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The Supreme Court Reports

*Official Journal
of Reportable Supreme Court Decisions*

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Highlights of the issue

Acquisition of land for a Co-operative housing society can be regarded as an acquisition for public purpose only if the scheme has been approved by the appropriate Government

Bangalore City Cooperative Housing Society Ltd. v. State of Karnataka ...P-295

Jurisdiction of civil courts is ousted as regards matters covered under Sick Industrial Companies (Special Provisions) Act, 1985.

Raheja Universal Limited v. NRC Limited & Ors.P-388

Entitlement of an accused to speedy trial is an inherent and implicit aspect of Art. 21 of the Constitution of India.

Rattiram & Ors. v State of M.P. Through Inspector of PoliceP-496

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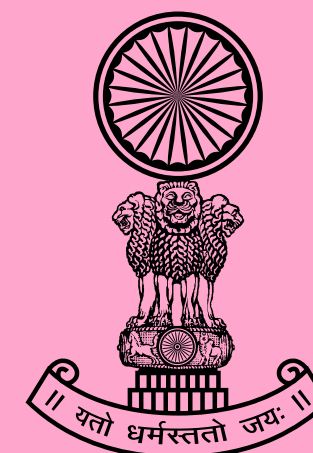
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CONTENTS

Appointments and Retirements in Supreme Court of India	2
Appointments in High Courts	2
Transfers between High Courts	2
Vacancies in Courts	3-4
Institution, Disposal and Pendency of Cases in Supreme Court	5
Institution, Disposal and Pendency of Cases in High Courts and in District and Subordinate Courts	6-7
Some Supreme Court Judgments of Public Importance	8 -16
Some Recent Major Events and Initiatives	17
Some Important Visits and Conferences	18 - 20

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APPOINTMENTS AND RETIREMENTS IN SUPREME COURT

(From 01-07-12 to 30-09-12)

RETIREMENTS

S.No.	Name of the Hon'ble Judge	Date of Retirement
1	Hon'ble Mr. Justice Deepak Verma	28-08-2012
2	Hon'ble Mr. Justice S. H. Kapadia	29-09-2012

APPOINTMENTS IN HIGH COURTS

(From 01-07-12 to 30-09-12)

S.No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Delhi	D. Murugesan (As Chief Justice)	26-09-12
2	Gujarat	Bhaskar Bhattacharya (As Chief Justice)	21-07-12
3	Kerala	Manjula Chellur (As Chief Justice)	26-09-12
4	Punjab & Haryana	Arjan Kumar Sikri (As Chief Justice)	23-09-12

TRANSFERS BETWEEN HIGH COURTS

(From 01-07-12 to 30-09-12)

S.No.	From	To	Name of the Hon'ble Judge	Date of Transfer
1	Punjab & Haryana	Rajasthan	Nirmaljit Kaur	09-07-12

- Above statement is compiled on the basis of information received from the High Courts

VACANCIES IN COURTS

A) SUPREME COURT OF INDIA (As on 30-09-2012)

Sanctioned Strength	Working Strength	Vacancies
31	25	06

B) HIGH COURTS (As on 30-09-2012)

S.No.	Name of the High Court	Sanctioned strength	Working strength	Vacancies
1	Allahabad	160	84	76
2	Andhra Pradesh	49	33	16
3	Bombay	75	56	19
4	Calcutta	58	42	16
5	Chhatisgarh	18	12	6
6	Delhi	48	35	13
7	Gujarat	42	27	15
8	Gauhati	24	23	1
9	Himachal Pradesh	11	11	0
10	Jammu & Kashmir	14	7	7
11	Jharkhand	20	11	9
12	Karnataka	50	38	12
13	Kerala	38	31	7
14	Madhya Pradesh	43	32	11
15	Madras	60	52	8
16	Orissa	22	14	8
17	Patna	43	37	6
18	Punjab & Haryana	68	42	26
19	Rajasthan	40	24	16
20	Sikkim	3	2	1
21	Uttarakhand	9	8	1
TOTAL		895	621	274

- Above statement is compiled on the basis of figures received from the High Courts

C) DISTRICT & SUBORDINATE COURTS (As on 30-06-2012)

