

**Orientation Course for Newly Elevated High Court judges, [P-1270]
27-28 November 2021**

**DAY 2
TABLE OF CONTENTS**

Serial No	Articles/ Case Law/ Suggested References	Page. No
SESSION 3: JUDICIAL REVIEW OF ADMINISTRATIVE ACTION		
1.	Stephen Gageler, <i>The Underpinnings of Judicial Review of Administrative Action: Common Law or Constitution?</i> , Federal Law Review, Volume 28, 2000	2
2.	V. Sudhish Pai, <i>Is Wednesbury on the Terminal Decline?</i> , (2008) 2 SCC (J)	14
3.	Ajoy P.B., <i>Administrative Action and the Doctrine of Proportionality in India</i> , IOSR Journal of Humanities and Social Science (JHSS), Volume 1, Issue 6 (Sep-Oct. 2012), PP 16-23	23
4.	George H. Seefeld, <i>Judicial Review of Administrative Decisions</i> , 24 Marq. L. Rev. 61 (1940)	31
5.	Justice Markandey Katju, <i>Administrative Law and Judicial Review of Administrative Action</i> , (2005) 8 SCC J-25.	52
6.	Santanu Sabhapandit <i>Article 12 and Judicial Review of Administrative Action: An Analysis</i> , Indian Law Review, (2018)	61
7.	C.K. Thakker, <i>Administrative Discretion and Judicial Review</i> (excerpt - Chapter 9), Administrative Law, 2 nd Ed., Eastern book Co. Pp. 710-733	82
8.	Michael Kirby, <i>Effective Review of Administrative Acts: The Hallmark of a Free and Fair Society</i> , 5 S. Afr. J. On Hum. Rts. 321 (1989)	107
Case Briefs:		
1.	<i>Bharat Coking Coal Ltd. & ors. v. AMR Dev Prabha & ors</i> 2020 SCC OnLine 52 SC 335	132
2.	<i>Embassy Property Developments Pvt. Ltd. v. State of Karnataka & ors.</i> 2019 SCC OnLine SC 1542	133
3.	<i>Yashwant Sinha v. Central Bureau of Investigation & ors.</i> (2020) 2 SCC 338	134
4.	<i>Shrimanth Balasaheb Patil v. Speaker, Karnataka Legislative Assembly & ors.</i> , (2020) 2 SCC 595	137
5.	<i>Indore Development Authority v. Manohar Lal & ors.</i> , (2020) 6 SCC 304	139
6.	<i>Vasavi Engineering College Parents Assn. v. State of Telangana & ors.</i> (2019) 7 SCC 172	140
7.	<i>63 Moons Technologies Ltd. v. Union of India & ors.</i> (2019) 18 SCC 401	142
8.	<i>Rajbir Surajbhan Singh v. The Chairman, Institute of Banking Personnel Selection, Mumbai</i> , (2019) 14 SCC 189	145
9.	<i>Ramakrishna Mission v. Kago Kunya</i> , (2019) 16 SCC 303	146
10.	<i>Dinesh Kumar Kashyap and ors. v. South East Central Railway & ors.</i> (2019) 12 SCC 798	148

**Orientation Course for Newly Elevated High Court judges, [P-1270]
27-28 November 2021**

11.	<i>Goa Foundation v. Sesa Sterlite Ltd. & ors.</i> , (2018) 4 SCC 218	150
12.	<i>Municipal Corporation, Ujjain v. BVG India Ltd. & ors.</i> , (2018) 5 SCC 462	151
13.	<i>Nabam Rebia and Bamang Felix v. Deputy Speaker, Arunachal Pradesh Legislative Assembly and ors.</i> , (2016) 8 SCC 1	151
Case Laws:		
1.	<i>Punjab State Power Corporation Limited and Another v. Emta Coal Limited</i> , 2021 SCC OnLine SC 766	158
2.	<i>Municipal Council, Nemuch v. Mahadeo Real Estate & ors.</i> (2019) 10 SCC 738	171
3.	<i>Rashmi Metaliks Ltd. and Anr v. Kolkata Metropolitan Development Authority and others</i> , (2013) 10 SCC 95	182
4.	<i>Union of India & Anr v. S.S. Ahluwalia</i> , (2007) 7 SCC 257	192
5.	<i>Reliance Airport Developers (P) Ltd. v. Airport Authority of India and Ors.</i> , (2006) 10 SCC 1	197
6.	<i>Noble Resources Ltd v. State of Orissa and Anr</i> , (2006) 10 SCC 236	256
7.	<i>State of U.P. and Anr v. Johri Mal</i> , (2004) 4 SCC 714	270
8.	<i>Om Kumar and Others v. Union of India</i> , (2001) 2 SCC 386	302
9.	<i>Union of India v. Ganayutham</i> , (1997) 7 SCC 463	330
10.	<i>Tata Cellular v. Union of India</i> , (1994) 6 SCC 651	348
Suggested References		
1.	Harry Woolf, Jeffrey Jowell, Andrew Le Sueur., <i>De Smith's Judicial Review</i> , Sixth Ed., Sweet & Maxwell 2007 (Chapter 11, Pp. 543-608)	
2.	<i>Rajeev Suri v. Delhi Development Authority and Others</i> , 2021 SCC OnLine SC 7	
3.	<i>Sterling Computers Ltd. v. M/s M & N Publications Ltd. and Others</i> , (1993) 1 SCC 445	
4.	<i>Harbhajan Singh and Minister of Employment and Immigration</i> , 1985 SCC OnLine Can SC 11	
5.	<i>Council Of Civil Service Unions And Others v. and Minister For The Civil Service</i> , [1985] A.C. 374	
6.	<i>William Marbury v. James Madison</i> , 5 US 137 (1803)	
7.	<i>Associated Provincial Picture Houses, Limited v. Wednesbury Corporation</i> , [1948] 1 K.B. 223	
SESSION 4: CONSTITUTIONAL REMEDIES AND CRIMINAL JUSTICE SYSTEM		
1.	Shubhankar Dam, <i>Criminal Wrongs and Constitutional Rights - A View from India</i> , 25 SAclJ 714 (2013).	413
2.	Aparna Chandra and Mrinal Satish, <i>Criminal Law and the Constitution</i> , The Oxford Handbook of the Indian Constitution, Ed. by Sujit Choudhry, Madhav Khosla, and Pratap Bhanu Mehta, Print Publication Date: Mar 2016	435

