative Action*, India International Centre Quarterly, Vol. 33, No. 3/4, India 60 (Winter 2006-Spring 2007), pp. 150-161
- Ashwini Deshpande, *Quest for Equality: Affirmative Action in India*, Indian Journal of Industrial Relations, Oct., 2008, Vol. 44, No. 2 (Oct., 2008), pp. 154-163

Case Law

- 1. Neil Aurelio Nunes v. Union of India, 2022 SCC OnLine SC 75
- 2. State of Punjab v. Anshika Goyal 2022 SCC OnLine SC 86
- 3. Janhit Abhiyan v Union of India, 2022 SCC OnLine SC 1540
- 4. Kshetrimayum Maheshkumar Singh v. Manipur University, 2022 SCC OnLine SC 12
- 5. Dr. Jaishri Laxmanrao Patil v. The Chief Minister, 2021 SCC OnLine SC 362
- 6. Saurav Yadav v. State of Uttar Pradesh, 2020 SCC OnLine SC 1034
- 7. B.K. Pavitra v. Union of India, (2019) 16 SCC 129
- 8. Jarnail Singh v. Lachhmi Narain Gupta, 2018 SCC OnLine SC 1641
- 9. Sunita Singh v. State of U.P., (2018) 2 SCC 493
- 10. Suresh Chand Gautaum v. State of Uttar Pradesh, (2016) 11 SCC 113
- 11. Union of India v. National Federation of the Blind, (2013) 10 SCC 772
- 12. Faculty Assn. of AIIMS v. Union of India, (2013) 11 SCC 246
- 13. Kailas v. State of Maharashtra, (2011) 1 SCC 793
- 14. Ravinder Kumar v. State of Haryana, AIR 2010 SC 2128
- 15. Union of India v. Ramesh Ram, AIR 2010 SC 2691
- 16. Union of India v. Rakesh Kumar, AIR 2010 SC 3244
- 17. Gulshan Prakash v. State of Haryana, AIR 2010 SC 288

- 18. AP Public Services Commission v. Baloji Badhavath, (2009) 5 SCC 1
- 19. Subhash Chandra v. Delhi Subordinate Services Selection Committee, (2009) 15 SCC 458
- 20. Ashoka Kumar Thakur v. Union of India, (2008) 6 SCC 1
- 21. Nair Services Society v. State of Kerala, AIR 2007 SC 2891
- 22. Mahesh Gupta v. Yashwant Kumar Ahirwar, AIR 2007 SC 3136
- 23. M. Nagaraj v. Union of India, (2006) 8 SCC 212
- 24. E.V. Chinnaiah v. State of A.P., (2005) 1 SCC 394
- 25. S. Pushpa v. Sivachanmugavelu, AIR 2005 SC 1038
- 26. Islamic Academy of Education v. State of Karnataka, AIR 2003 SC 3724
- 27. Indra Sawhney II v. Union of India, AIR 2000 SC 498
- 28. Indra Sawhney v. Union of India, 1992 Supp (3) SCC 217
- 29. Jagdish Negi v. State of Uttar Pradesh, (1997) 7 SCC 203
- 30. State of Kerala v. N.M. Thomas, AIR 1976 SC 490
- 31. Keshav Mills Co. Ltd. v. CIT, (1965) 2 SCR 908
- 32. Jyothsna A v. Kerala Public Service Commission, WP(C) No. 22994 of 2021
- 33. Fisher v. University of Texas at Austin, also called Fisher II, 579 U.S. 365 (2016),
- 34. Fisher v. University of Texas at Austin (Fisher I)," 570 U.S. 297 (2013)

