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9.	Tirupathi Balaji Developers (P) Ltd v. State of Bihar, (2004) 5 SCC 1 [The very existence of appellate jurisdiction obliges the lower jurisdiction to render all of its assistance to the higher jurisdiction to enable the exercise of appellate jurisdiction fully and effectively]
10.	All India Judges' Assn. (3) v. Union of India, (2002) 4 SCC 247 [Subordinate Judiciary is the foundation of the edifice of the judicial system and should be as strong as possible. Judicial service is not service in the sense of employment and judges are not employees. They exercise sovereign judicial power of the state at whatever level they may be. The members of other services are not at par with members of judiciary, either constitutionally or functionally]
11.	Delhi Bar Assn. v. Union of India, (2002) 10 SCC 159 [For a judicial officer the attributes to be seen are namely, integrity, honesty, basic knowledge of law and robust common sense]
12.	State of Bihar v. Bal Mukund Sah, (2000) 4 SCC 640 [Article 233 enacts a complete code for the purpose of appointment of District Judges and consultation with High Court is an inevitable feature of Art.233. Art.234 is not made subject to laws made by the legislature which means that the legislature cannot make any law regulating the appointment of subordinate judiciary. The legislature cannot bypass the High Court and provide reservation in judicial appointments]
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15.	State of Assam v. S.N. Sen, (1971) 2 SCC 889 [The power to confirm and promote judicial officers other than District Judges is vested exclusively in the High Court as under Article 235 and any rule vesting it in Governor shall be void]

16.	Chandra Mohan v. State of U.P (1967) 1 SCR 77 [The appointment of a judge would become invalid where High Court is not consulted at all. A duty is enjoined on the governor to make the appointment of District Judges in consultation with High Court which is the appropriate authority to give advice to him]	
17.	Ram Saran Tewari v. Raj Bahadur Varma, 1961 SCC OnLine All 227 [All courts are independent and no court can claim jurisdiction or authority of any kind over another without statutory authority. No court can claim appellate or revisional jurisdiction without statutory authority. Similarly, no Court can claim that another is subservient to it without statutory authority. Subordination in the sense of inferiority does not require any statutory authority as it is left to be judged on a comparison of powers and jurisdictions of the respective courts]	
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19.	Kranth Sangram Parishath v. Sri N Janardhan Reddy Chief, 1992 SCC OnLine AP 372 [Judicial discipline requires a decorum known to law warrants that appellate directions should be taken as binding and followed. A judge of a lower court cannot disregard the decision of a higher court and that the judicial system works only -"if someone is allowed to have the last word and if that last word, once spoken, is loyally accepted]	
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4.	S.E. Graphites (P) Ltd. v. State of Telangana, (2020) 14 SCC 521 [Even brief judgments of Supreme Court passed after grant of Special Leave are binding precedents]	
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7.	<p>Court on its Own Motion v. Jayant Kashmiri, 2017 SCC OnLine Del 7387</p> <p>[The judgments of the High Court would bind the trial courts. If an unnecessary reference to a judicial precedent or erroneous submission in law is made, the Judge considering the matter would reject the reliance thereon or the submission made. However, certainly reference to a judicial precedent cannot be termed a contumacious act]</p>
8.	<p>Union of India v. P. Shyamala, 2017 SCC OnLine Mad 6715</p> <p>[Exposition of law and ratio decidendi, to be accepted as a binding precedent, should be based on issues raised and argued by both sides. A mere observation without reasons is distinguishable, from a ratio decidendi]</p>
9.	<p>Hyder Consulting (UK) Ltd. v. State of Orissa, (2015) 2 SCC 189</p> <p>[A prior decision of this Court on identical facts and law binds the Court on the same points of law in a later case. In exceptional circumstances, where owing to obvious inadvertence or oversight, a judgment fails to notice a plain statutory provision or obligatory authority running counter to the reasoning and result reached, the principle of per incuriam may apply]</p>
10.	<p>Raj Kumar Mehra and Ors. v. Surinder Mohan, AIR 2015 HP 58</p> <p>[If a Judge or a quasi-judicial authority is not candid enough about his/her decision making process then it is impossible to know whether the person deciding is faithful to the doctrine of precedent or to principles of incrementalism. In all common law jurisdictions judgments play a vital role in setting up precedents for the future. Therefore, for development of law, requirement of giving reasons for the decision is of the essence and is virtually a part of "Due Process"]</p>