**Orientation Course for Newly Elevated High Court judges, [P-1270]
27-28 November 2021**

3.	Dr. G. Mallikarjun, <i>Legal Aid In India And The Judicial Contribution</i> , NALSAR Law Review [Vol.7 : No. 1], 2013	455
4.	Fali S. Nariman, <i>Fifty Years of Human Rights Protection In India - The Record of 50 Years of Constitutional Practice</i> , (2013) NLSIR (Spl. Issue) 13	463
Case Law		
Illegal Detention/ Arrest/ Fair and Impartial Investigation		
1.	<i>Banka Sneha Sheela v. State of Telangana and Others</i> , 2021 SCC OnLine SC 530	474
2.	<i>Gautam Navlakha v. National Investigation Agency</i> , (2021) SCC Online SC 382	489
3.	<i>Satyam Dubey and Ors v. Union of India and Ors</i> , (2020) 10 SCC 694	539
4.	<i>Home Secretary (Prison) and Ors v. H. Nilofer Nisha</i> , (2020) 14 SCC 161	548
5.	<i>Romila Thapar and Ors v. Union of India</i> , (2018) 10 SCC 753 [Right of an accused to a fair and impartial investigation]	568
6.	<i>Arnesh Kumar v. State of Bihar And Another</i> , (2014) 8 SCC 273	610
7.	<i>Lalita Kumari v. Government of Uttar Pradesh</i> , (2014) 2 SCC 1	618
Suggested References		
1.	<i>D.K. Basu v. State of WB</i> , (1997) 1 SCC 416	
2.	<i>T.C. Pathak v. State of U.P.</i> , (1995) 6 SCC 357	
3.	<i>Dhananjay Sharma v. State of Haryana and Others</i> , (1995) 3 SCC 757	
4.	<i>Joginder Kumar v. State of U.P.</i> , (1994) 4 SCC 260	
5.	<i>Nilabati Behera v. State of Orissa And Others</i> , (1993) 2 SCC 746	
6.	<i>Rudal Sah v. State of Bihar and Anothers</i> , (1983) 4 SCC 141	
7.	<i>Maneka Gandhi v. Union of India and Anothers</i> , (1978) 1 SCC 248	
8.	<i>Sunil Batra v. Delhi Administration</i> , (1978) 4 SCC 494	
9.	<i>Kanu Sanyal v. District Magistrate Darjeeling & Ors</i> , (1973) 2 SCC 674	
10.	<i>Sudhir Kumar Saha v. Commissioner of Police Calcutta & Anr</i> , (1970) 1 SCC 149	
11.	<i>Mohd. Ikram Hussain v. State of Uttar Pradesh And Others</i> , (1964) 5 SCR 86	
12.	<i>A.K. Gopalan v. State of Madras</i> , AIR 1950 SC 27	
Right to Legal Aid/ Speedy Trial		
1.	<i>Anokhilal v. State of MP</i> , (2019) 20 SCC 196	670
2.	<i>Imtiyaz Ramzan Khan v. State of Maharashtra</i> , (2018) 9 SCC 160	696
3.	<i>Rajoo Alias Ramakant v. State of MP</i> , (2012) 8 SCC 553	699
4.	<i>Mohm. Hussain (alias Zulfikar ali) v. State</i> , (2012) 2 SCC 584	705

**Orientation Course for Newly Elevated High Court judges, [P-1270]
27-28 November 2021**

Suggested References		
1.	<i>Suk Das v. Union Territory of Arunachal Pradesh</i> , (1986) 2 SCC 401	
2.	<i>Sheela Barse v. State of Maharashtra</i> , (1983) 2 SCC 96	
3.	<i>Khatri and Others v. State of Bihar</i> , (1981) 1 SCC 627	
4.	<i>Hussainara Khatoon and Ors v. Home Secretary</i> , (1980) 1 SCC 98	
Cases under Section 320 Cr. PC		
1.	<i>Prakash Gupta v. Securities and Exchange Board of India</i> , 2021 SCC OnLine SC 485	742
2.	<i>Shankar Yadav and Anr v. Sate of Chhattisgarh</i> , (2018) 13 SCC 452	775
3.	<i>Parbatbhai Aahir Alias Parbatbhai Bhimsinhbhai Karmur And Others v. State of Gujarat and Another</i> , (2017) 9 Supreme Court Cases 641	778
Suggested References		
1.	<i>Narinder Singh and Ors v. State of Punjab and Anr.</i> , (2014) 6 SCC 466	
2.	<i>Gian Singh v. State of Punjab</i> , (2012) 10 SCC 303	
3.	<i>Madan Mohan Abbot v. Sate of Punjab</i> , (2008) 4 SCC 582	
Victim Compensation		
1.	<i>X. v. State of Jharkhand and Ors</i> , (2021) 2 SCC 598	790
2.	<i>Amol Vithalrao Kadu v. Satte of Maharashtra</i> , (2019) 13 SCC 595	796