SESSION 4 JUDICIAL REVIEW: JUDICIAL REVIEW OF LEGISLATIVE & ADMINISTRATIV ACTIONS		
1.	Jaideep Gupta, <i>Judicial Review of Legislation under the Indian Constitution: The First 70 Years</i> in The Constitution of India: Calibrating and Calibrating 70 Years by Lalit Bhasin (Ed.), Law & Justice Publishing Co. (2020), pp. 175-186	498
2.	Santosh Hegde, <i>Limits of Judicial Review — After Kesavananda Bharati</i> , (2001) 3 LW (JS) 1 (1)	510
3.	George C. Christie, <i>A Model of Judicial Review of Legislation</i> , Souther California Law Review (1975), Vol. 48:1306	521
4.	Tarunabh Khaitan, <i>Equality – Legislative Review under Article 14</i> in THE OXFORD HANDBOOK OF THE INDIAN CONSTITUTION, Sudhir Choudhary et.al. (Ed.), Oxford University Press (2016), pp. 699-719	574
5.	Prateek Jalan and Ritin Rai, <i>Review of Administrative Action</i> in THE OXFORD HANDBOOK OF THE INDIAN CONSTITUTION, Sudhir Choudhary et.al. (Ed.), Oxford University Press (2016), pp. 432-447	596
6.	V. Sudhish Pai, Is Wednesbury on the Terminal Decline?, (2008) 2 SCC (J)	613
7.	Justice Markandey Katju, Administrative Law and Judicial Review of Administrative Action, (2005) 8 SCC J-25	622

8.	Santanu Sabhapandit, Article 12 and Judicial Review of Administrative Action: An Analysis, Indian Law Review, (2018)	631		
9.	C.K. Thakker, <i>Administrative Discretion and Judicial Review</i> (excerpt - Chapter 9), Administrative Law, 2 nd Ed., Eastern book Co. Pp. 710-733	653		
10.	Michael Kirby, Effective Review of Administrative Acts: The Hallmark of a Free and Fair Society, 5 S. Afr. J. On Hum. Rts. 321 (1989)	678		
	Judgments Extracts: Judicial Review of Legislative Action			
1.	Baharul Islam v. Indian Medical Assn., 2023 SCC OnLine SC 79	703		
2.	Vivek Narayan Sharma v. Union of India, 2023 SCC OnLine SC 1	704		
3.	Ibrat Faizan v. Omaxe Buildhome Private Limited, 2022 SCC OnLine SC 620	707		
4.	Jacob Puliyel v. Union of India and Others, 2022 SCC OnLine SC 533	708		
5.	Mangalam Organics Ltd. v. Union of India, (2017) 7 SCC 221	712		
6.	Madras Bar Association vs. Union of India (UOI), (2014) 10 SCC 1	715		
7.	A.K. Behera v. Union of India, (2010) 11 SCC 322	734		
8.	State of Kerala v. Peoples Union for Civil Liberties, (2009) 8 SCC 46	736		
9.	Navtej Singh Johar v. Union of India, (2018) 10 SCC 1	737		
10.	Jindal Stainless Ltd. v. State of Haryana, (2017) 12 SCC 1	737		
11.	K.S. Puttaswamy (Privacy-9J.) v. Union of India, (2017) 10 SCC 1	742		
(Judg	Case Note: Judicial Review of Legislative Action (Judgments mentioned below include citations for reference. Please refer full judgment (available in pen drive) for conclusive opinion)			
12.	Madras Bar Association v. Union of India and Another, 2021 SCC OnLine SC 463			
13.	Balkrishna Ram v. Union of India, (2020) 2 SCC 442			
14.	P. Sambamurthy And Others v. State of A.P., (1987) 1 SCC 362			
15.	Commissioner of Income Tax v. Godavari Devi Saraf, 1977 SCC Online Bom 215			
16.	Common Cause v. Union of India, (2003) 8 SCC 250].			
17.	L. Chandra Kumar vs Union Of India And Others, [AIR 1997 SC 1125]			
	Additional Case Reference			
18.	East India Commercial Co. Ltd, Calcutta v. Collector of Customs Calcutta, (1963) 3 SC	R 338		
19.	State v. Abdool Rachid Khoyratty, 2006 SCC OnLine UKPC 1 (Mauritius)			
	Judgment Extracts: Judicial Review of Administrative Action			
20.	Union of India v. Sunil Kumar, 2023 SCC OnLine SC 56	744		
21.	Mohd. Mustafa v. Union of India, 2021 SCC Online SC 1063	745		