11.	<p>Namit Sharma v. Union of India, (2013) 1 SCC 745</p> <p>[It is not only the higher court's judgments that are binding precedents for the Information Commission, but even those of the larger Benches of the Commission should be given due acceptance and enforcement by the smaller Benches of the Commission. The rule of precedence is equally applicable to intra appeals or references in the hierarchy of the Commission]</p>
12.	<p>Pradip J. Mehta v. CIT, (2008) 14 SCC 283</p> <p>[The judgment of the other High Courts, though not binding, have persuasive value which should be taken note of and dissented from by recording its own reasons]</p>
13.	<p>Union of India v. Major Bahadur Singh, (2006) 1 SCC 368</p> <p>[Courts should not place reliance on decisions without discussing as to how the factual situation fits in with the fact situation of the decision on which reliance is placed. Observations of courts are neither to be read as Euclid's theorems nor as provisions of the statute and that too taken out of their context. These observations must be read in the context in which they appear to have been stated. Judgments of courts are not to be construed as statutes. To interpret words, phrases and provisions of a statute, it may become necessary for Judges to embark into lengthy discussions but the discussion is meant to explain and not to define. Judges interpret statutes, they do not interpret judgments. They interpret words of statutes; their words are not to be interpreted as statutes]</p>

14.	State of Haryana v. AGM Management Services Ltd., (2006) 5 SCC 520 [Circumstantial flexibility, one additional or different fact may make a world of difference between conclusions in two cases. Disposal of cases by blindly placing reliance on a decision is not proper]
15.	ICICI Bank v. Municipal Corpn. of Greater Bombay, (2005) 6 SCC 404 [It was held that the decision given by the Apex Court must be read following the context of the statutory provisions which have been interpreted by the competent court. It was also stated that no judgement can be read if it is a statute. Since the law cannot always be static, based on the relevant principles and rules, the Judges must cautiously make use of the precedents in deciding cases]
16.	Megh Singh v. State of Punjab, (2003) 8 SCC 666 [Circumstantial flexibility, one additional or different fact may make a world of difference between conclusions in two cases or between two accused in the same case. Each case depends on its own facts and a close similarity between one case and another is not enough because a single significant detail may alter the entire aspect]
17.	Director of Settlements, A.P. v. M.R. Apparao, (2002) 4 SCC 638 [It is necessary to follow the law declared by the Supreme Court and a judgment of the Court has to be read in context of questions which arose for consideration in the case in which the judgment was delivered. An “obiter dictum” as distinguished from a “ratio decidendi” is an observation by the Court on a legal question suggested in a case before it but not arising in such manner as to require a decision. Such an obiter may not have an effect of a binding precedent but it cannot be denied that it is of considerable weight]
18.	Suganthi Suresh Kumar v. Jagdeeshan, (2002) 2 SCC 420 [It is impermissible for the High Court to overrule the decision of the Apex Court on the ground that the Supreme Court laid down the legal position without considering any other point. It is not only a matter of discipline for the High Courts in India, it is the mandate of the Constitution as provided in Article 141 that the law declared by the Supreme Court shall be binding on all courts within the territory of India]
19.	Vishnu Traders v. State of Haryana, 1995 Supp (1) SCC 461 [In the matters of interlocutory orders, principle of binding precedent will not apply. However, the need for consistency of approach and uniformity in the exercise of judicial discretion respecting similar causes and the desirability to eliminate occasions for grievances of discriminatory treatment requires that all similar matters should receive similar treatment except where factual differences require a different treatment so that there is assurance of consistency, uniformity, predictability and certainty of judicial approach]
20.	Hari Singh v. State of Haryana, (1993) 3 SCC 114 [It was held that in a judicial system that is administered by courts, one of the primary principles to keep note of is that the courts under the same jurisdiction must have similar opinions regarding similar legal questions, issues and circumstances. If opinions given on similar legal issues are inconsistent then instead of achieving harmony in the judicial systems, it will result in judicial]

	chaos. The decision regarding a particular case that has been held for a long time cannot be disturbed merely because of the possibility of the existence of another view]
21.	State of Punjab v. Surinder Kumar, (1992) 1 SCC 489 [The High Courts have no power, like the power available to the Supreme Court under Article 142 of the Constitution of India, and merely because the Supreme Court granted certain reliefs in exercise of its power under Article 142 of the Constitution of India, similar orders could not be issued by the High Court]
