

Orientation Course for Newly Elevated High Court Justices [P-1304]

Date – 10 - 11 September 2022

Place: National Judicial Academy (NJA), Bhopal

TENTATIVE PROGRAMME SCHEDULE

DAY-1: 10.09.2022 SATURDAY	SESSION(S)
TIMING 9:45 AM -11:15 AM (11:00AM – 11:15AM Q&A/Discussion)	<u>SESSION 1</u> Writ Jurisdiction: Scope and Extent under Art. 226 of the Constitution <i>Proposed scope of discussion:</i> <ul style="list-style-type: none">• Application of writ jurisdiction in the dynamic and constantly changing social paradigms• Locus standi: proper and necessary parties• De jure and de facto (segregation)
11:15 AM - 11:45 AM	Tea Break
11:45 AM - 1:15 PM (1:00PM – 1:15PM Q&A/Discussion)	<u>SESSION 2</u> Judicial Review of Legislative Action <i>Proposed scope of discussion:</i> <ul style="list-style-type: none">• Judicial review of the legislative process in Indian Constitution law: legislative competence and constitutional limitations• Institutional limitations of the judiciary in reviewing the legislative action: policy, affirmative action, time limit• Contours and boundaries of due process & procedural fairness
1:15 PM - 02:15 PM	Lunch
2:15 PM – 3:45 PM (3:30PM – 3:45PM Q&A/Discussion)	<u>SESSION 3</u> Judicial Review of Administrative Action <i>Proposed scope of discussion:</i> <ul style="list-style-type: none">• Grounds for judicial review of administrative action: illegality, irrationality, procedural impropriety & proportionality• Principles of judicial review & proportionality• Articles 72 & 161 – the power of pardon vis-à-vis judicial review and its limitations
03:45 PM	Tea Break: In House/Cafeteria

DAY-2: 11.09.2022 SUNDAY	SESSION(S)
9:45 AM -11:15 AM <i>(11:00AM – 11:15AM Q&A/Discussion)</i>	<p align="center"><u>SESSION 4</u></p> <p align="center">Judicial Restraint, Activism and Overreach: Evolving Jurisprudence</p> <p><i>Propose scope of discussion:</i></p> <ul style="list-style-type: none"> • Power of 'suo moto' cognizance • Strengthening rule of law • Contemporary scenario of judicial activism and overreach: constitutional interpretations • Doctrine of separation of powers
11:15 AM - 11:45 AM	Tea Break
11:45 AM - 1:15 PM <i>(1:00PM – 1:15PM Q&A/Discussion)</i>	<p align="center"><u>SESSION 5</u></p> <p align="center">Moulding of Relief under Writ Jurisdiction</p> <p><i>Propose scope of discussion:</i></p> <ul style="list-style-type: none"> • Principle of Moulding of Relief: Application and Scope • Limitation of the principle • Appellate court's power to mould relief: Change in fact or law
1:15 PM - 1:30 PM	<i>Audit of the Course by Participant Judges</i>
1:30 PM	Lunch & Departure

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