22.		
	Shivraj Singh Chouhan v. M.P. Legislative Assembly, (2020) 17 SCC 1	747
23.	Ghanshyam Upadhyay v. The State of Uttar Pradesh, (2020) 16 SCC 811	749
24.	State of Rajasthan and Others v. Heem Singh, 2020 SCC OnLine SC 886	750
25.	Vasavi Engineering College Parents Assn. v. State of Telangana & ors. (2019) 7 SCC 172	751
26.	Municipal Corporation, Ujjain v. BVG India Ltd. & ors., (2018) 5 SCC 462	754
27.	State of Himachal Pradesh & Others v. Satpal Saini, (2017) 11 SCC 42	758
28.	M/s Kalinga Mining Corp. v. Union of India, (2013) 5 SCC 252	759
29.	M/S Kranti Asso. Pvt. Ltd. & Anr v. Masood Ahmed Khan & Ors, (2010) 9 SCC 496	761
30.	Raja Ram Pal v. Hon'ble Speaker, Lok Sabha, (2007) 3 SCC 184	761
31.	Mansingh v. State of Haryana, (2008) 12 SCC 331	772
32.	Haryana Financial Corporation v. Jagdamba Oil Mills and Another, (2002) 3 SCC 496	772
33.	Supreme Court Advocates-on-Record Assn. v. Union of India, (1993) 4 SCC 441	773
34.	A.K. Kraipak v. Union of India, (1969) 2 SCC 262	774
	Judgment Brief: Judicial Review of Administrative Action	
	[Please refer full judgment (available in pen drive) for conclusive opinion]	
35.	[Please refer full judgment (available in pen drive) for conclusive opinion] Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335	777
35. 36.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC	
	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC	778
36.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542	778
36. 37.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542 Yashwant Sinha v. Central Bureau of Investigation & ors. (2020) 2 SCC 338 Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors., (2020)	778 779 782
36. 37. 38.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542 Yashwant Sinha v. Central Bureau of Investigation & ors. (2020) 2 SCC 338 Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors., (2020) 2 SCC 595	778
36. 37. 38.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542 Yashwant Sinha v. Central Bureau of Investigation & ors. (2020) 2 SCC 338 Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors., (2020) 2 SCC 595 Indore Development Authority v. Manohar Lal & ors., (2020) 6 SCC 304	778 779 782 784 785
36. 37. 38. 39.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542 Yashwant Sinha v. Central Bureau of Investigation & ors. (2020) 2 SCC 338 Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors., (2020) 2 SCC 595 Indore Development Authority v. Manohar Lal & ors., (2020) 6 SCC 304 63 Moons Technologies Ltd. v. Union of India & ors. (2019) 18 SCC 401 Rajbir Surajbhan Singh v. The Chairman, Institute of Banking Personnel Selection,	778 779 782 784 785 788
36. 37. 38. 39. 40.	Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors 2020 SCC OnLine 52 SC 335 Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors. 2019 SCC OnLine SC 1542 Yashwant Sinha v. Central Bureau of Investigation & ors. (2020) 2 SCC 338 Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors., (2020) 2 SCC 595 Indore Development Authority v. Manohar Lal & ors., (2020) 6 SCC 304 63 Moons Technologies Ltd. v. Union of India & ors. (2019) 18 SCC 401 Rajbir Surajbhan Singh v. The Chairman, Institute of Banking Personnel Selection, Mumbai, (2019) 14 SCC 189 Dinesh Kumar Kashyap and ors. v. South East Central Railway & ors. (2019) 12 SCC	778 779 782 784