23.	CIT v. Sun Engineering Works (P) Ltd., (1992) 4 SCC 363 [While applying the decision to a latter cases, the court must carefully try to ascertain the true principle laid down by the decision of Supreme Court and not to pick out words or sentences from the judgments divorced from the context of question under consideration by the court to support their reasoning]
24.	Blue Star Ltd. v. Commissioner of Income-Tax, 1994 SCC OnLine Bom 756 [The Bombay High Court quoted the following observations of Earl of Halsbury in the case of Qumin v. Leathem (1901) AC 495 (HL) “Every judgment must be read as applicable to the particular facts proved or assumed to be proved, since the generality of the expressions which may be found there, are not intended to be expositions of the whole law, but governed and qualified by the particular facts of the case in which such expressions are found and a case is only an authority for what it actually decides]
25.	Empire Industries Ltd. v. Union of India, (1985) 3 SCC 314 [Different courts sometimes pass different interim orders as the courts deem fit. It is a matter of common knowledge that the interim orders passed by particular courts on certain considerations are not precedents for other cases which may be on similar facts]
26.	Regional Manager v. Pawan Kumar Dubey, (1976) 3 SCC 334 [It is the rule deducible from the application of law to the facts and circumstances of a case which constitutes its ratio decidendi and not some conclusion based upon facts which may appear to be similar. One additional or different fact can make a world of difference between conclusions in two cases even when the same principles are applied in each case to similar facts]
27.	CIT v. Balkrishna Malhotra, (1971) 2 SCC 547 [Interpretation of a provision in a taxing statute rendered years back and accepted and acted upon by the department should not be easily departed from]
28.	State of Orissa v. Sudhansu Sekhar Misra, (1968) 2 SCR 154 [A decision is only an authority for what it actually decides. The essence in a decision is its ratio and not every observation found therein nor what logically follows from the various observations made in it. It is not a profitable task to extract a sentence, here and there from a judgment and to build upon it]

29.	K.T.M.T.M. Abdul Kayoom v. CIT, 1962 Supp (1) SCR 518 [Each case depends on its own facts and a close similarity between one case and another is not enough because even a single significant detail may alter the entire aspect. In deciding such cases, one should avoid the temptation to decide cases (as said by Cardozo) by matching the colour of one case against the colour of another. To decide, therefore, on which side of the line a case falls, the broad resemblance to another case is not at all decisive]
30.	East India Commercial Co. Ltd. v. Collector of Customs, AIR 1962 SC 1893 [The decision of a High Court on a point of law is binding on all inferior Tribunals within its territorial jurisdiction. Thus, the High Court which has the jurisdictional authority has control over all courts in the jurisdiction. Other High Courts' judgments are only persuasive in nature]
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Judgments	
1	CEC v. Mr. Vijayabhaskar, (2021) 9 SCC 770 [The Supreme Court held that the concept of an Open Court requires that information relating to a Court proceeding, including oral remarks by the bench, must be available in the public domain.]
2	Ram Murti Yadav v. State of U.P., (2020) 1 SCC 801 [It has to be kept in mind that a person seeking justice, has the first exposure to the justice delivery system at the level of subordinate judiciary, and thus a sense of injustice can have serious repercussions not only on that individual but can have its fall out in the society as well. It is

	therefore absolutely necessary that the ordinary litigant must have complete faith at this level and no impression can be afforded to be given to a litigant which may even create a perception to the contrary as the consequences can be very damaging]
3	Swapnil Tripathi and Others v. Supreme Court of India and Another, (2018) 10 SCC 639 [The Court held that the ability to view live broadcasts of the Supreme Court proceedings flowed from the right of access to justice in the Constitution. The Court said that this right should not be absolute. It provided a set of Model Guidelines which should govern the courts' discretion on when such broadcast should be used. The Court noted that the right of access to justice as set out in Article 21 of the Constitution, which protects the right to life and liberty, would be meaningful only when the public gets access to the proceedings. In addition, the Court commented that the State has an obligation to spread awareness about the law to enable individuals to understand the law. The Court also remarked, that it was now well settled that Article 19(1) (a) of the Constitution confers the right to know and receive information. So the public is entitled to witness Court proceedings]
4	Pradyum Bisht v. Union of India, (2018) 15 SCC 433 [The Court directed for installation of CCTV cameras inside courts and at such important location of court complexes as may be considered with monitor thereof in the chamber of District Judge.]
