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<b>JUDGMENTS (Provided in Pen Drive)</b>		
(i)	<p><b>Supreme Court of India v. Subhash Chandra Agarwal</b>, (2020) 5 SCC 481</p> <p>Independence of judiciary is not limited to judicial appointments to the Supreme Court and High Courts. It is a much wider concept which takes within its sweep independence from many other pressures and prejudices. It consists of many dimensions including fearlessness from other power centers, social, economic and political, freedom from prejudices acquired and nurtured by the class to which the judges belong and the like.</p>	
(ii)	<p><b>State of Rajasthan v. Ramesh Chandra Mundra</b>, (2020) 20 SCC 163</p> <p>Adequate budgeting so as to meet the judiciary’s work demands, so as to ensure proper infrastructure and facilities is integral to judicial functioning. In that sense it is an aspect of judicial independence. That independence of judiciary is a part of the basic structure of the Constitution is well entrenched, An integral part of independence of judiciary as a constitutional value is institutional independence i.e. the aspect concerning the financial freedom or autonomy which the judiciary must possess and enjoy.</p>	
(iii)	<p><b>Ministry of Health &amp; Welfare, Maharashtra v. S.C. Malte</b>, (2012) 13 SCC 118</p> <p>If the state is able to exercise pressure on the judges of the High Court by providing arbitrary or unreasonable conditions of service or by altering them in an arbitrary manner, it would certainly be an act of impinging upon the independence of the judiciary.</p>	

(iv)	<p><b>Brij Mohan Lal v. Union of India, (2012) 6 SCC 502</b></p> <p>Any policy or decision of the Government which would undermine or destroy the independence of the judiciary would not only be opposed to public policy but would also impinge on the basic structure of the Constitution. It has to be clearly understood that State policies should neither defeat nor cause impediment in discharge of judicial functions.</p>	
(v)	<p><b>Maninderjit Singh Bitta v. Union of India, (2012) 1 SCC 273</b></p> <p>Disobedience of orders of the court strikes at the very root of rule of law on which the judicial system rests. The rule of law is the foundation of a democratic society. Judiciary is the guardian of the rule of law. If the Judiciary is to perform its duties and functions effectively and remain true to the spirit with which they are sacredly entrusted, the dignity and authority of the courts have to be respected and protected at all costs.</p>	
(vi)	<p><b>Parkash Singh Teji v. Northern India Goods Transport Co. (P) Ltd., (2009) 12 SCC 577</b></p> <p>Higher court should normally avoid use of disparaging remarks against lower judicial officer while finding his judgment under appeal or revision before it is to be erroneous or lacking in any such manner, particularly if the officer had not opportunity to give his explanation.</p>	
(vii)	<p><b>V.K. Jain v. High Court of Delhi, (2008) 17 SCC 538</b></p> <p>High Court's jurisdiction over subordinate courts –adverse remarks against subordinate judicial officers - strong remarks which damage the judicial system as a whole should not be made. Erosion of credibility is the greatest threat to independence of judiciary. No greater damage can be caused to administration of justice and to confidence of people when judges at superior courts express lack of faith either in ability or integrity of subordinate judges. The much cherished judicial independence must not be presented from outsider but from within by those who form integral part of the judicial system. Damage from within has much greater potential for harm than danger from outside. It is the duty of judges of superior courts to ensure that independence of judiciary is not compromised and every judicial officer should feel that he can freely and fearlessly give expression to his own opinion.</p>	
(viii)	<p><b>Parkash Singh Badal v. State of Punjab, (2007) 1 SCC 1</b></p> <p>Control of the High Court over subordinate judiciary is comprehensive, exclusive and effective and it is to subserve the basic feature of the Constitution i.e. the independence of judiciary.</p>	

(ix)	<p><b>Tirupati Balaji Developers (P) Ltd. v. State of Bihar, (2004) 5 SCC 1</b></p> <p>Appellate hierarchy of the judiciary, examined in the correct perspective, is a factor strongly contributing towards the independence of the judiciary by securing finality in adjudication within the system therefore its insulation from any outside interference or correction.</p>	
(x)	<p><b>In Re: “K” a Judicial Officer, (2001) 3 SCC 54</b></p> <p>Adverse remarks - appeal filed for seeking deletion of adverse remarks passed by High Court in judgment delivered - judgment delivered in appeal filed against decision passed by appellant - appellant (Metropolitan Magistrate) contended that remarks made in judgment was not essential and adversely affect her career growth - no opportunity of explaining herself given to appellant - remarks passed were not necessary for matter decided - they were not formed the part of reasoning given in judgment although found prejudicial to appellant's career - remarks directed to be deleted.</p>	
(xi)	<p><b>Registrar (Admn.), High Court of Orissa v. Sisir Kanta Satapathy, (1999) 7 SCC 725</b></p> <p>High Courts are vested with the disciplinary control as well as administrative control over the Members of the Judicial Service exclusively, but that does not mean that they can also pass orders of dismissal, removal, reduction in rank or termination from service while exercising administrative and disciplinary control over the Members of Judicial Service. Undoubtedly, the High Courts alone are entitled to initiate, to hold enquiry and to take a decision in respect of dismissal, removal, reduction in rank or termination from service, but the formal order to give effect to such a decision has to be passed only by the State Governor on the recommendation of the High Court.</p>	
(xii)	<p><b>High Court of Judicature of Bombay v. Shirishkumar Rangrao Patil, (1997) 6 SCC 339</b></p> <p>Mechanism to ensure independence in subordinate judiciary – placing them under the control of High Court and regulating their service conditions.</p>	
(xiii)	<p><b>K. Veeraswami v. Union of India, (1991) 3 SCC 655</b></p> <p>President as the authority competent to remove judges of Supreme Court and High Courts – so that may not result in interference of executive with judiciary, criminal case against the judge must be registered and decision regarding grant of sanction for prosecution of the judges must be taken by the President in consultation and in accordance with the advice rendered by the Chief Justice of India. The decision regarding grant of sanction for</p>	

	prosecution of the CJI himself, must be taken by the President in consultation with the other judges of the Supreme Court.	
(xiv)	<p><b><u>Three Judges Case</u></b></p> <p>➤ <b>S.P. Gupta v. Union of India</b>, 1981 Supp SCC 87</p> <p>The independence of the judiciary is a basic feature of the Constitution. “Consultation” did not include “concurrence”. The power of appointment of Judges under Article 124 was vested with the President and the President could override the views of the consultees.</p> <p>➤ <b>Supreme Court Advocates-on-Record Assn. v. Union of India</b>, (1993) 4 SCC 441</p> <p>Primacy of the opinion of the Chief Justice of India in regard to the appointments of Judges to the SC and the HC, and in regard to the transfers of HC Judges/Chief Justices (based on a collective decision, by a collegium of judges).</p> <p>➤ <b>In re Special Reference 1 of 1998</b>, (1998) 7 SCC 739</p> <p>Opinion of the Chief Justice of India has primacy in the matter of recommendations for appointment to the Supreme Court has to be formed in consultation with a collegium of Judges.</p> <p><b><u>NJAC Judgment</u></b></p> <p>➤ <b>Supreme Court Advocates-on-Record Assn. v. Union of India</b>, (2016) 5 SCC 1</p> <p>Process of appointment of judges is an integral part of independence of the judiciary, which is part of the basic structure of the Constitution</p>	
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