Case Note: Judicial Review of Administrative Action

45.	Punjab State Power Corporation Limited and Another v. Emta Coal Limited, 202 OnLine SC 766	1 SCC
46.	Pyare Lal v. State of Haryana, (2020) 8 SCCC 680	
47.	Ramakrishna Mission v. Kago Kunya, (2019) 16 SCC 303	
48.	Rashmi Metaliks Ltd. and Anr v. Kolkata Metropolitan Development Authority and (2013) 10 SCC 95	others,
49.	Manohar Lal Sharma v. Union of India, (2013) 6 SCC 616	
50.	Noble Resources Ltd v. State of Orissa and Anr, (2006) 10 SCC 236	
51.	Epuru Sudhakar And Another v. Government of A.P. And Others, (2006) 8 SCC 161	
52.	Jagdish Mandal v. State of Orissa And Others, (2007) 14 SCC 517	
53.	V. Ramana v. A.P. SRTC and Others, (2005) 7 SCC 338	
54.	Bikas Chatterjee v. Union of India and Others, (2004) 7 SCC 634	
55.	Om Kumar and Others v. Union of India, (2001) 2 SCC 386	
56.	Union of India v. Ganayutham, (1997) 7 SCC 463	
57.	Tata Cellular v. Union of India, (1994) 6 SCC 651	
58.	Sterling Computers Ltd. v. M/s M & N Publications Ltd. and Others, (1993) 1 SCC 44	45
59.	Maru Ram v. Union of India and Ors, 1981 SCC (Cri) 112	
60.	Associated Provincial Picture Houses v. Wednesbury Corpn., (1948) 1 KB 223 (CA)	
	Additional Case References	
61.	Council Of Civil Service Unions And Others Appellants And Minister For The Civil S Respondent, [1985] A.C. 374	Service
62.	William Marbury v. James Madison, 5 US 137 (1803)	
63.	Municipal Council, Neemuch v. Mahadeo Real Estate & ors. (2019) 10 SCC 738	
	SESSION 5 ICIAL ACTIVISM VERSUS JUDICIAL RESTRAINT: EVOLVING JURISPRUD	
1.	Patrick Lenta, <i>Judicial Restraint and Overreach</i> , 20 S. AFR. J. ON HUM. Rts. 544 (2004)	799
2.	Dr. Justice B.S. Chauhan, <i>The Legislative Aspect of the Judiciary: Judicial Activism and Judicial Restraint</i> , (Unpublished, prepared for and delivered at Tamil Nadu State Judicial Aacdemy	783
3.	Justice Ruma Pal, Judicial Oversight or Overreach: The Role of the Judiciary in Contemporary India, (2008) 7 SCC J-9	850
4.	Soli J. Sorabjee, <i>Judicial Activism - Boon or Bane?</i> , (2008) 3 SCC J-24	869
5.	R Shunmugasundaram, <i>Judicial activism and overreach in India</i> , Amicus Curiae Issue 72 Winter 2007	878

6.	R. Hari Krishnan and Anurag Bhaskar, <i>Article 142 of the Indian Constitution: On the Thin Line Between Judicial Activism and Restraint</i> in JUDICIAL REVIEW – PROCESS, POWERS, AND PROBLEMS by Salman Khurshid, <i>et.al.</i> (ed.), Cambridge University Press (2020), pp. 341-364	886
7.	Michael Kirby, The Necessities and Limitations of Judicial Activism , (2013) 8 SCC J-5	910
8.	Ariel L. Bendor, <i>The Relevance of the Judicial Activism vs. Judicial Restraint Discourse</i> , 47 Tulsa L. Rev. 331 2011-2012	928
9.	C. Herman Prichett, <i>Activism versus Self –Restraint</i> in The Roosevelt Court: A Study in Judicial Politics And Value 1937-1947, Quid Pro Books (2014), pp.214-222	937

Additional Readings:

- John McMillan, Judicial Restraint and Activism in Administrative Law, 30 FED. L. REV. 335 (2002).
- Ernest A. Young, Judicial Activism and Conservative Politics, 73 U. Colo. L. Rev. 1139 (2002).
- Kate Nace Day, Judicial Review, Judicial Activism, Queer Rights, and Literature: A Conservation between the Honorable Michael Kirby and Professor Ruthann Robson, 43 Suffolk U. L. Rev. 89 (2009)
- Daphne Barak-Erez, Broadening the Scope of Judicial Review in Israel: Between Activism and Restraint, 3 Indian J. Const. L. 118 (2009).
- John McMillan, Judicial Restraint and Activism in Administrative Law, 30 Fed. L. Rev. 335 (2002).