5	Renu v. District & Sessions Judge, (2014) 14 SCC 50 [Administrative control over the Subordinate Courts extends to all functionaries attached to the Subordinate Courts including the ministerial staff and servants in the establishment of the Subordinate Courts and such control is exclusive in nature, comprehensive in extent and effective in operation]
6	Imtiyaz Ahmed v. State of Uttar Pradesh, (2012) 2 SCC 688 [Supreme Court directs the Law Secretaries of all State Governments to file affidavits relating to budget allocation and utilization. S, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions]
7	Khanapuram Gandaiah v. Administrative Officer, (2010) 2 SCC 1 [Unwarranted inquiry or malicious litigation would affect the independence of subordinate judiciary. An appellate court can correct an error in judgement of a subordinate court but must refrain from commenting on the judges]
8	Nawal Singh v. State of U.P., (2003) 8 SCC 117 [Judiciary cannot afford service of persons of doubtful integrity or who have lost their utility. It was also reiterated that for keeping the stream of justice unpolluted, repeated scrutiny of service records of judicial officers after a specified age/completion of specified years of service provided

	under the Rules is a must by each and every High Court as the lower judiciary is the foundation of the judicial system]	
9	Chandra Singh v. State of Rajasthan, (2003) 6 SCC 545 [Article 235 of the Constitution of India enables the High Court to assess the performance of any judicial officer at any time with a view to discipline the black sheep or weed out the deadwood. This constitutional power of the High Court cannot be circumscribed by any rule or order... The nature of judicial service is such that it cannot afford to suffer continuance in service of persons of doubtful integrity or who have lost their utility]	
10	'K', A Judicial Officer, In re, (2001) 3 SCC 54 [Under Article 235, the emphasis should not be on punishment, but on discouraging the repetition of errors or failures]	
11	Madan Mohan Choudhary v. State of Bihar, (1999) 3 SCC 396 [Though the officers of subordinate judiciary are public servants their whole service is placed under the control of the High Court and the Governor cannot make any appointment or take any disciplinary action including action for removal or compulsory retirement unless the High Court is consulted]	
12	High Court of Judicature of Bombay v. Shirishkumar Rangrao Patil, (1997) 6 SCC 339 [The mandate of Article 235 of the Constitution is that the High Court has to maintain constant vigil on its subordinate judiciary. Thus, Article 235 of the Constitution of India enables the High Court to assess the performance of any judicial officer at any time with a view to discipline the black sheep or weed out the deadwood, and this constitutional power of the High Court cannot be circumscribed by any rule or order]	
13	Hari Datt Kainthla v. State of H.P., (1980) 3 SCC 189 [If any new rules are formulated under Art.309 for regulating recruitment and conditions of services of District Judges they will have to be in conformity with Art.233's Constitutional mandate or else will be ultra vires]	
Session 4 Principles Of Natural Justice For Procedural Fairness		
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2.	Kevin M. Stack, " An Administrative Jurisprudence: The Rule of Law in the Administrative State " 115(7) Columbia Law Review 1985-2018 (2015)	405
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6.	William Nelson, “ The Very Idea of Pure Procedural Justice ” 90(4) Ethics 502-511 (1980)	477
Judgments		
1	Yashodhan Singh and Others vs.State of Uttar Pradesh and Another 2023 SCC OnLine SC 890 [Merely because in certain proceedings the persons summoned had been provided an opportunity of being heard cannot be the same thing as stating that it is a mandatory requirement or a precondition that at the time of summoning a person under Section 319 of the Cr. P.C., he should be given an opportunity of being heard. It is well settled that principles of natural justice cannot be applied in strait-jacket formula and they would depend upon the facts of each case and the object and purpose to be achieved under a provision of law.]	
2	Ashok Kumar Kalra v. Surendra Agnihotri, (2020) 2 SCC 394 [Procedural justice and procedural fairness - Interpretation of Order 8 Rule 6-A of the Civil Procedure Code - Filing of counterclaim by a defendant in a suit – Whether the language of Order 8 Rule 6-A of the Civil Procedure Code is mandatory in nature - Procedural rules should not be interpreted so as to defeat justice, rather than furthering it - Even though Rule 6-A permits the filing of a counterclaim after the written statement, the court has the discretion to refuse such filing if it is done at a highly belated stage- Allowing counterclaims after the framing of issues would prolong the trial and will also prejudice the rights that may get vested with the plaintiff over the course of time - In exceptional circumstance the court may entertain a counterclaim even after the framing of issues so long as the court has not started recording the evidence - Apex Court explained considerations that must be borne in mind while allowing the filing of a belated counterclaim - It is not mandatory for a counterclaim to be filed along with the written statement.]	
