

IMPORTANT JUDGMENTS

MARCH 2022

**BY
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Master Ayush v The Branch Manager, Reliance General Insurance Co Ltd

Supreme Court

CORUM

Justice Hemant Gupta and Justice V Ramasubramanian

OBSERVATION

The Supreme Court has enhanced the compensation payable to over Rupees 50 Lakhs in a motor accident case where a person has been rendered paralysed for life after he met with an accident as a 5 year old boy.

Swarnalatha vs Kalavathy

Supreme Court

CORUM

Justices Hemant Gupta and V. Ramasubramanian

OBSERVATION

In the matter of appreciating the genuineness of execution of a Will, there is no place for the Court to see whether the distribution made by the testator was fair and equitable to all of his children. The Court does not apply Article 14 to dispositions under a Will.

Mekha Ram vs State of Rajasthan

Supreme Court

CORUM

Justices MR Shah and BV Nagarathna

OBSERVATION

The Supreme Court observed that no one can be permitted to take the benefit of the wrong order passed by the court which has been subsequently set aside by the higher forum/court.

- **Principle of restitution.**

Vishal Ashwin Patel vs Assistant Commissioner of Income Tax Circle

Supreme Court

CORUM

Justices MR Shah and BV Nagarathna

OBSERVATION

The Supreme Court observed that it is the duty of a court to deal with issues/grounds raised in a writ petitions and thereafter to pass a reasoned order.

Premlata @ Sunita vs Naseeb Bee

Supreme Court

CORUM

Justices MR Shah and BV Nagarathna

OBSERVATION

The Supreme Court observed that a litigant cannot be permitted to take two contradictory stands before two different authorities/courts.

S. Senthil Kumar vs State of Tamil Nadu

Supreme Court

CORUM

Justices Dinesh Maheshwari and Aniruddha Bose

OBSERVATION

The Supreme Court has observed that a mandatory direction to arrest the accused cannot be issued by a Court ordinarily while rejecting his petition for anticipatory bail.

Laxmikant vs State of Maharashtra

Supreme Court

CORUM

Justices Hemant Gupta and V. Ramasubramanian

OBSERVATION

The Supreme Court observed that the Court cannot grant additional period for acquisition of land if the law does not contemplate any further period for acquisition.

"The land owner cannot be deprived of the use of the land for years together. Once an embargo has been put on a land owner not to use the land in a particular manner, the said restriction cannot be kept open-ended for indefinite period.

Supreme Court

CORUM

Justices L Nagswara Rao and BR Gavai

OBSERVATION

The Supreme Court set aside the conviction and dismissal from service of former Lt Gen SK Sahni for allegations relating to procurement of ration by Army purchase organisation.

Vijay Kumar Ghai vs State of West Bengal

Supreme Court

CORUM

Justices S. Abdul Nazeer and Krishna Murari

OBSERVATION

The Supreme Court reiterated that a mere breach of contract cannot give rise to criminal prosecution for cheating.

THANK YOU