Case Law

- 1. Common Cause (A Regd. Society) v. Union of India, (2018) 5 SCC 1
- 2. Supreme Court Advocates-on-Record Assn. v. Union of India, (2016) 5 SCC 1
- 3. Manish Kumar v. Union of India, (2021) 5 SCC 1
- 4. Indian Young Lawyers Assn. v. State of Kerala, (2019) 11 SCC 1
- 5. Nanha and another v. Deputy Director of Consolidation, Kanpur & Consolidati
- 6. Gujarat Mazdoor Sabha v. The state of Gujarat, (2020) 10 SCC 459
- 7. Alagaapuram R Mohanraj v. Tamil Nadu Legislative Assembly, (2016) 6 SCC 82
- 8. Joseph Shine v. Union of India, (2019)3 SCC 39
- 9. Competition Commission of India v. Steel Authority of India Limited 2010 (10) SCC 744
- 10. Rajeev Suri v. Delhi Development Authority and Others, 2021 SCC OnLine SC 7
- 11. Sushil Kumar v. The State Of Haryana & Ors. Civil Appeal No. 401 OF 2022
- 12. Reliance Airport Developers (P) Ltd. v. Airport Authority of India and Ors, (2006) 10 SCC 1
- 13. Harbhajan Singh and Minister of Employment and Immigration, 1985
- 14. Council Of Civil Service Unions And Others v. and Minister For The Civil Service, [1985] A.C. 374
- 15. William Marbury v. James r, 5 US 137 (1803) Seaford Court Estates LD. v Asher, [1949] 2 K.B. 481

- 16. Associated Provincial Picture Houses, Limited v. Wednesbury Corporation, [1948] 1 K.B. 223
- 17. S.R. Bommai v. Union of India [1994 AIR 1918]
- 18. Siemens Engineering & Samp; Manufacturing Co of India Ltd. V. UOI and Ors (1976) 2 SCC 981
- 19. Unni Krishnan, J.P. & Ors. v. State of Andhra Pradesh & Ors. 1993 SCC (1) 645
- 20. A.K. Gopalan v. State of Madras, AIR 1950 SC 27
- 21. State of Madras v. V.G. Row, AIR 1952 SC 196
- 22. Rai Sahib Ram Jawaya Kapur And Ors. vs The State of Punjab AIR 1955 SC 549
- 23. Jayantilal Amrit Lal Shodhan vs F.N. Rana & Samp; Others 1964 AIR 648
- 24. Kesavananda Bharati v. State of Kerala (1973) 4 SCC 225
- 25. Minerva Mills Ltd. & Drs vs Union of India & Ors AIR 1980 SC 1789
- 26. Manak Lal v. Dr. Prem Chand [1957 AIR 425]
- 27. ASRTC and Ors. Vs. Abdul Kareem (2007) 2 SCC 466
- 28. State of Gujarat & Camp; Ors v. Ambalal Haiderbhai [1976 3 SCC 495]
- 29. Pradeep Kumar Biswas v. Indian Institute of Chemical [(2002) 5 SCC 111]
- 30. Anandi Mukta Sadguru... v. V.R. Rudani and others [(1989) 2 SCC 691]
- 31. Natural Resource Allocation, In Re [(2012) 10 SCC 1]
- 32. Saregama (India) Ltd. v. Next Radio Ltd., (2022) 1 SCC 701
- 33. A.R. Antulay v. R.S. Nayak & Samp; Anr, 1988 AIR 1531
- 34. ADM Jabalpur v. Shivkant Shukla, 1976 AIR 1207
- 35. Bandhua Mukti Morcha v. Union of India & Others, 1984 AIR 802.
- 36. Vellore Citizens Welfare Forum v. Union of India, (1996) 5 SCC 647
- 37. Vishaka & Ors v. State of Rajasthan & Ors, (1997) 6 SCC 241
- 38. Union Carbide Corporation v. Union of India, 1990 AIR 273
- 39. Zahira Habibullah Sheikh & Anr v. State of Gujarat & Ors, (2004) 4 SCC 158
- 40. MC Mehta v. Union of India, (1997) 2 SCC 353
- 41. Union of India and Others v. Ashish Agarwal, (2023) 1 SCC 617
- 42. Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353
- 43. Internet & Mobile Assn. of India v. RBI, (2020) 10 SCC 274
- 44. Hiral P. Harsora v. Kusum Narottamdas Harsora, (2016) 10 SCC 165
- 45. U.P. Bhoodan Yagna Samiti v. Braj Kishore, (1988) 4 SCC 274
- 46. Council of Civil Service Unions and Others v. Minister for the Civil Service, [1985] A.C. 374 [House of Lords]
- 47. State of U.P. v. Johri Mal. (2004) 4 SCC 714