3	Uma Nath Pandey v. State of U.P., (2009) 12 SCC 40 Natural Justice Principle – High Court order allowing the revision petition filed by Respondent 2 without issuing notice to the present appellants and to the other parties under challenge - Whether principles of natural justice have been violated; and if so, to what extent any prejudice has been caused - Impugned order set aside and the matter remitted to the High Court to consider the matter afresh after issuance of notice to the respondents.	
4	Ashoka Smokeless Coal India (P) Ltd. v. Union of India, (2007) 2 SCC 640	

	[Principles of natural justice are attracted where there is some right which is likely to be affected by any act of the administration including a legitimate expectation]
5	State Bank of Patiala v. S.K. Sharma, (1996) 3 SCC 364 The Supreme Court evolved detailed parameters apropos substantial compliance of rules of natural justice.
6	LIC v. Consumer Education & Research Centre, (1995) 5 SCC 482 [Every activity of a public authority or those under public duty or obligation must be informed by reason and guided by public interest]
7	ECIL v. B. Karunakar, (1993) 4 SCC 727 The right to receive the report of the enquiry officer in a disciplinary proceeding is considered an essential part of reasonable opportunity and also a principle of natural justice.
8	D.K. Yadav v. J.M.A. Industries Ltd., (1993) 3 SCC 259 [Without hearing the termination of services would be violative of Article 21 of the Constitution as such a procedure established by law which deprives a person of his livelihood cannot be said to be just, fair and reasonable under Article 21 of the Constitution]
9	H.L. Trehan v. Union of India, (1989) 1 SCC 764 [Even when the authority has statutory power to take action without hearing, it would be arbitrary to take action without hearing and thus violative of Article 14 of the Constitution]
10	Regina v. Tower Hamlets London Borough Council, ex p Chetnik Developments Ltd, [1988] 1 AC 858 [Once that question is answered in favour of the local authority, it may still be possible to say that although the local authority had kept within the four corners of the matters which they ought to consider, they have nevertheless come to a conclusion so unreasonable that no reasonable authority could ever have come to it. In such a case, again, I think the court can interfere]
11	Council of Civil Service Unions v. Minister for Civil Service, [1985] 1 AC 374 [Irrationality applies [for interfering with] a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it]
12	K.L. Tripathi v. State Bank of India, (1984) 1 SCC 43 [Cross-examination is an indefeasible right and is an integral part and parcel of the principles of natural justice.]
13	Maneka Gandhi v. Union of India, (1978) 1 SCC 248 [Procedural fairness is implied even in situations where the statute does not provide for it]
14	Union of India v. Tulsiram Patel, (1985) 3 SCC 398

	[Article 14 did not create the principles of natural justice, but rather that Article 14 is only their constitutional guardian]	
15	State of U.P v. Vijay Kumar Tripathi, 27 1955 Supp (I) SCC 552 [The court held that principles of natural justice must be read into the provisions of a law. Such a course is fundamental where the standard rejects, either explicitly by vital ramifications, the application of principles of natural justice]	
Session 5 Speedy Justice and Fairness in Trial		
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Judgments		
1	Judgebir Singh alias Jasbir Singh Samra alias Jasbir and Others vs. National Investigation Agency 2023 SCC OnLine SC 543]Default bail under the provisions of Section 167(2) of the Criminal Procedure Code, 1973 - Offences punishable under Section 120B of the Penal Code, 1860, Sections 17, 18, 18B and 20 respectively of the Unlawful Activities (Prevention) Act, 1967 and Sections 4 and 5 respectively of the Explosive Substances Act, 1908 - (i) Whether an accused is entitled to seek default bail under the provisions of Section 167(2) of the Criminal Procedure Code, 1973 on the ground that although the chargesheet might have been filed within the statutory time period as prescribed in law yet the chargesheet sans a valid order of sanction passed by a competent authority is no chargesheet in the eye of law and therefore, it is as good as saying that no chargesheet was filed by the investigating agency within the statutory time period as prescribed in law? To put it more succinctly, whether the Court concerned is precluded in any manner for the purpose of Section 167 of the CrPC from taking notice of the chargesheet that might have been filed by the investigating agency in the absence of a valid order of sanction? - (ii) Whether cognizance of the chargesheet is necessary to prevent the accused from seeking default bail or whether mere filing of the chargesheet would suffice for the investigation to be deemed complete? To put it in different words, whether the grant of sanction is contemplated under Section of the 167 CrPC? - (iii) A Special Court may not be in a position to take cognizance on account of failure on the part of the prosecution to obtain sanction to prosecute the accused under the UAPA and the 1908 Act, but does such failure amount to non-compliance with the provisions of Section 167(2) of the CrPC so as to entitle the accused to seek default bail?	

	<p>The order of sanction passed by the competent authority can be produced and placed on record even after the filing of the chargesheet. It may happen that the inordinate delay in placing the order of sanction before the Special Court may lead to delay in trial because the competent court will not be able to take cognizance of the offence without a valid sanction on record. In such an eventuality, at the most, it may be open for the accused to argue that his right to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution. This may at the most entitle the accused to pray for regular bail on the ground of delay in trial. But the same cannot be a ground to pray for statutory/default bail under the provisions of Section 167(2) of the CrPC.</p> <p>Once the chargesheet has been filed within the stipulated time, the question of grant of statutory/default bail does not arise. Whether cognizance has been taken or not taken is not relevant for the purpose of compliance of Section 167 of the CrPC. The mere filing of the chargesheet is sufficient. Filing of a chargesheet is sufficient compliance with the provisions of Section 167 of the CrPC and that an accused cannot claim any indefeasible right of being released on statutory/default bail under Section 167(2) of the CrPC on the ground that cognizance has not been taken before the expiry of the statutory time period to file the chargesheet. We once again, reiterate what this Court said in Suresh Kumar Bhikamchand Jain (supra) that grant of sanction is nowhere contemplated under Section 167 of the CrPC. This litigation is an eye opener for the NIA as well as the State investigating agency that if they want to seek extension, they must be careful that such extension is not prayed for at the last moment.]</p>
2	<p>Raj Kumar v. State (NCT of Delhi) 2023 SCC OnLine SC 609 [Section 313 of the Code of Criminal Procedure, 1973 - When the Trial Judge prepares questions to be put to the accused under Section 313, before putting the questions to the accused, the Judge can always provide copies of the said questions to the learned Public Prosecutor as well as the learned defence Counsel and seek their assistance for ensuring that every relevant material circumstance appearing against the accused is put to him. When the Judge seeks the assistance of the prosecutor and the defence lawyer, the lawyers must act as the officers of the Court and not as mouthpieces of their respective clients. While recording the statement under Section 313 of CrPC in cases involving a large number of prosecution witnesses, the Judicial Officers will be well advised to take benefit of subsection (5) of Section 313 of CrPC, which will ensure that the chances of committing errors and omissions are minimized.]</p>
3	<p>Mohammed Zubair v. State of NCT of Delhi, 2022 SCC OnLine SC 897 [The 6 FIRs filed in Ghaziabad, Chandauli, Lakhimpur, Sitapur, Hathras have also been transferred from the Uttar Pradesh Police to the Special Cell of the Delhi Police, thereby disbanding the SIT formed by the Director General of Police, Uttar Pradesh on 10 July 2022. If any other related FIR is filed against Zubair then the same will also be transferred to the Special Cell of the Delhi Police and Zubair shall be entitled to the order of interim bail.]</p>
4	<p>Kanchan Kumari v. State of Bihar and Another 2022 SCC OnLine SC 981 [Section 138 - Anticipatory Bail - Adverse order against third party by High Court in an anticipatory bail proceedings - It is a peremptory direction affecting a third party. The adverse impact of the direction goes to the very livelihood of the appellant. It has also civil consequences for the</p>

	appellant. Such a peremptory direction and that too, without even issuing any notice to the appellant was clearly unjustified.]