Additional Suggested Readings (Books)

- 1. H.M. Seervai, CONSTITUTIONAL LAW OF INDIA: A CRITICAL COMMENTARY, Universal Book Traders, Delhi, Fourth Edition (2002)
- 2. THE CONSTITUTION OF INDIA CELEBRATING AND CALIBRATING 70 YEARS: COMPENDIUM OF ARTICLES, edited by Dr. Lalit Bhasin, Law & Justice Publishing Co. (2020)
- 3. Phillip J. Cooper, HARD JUDICIAL CHOICES, FEDERAL DISTRICT COURT JUDGES AND STATE AND LOCAL OFFICIALS, Oxford University Press (1988)
- 4. Chintan Chandrachud, BALANCED CONSTITUTIONALISM, COURTS AND LEGISLATURES IN INDIA AND THE UNITED KINGDOM, Oxford University Press (2017)
- 5. Granville Austin, WORKING A DEMOCRATIC CONSTITUTION, A HISTORY OF THE INDIAN EXPERIENCE, Oxford University Press (2004)
- 6. H.R. Khanna, MAKINGS OF INDIA'S CONSTITUTION, Eastern Book Co., reprint (2009)
- 7. Laurence H. Tribe, CONSTITUTIONAL CHOICES, Universal Law Publishing Co. Pvt. Ltd. (2000)
- 8. M.J.C. Vile, CONSTITUTIONALISM AND THE SEPARATION OF POWERS, Liberty Fund Inc. Second Edition (1998)
- 9. Prof. (Dr) Balram K. Gupta, MY JOURNEY WITH LAW & JUSTICE, Law & Justice Publishing Co. (2022)
- 10. A.G. Noorani, CONSTITUTIONAL QUESTIONS & CITIZENS' RIGHTS, Oxford University Press (2010)
- 11. Rohan J. Alva, LIBERTY AFTER FREEDOM: A HISTORY OF ARTICLE 21, DUE PROCESS AND THE CONSTITUTION OF INDIA, HarperCollins India (2022)
- 12. Gustave Le Bon, THE CROWD: A STUDY OF THE POPULAR MIND, Dover Publications Inc. (2002)
- 13. C. Herman Pritchett, THE ROOSEVELT COURT: A STUDY IN JUDICIAL POLITICS AND VALUES 1937-1947, Quid Pro Books (2014)
- 14. C. Herman Pritchett, THE FEDERAL SYSTEM IN CONSTITUTIONAL COURT, Prentice-Hall (1978)
- 15. C. Herman Pritchett, CONGRESS VERSUS THE SUPREME COURT, 1957-1960, University of Minnesota Press, First Edition (1961)
- 16. Harry Woolf, Jeffrey Jowell, Andrew Le Sueur., *De Smith's Judicial Review*, Sixth Ed., Sweet & Maxwell 2007 (Chapter 11, Pp. 543-608)