5	Jameel Ahmad v. Mohammed Umair Mohammad Haroon & anr. Criminal Appeal No. 230 of 2022 [Grant of bail, though a discretionary order, requires such discretion to be exercised in a judicious manner and on the application of certain settled parameters. The more heinous the crime, the greater the chance of rejection of bail, though the exercise also depends on the factual matrix of the matter]
6	Rajesh Seth v. The State of Chhattisgarh Special Leave to Appeal (Crl.) No(s).1247/2022; 21-02-2022 [Indefinite adjournment in a matter relating to anticipatory bail, that too after admitting it, is detrimental to the valuable right of a person - When a person is before the Court and that too in a matter involving personal liberty, least what is expected is for such a person to be given the result one way or the other, based on the merit of his case and not push him to a position of uncertainty or be condemned without being heard, when it matters.]
7	Satender Kumar Antil v. C.B.I, 2022 SCC Online SC 825 [‘India needs a Bail Act’: Supreme Court asks Centre to consider the suggestion; Grant of bail — Exercise of discretion by court — Guidelines issued therefore based on categorisation of offences made herein: Offences have been categorised and the guidelines have been issued for grant of bail, but without fettering the discretion of the courts concerned and keeping in mind the statutory provisions. Further held, where the accused have not cooperated in the investigation nor appeared before the investigating officers, nor answered summons when the court feels that judicial custody of the accused is necessary for the completion of the trial, where further investigation including a possible recovery is needed, the benefit of the above guidelines cannot be given to such accused. Lastly, held, it is not as if economic offences not covered by Special Acts, are completely taken out of the aforesaid guidelines but do form a different nature of offences. Thus the seriousness of the charge has to be taken into account but simultaneously, the severity of the punishment imposed by the statute would also be a factor.]
8	Manoj Kumar Khokhar v. State of Rajasthan (2022) 3 SCC 501 [Cryptic and casual bail orders without relevant reasons liable to be set aside; “ <i>cessante ratione legis cessat ipsa lex</i> ” invoked to hold that “reason is the soul of the law, and when the reason of any particular law ceases, so does the law itself”]
9	Sunil Kumar v. State of Bihar, (2022) 3 SCC 245 [Bail: Principles summarized regarding considerations to be balanced while deciding to grant bail.]
10	Deepak Yadav v. State of U.P. and Another, 2022 SCC OnLine SC 672 [It is no doubt true that cancellation of bail cannot be limited to the occurrence of supervening circumstances. This Court certainly has the inherent powers and discretion to cancel the bail of an accused even in the absence of supervening circumstances. Following are the illustrative circumstances where the bail can be cancelled :- a) Where the court granting bail takes into account irrelevant material of substantial nature and not trivial nature while ignoring relevant material on record. b) Where the court granting bail overlooks the influential position of the

	accused in comparison to the victim of abuse or the witnesses especially when there is prima facie misuse of position and power over the victim. c) Where the past criminal record and conduct of the accused is completely ignored while granting bail. d) Where bail has been granted on untenable grounds. e) Where serious discrepancies are found in the order granting bail thereby causing prejudice to justice. f) Where the grant of bail was not appropriate in the first place given the very serious nature of the charges against the accused which disentitles him for bail and thus cannot be justified. g) When the order granting bail is apparently whimsical, capricious and perverse in the facts of the given case.]
11	Mahender Chawla and Others v. Union of India (2019) 14 SCC 615 [The Court held that one of the main reasons for witnesses changing their stance can be the lack of proper protection given by the state, hence a threat to life. Such witnesses are known as hostile witnesses.]
12	P. Ramachandra Rao v. State of Karnataka, (2012) 9 SCC 430 [The Apex Court laid down certain factors to identify whether an accused has been deprived of his Right to Speedy Trial, which includes length of delay, the justification for the delay, the accused assertion of his Right to Speedy Trial, and prejudice caused to the accused by such delay. If nothing is shown and there are no circumstances to raise a presumption that the accused had been prejudiced there will be no justification to quash the conviction on the ground of delayed trial only. The court also laid down certain guidelines and held that the powers conferred under Sections 309, 311 and 258 of the Code of Criminal Procedure shall be exercised by the criminal courts to effectuate the Right to Speedy Trial. To seek appropriate relief and directions, the jurisdiction of the High Court under Section 482 of Cr. P.C. and Articles 226 and 227 of the Constitution can be invoked]
13	Rameshwari Devi and Ors. v. Nirmala Devi and Ors., (2011) 8 SCC 249 [The Court provided steps to trial courts in order to curb delay in civil litigation through which the existing system can be drastically changed or improved]
14	Manu Sharma v. State (NCT of Delhi), (2010) 6 SCC 1 [Basic concept behind a fair trial is succinctly explained]
15	Zahira Habibullah Sheikh and ors v. State of Gujarat, (2006) 3 SCC 374 [Each one has an inbuilt right to be dealt with fairly in a criminal trial. Denial of a fair trial is as much injustice to the accused as it is to the victim and to society]
16	Shingara Singh v. State of Haryana, (2003) 12 SCC 758 [When the period of deprivation pending trial becomes unduly long, the fairness assured in Article 21 would receive a jolt and also discussed the impact of delay at the appeal stage]
17	Durga Datta Sharma v. State, 2003 SCC OnLine Gau 153 [The petitioner has been deprived for the constitutional right of getting a speedy trial and that the accused persons had already suffered a lot both mentally and physically during the last 25 years, the Court dropped all charges against the accused]

18	<p>Rajiv Gupta v. State of H.P., (2000) 10 SCC 68</p> <p>[If the trial of a case for an offence which is punishable with imprisonment up to three years has been pending for more than three years and if the trial is not commenced, then the criminal court is required to discharge and acquit the accused]</p>
19	<p>Abdul Rehman Antulay v. R.S. Nayak, (1992) 1 SCC 225</p> <p>[Right to a speedy trial under Article 21 is available at all stages namely, the stage of investigation, inquiry, trial, appeal, revision and retrial. The Court laid down detailed guidelines for the speedy trial of an accused in a criminal trial but refused to set a time limit for the conclusion of the trial. The Court held that the nature of the offence and the circumstances may be such that quashing of proceedings may not be in the interest of justice. In such a case it may make an order that the trial may be concluded within a fixed time and reduce the sentence]</p>
20	<p>Sheela Barse v. Union of India, (1986) 3 SCC 596</p> <p>[If an accused is not tried speedily and his case remains pending before the Magistrate or the Sessions Court for an unreasonable length of time, it is clear that his fundamental Right to Speedy Trial would be violated unless there is some interim order passed by the superior Court or deliberate delay on the part of the accused. The consequence of such a delay would be that the prosecution would be liable to be quashed]</p>
21	<p>State of Maharashtra v. Champalal Punjaji Shah, (1981) 3 SCC 610</p> <p>[While deciding the question of whether there has been a denial of the right to a speedy trial, the Court is entitled to take into consideration whether the delay was unintentional, caused by overcrowding of the court's docket or understaffing of the prosecutors and whether the accused contributed a fair part to the time taken]</p>
22	<p>Hussainara Khatoon (I) v. Home Secy., State of Bihar, (1980) 1 SCC 81</p> <p>[The "right to a speedy trial" is a fundamental right implicit in the right of life and personal liberty provided under Article 21 of the Indian Constitution. The court-mandated greater access to bail, more humane living standards and a significant reduction in time from arrest to trial. Speedy trial is of the essence of criminal justice and there can be no doubt that delay in trial by itself constitutes denial of justice. It is interesting to note that in the United States, speedy trial is one of the constitutionally guaranteed rights]</p>
23	<p>Mallikarjun Kodagali v. State of Karnataka, (2019) 2 SCC 752</p> <p>Parliament also has been proactive in recognising the rights of victims of an offence. One such recognition is through the provisions of Chapter XXI-A CrPC which deals with plea bargaining. Parliament has recognised the rights of a victim to participate in a mutually satisfactory disposition of the case. This is a great leap forward in the recognition of the right of a victim to participate in the proceedings of a non-compoundable case. Similarly, Parliament has amended CrPC introducing the right of appeal to the victim of an offence, in certain circumstances. The present appeals deal with this right incorporated in the proviso to Section 372 CrPC.</p>
24	<p>Jagjeet Singh v Ashish Mishra, 2022 SCC Online SC 453</p>

	<p>From investigation till culmination of appeal/revision, victim has right to be heard at every step post the occurrence of an offence. The victims' rights are totally independent, incomparable, and are not accessory or auxiliary to those of the State under the Cr.P.C. The presence of 'State' in the proceedings, therefore, does not tantamount to according a hearing to a 'victim' of the crime. Victims certainly cannot be expected to be sitting on the fence and watching the proceedings from afar, especially when they may have legitimate grievances. It is the solemn duty of a court to deliver justice before the memory of an injustice eclipses.</p>
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****Judgments mentioned in the Table of Contents include citations and short notes for reference and discussion during the course of the workshop. Please refer to the full judgment for conclusive opinion.***