S.No.	State/Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	2102	1810	292
2	Andhra Pradesh	836	713	123
3(a)	Maharashtra	2024	1794	230
3(b)	Goa	49	42	7
3(c)	Diu and Daman & Silvassa	7	7	0
4	West Bengal	933	775	158
5	Chhatisgarh	276	240	36
6	Delhi	623	465	158
7	Gujarat	1727	863	864
8(a)	Assam	356	246	110
8(b)	Nagaland	29	23	6
8(c)	Meghalaya	36	14	22
8(d)	Manipur	29	24	5
8(e)	Tripura	92	64	28
8(f)	Mizoram	61	33	28
8(g)	Arunachal Pradesh	2	2	0
9	Himachal Pradesh	132	117	15
10	Jammu & Kashmir	206	186	20
11	Jharkhand	499	406	93
12	Karnataka	946	765	181
13(a)	Kerala	414	369	45
13(b)	Lakshadweep	3	1	2
14	Madhya Pradesh	1298	1170	128
15(a)	Tamil Nadu	876	733	143
15(b)	Puducherry	20	13	7
16	Orissa	628	551	77
17	Bihar	1494	945	549
18(a)	Punjab	494	455	39
18(b)	Haryana	480	440	40
18(c)	Chandigarh	20	20	0
19	Rajasthan	922	738	184
20	Sikkim	17	11	6
21	Uttarakhand	278	149	129
TOTAL		17909	14184	3725

- Above statement is compiled on the basis of figures received from the High Courts

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN SUPREME COURT

i) Table I

A) SUPREME COURT OF INDIA (FROM 01-07-2012 TO 30-09-2012)

						Pendency (At the end of 30-06-2012)		
						Admission matters	Regular matters	Total matters
						36,833	27,018	63,851
Institution (01-07-2012 to 30-09-2012)			Disposal (01-07-2012 to 30-09-2012)			Pendency (At the end of 30-09-2012)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
19,855	2,548	22,403	20,444	1,160	21604	36,244	28,406	64,650

NOTE:

1. Out of the 64,650 pending matters as on 30-09-2012, if connected matters are excluded, the pendency is only of 36,683 matters as on 30-09-2012.

2. Out of the said 64,650 pending matters, 21,946 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 42,704 matters as on 30-09-2012.

ii) Table II

	OPENING BALANCE AS ON 01-07-12	INSTITUTION FROM 01-07-12 TO 30-09-12	DISPOSAL FROM 01-07-12 TO 30-09-12	PENDENCY AT THE END OF 30-09-12
CIVIL CASES	51,978	16,733	16,171	52,540
CRIMINAL CASES	11,873	5,670	5,433	12,110
ALL CASES (TOTAL)	63,851	22,403	21,604	64,650

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN HIGH COURTS AND IN DISTRICT & SUBORDINATE COURTS

A) HIGH COURTS (FROM 01-04-12 TO 30-06-12)

S. No.	Name of the High Court	Cases brought forward from the previous Quarter			Freshly instituted Cases during this Quarter			Disposed of Cases during this Quarter			Pending cases at the end of this Quarter			% of Institution of Cases w.r.t Opening Balance as on 1-4-12	% of Disposal of Cases w.r.t Opening Balance as on 1-4-12	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1-4-12
		CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)			
1	Allahabad	670471	338062	1008533	31643	26785	58428	28504	23239	51743	673610	341608	1015218	5.79	5.13	0.66
2	Andhra Pradesh	172356	26873	199229	15662	2887	18549	9295	2615	11910	178723	27145	205868	9.31	5.98	3.33
3	Bombay	315988	46960	362948	26215	8167	34382	23202	7319	30521	319001	47808	366809	9.47	8.41	1.06
4	Calcutta	306067	44193	350260	15639	7546	23185	13376	5568	18944	308330	46171	354501	6.62	5.41	1.21
5	Chhatisgarh	35045	17219	52264	3548	1966	5514	3743	2129	5872	34850	17056	51906	10.55	11.24	-0.68
6	Delhi	48905	14107	63012	6252	2524	8776	5991	2185	8176	49166	14446	63612	13.93	12.98	0.95
7	Gujarat	52970	26559	79529	8238	6657	14895	8813	5149	13962	52395	28067	80462	18.73	17.56	1.17
8	Gauhati	43369	8530	51899	5435	3952	9387	5356	3846	9202	43448	8636	52084	18.09	17.73	0.36
9	Himachal Pradesh	42782	5961	48743	12298	602	12900	10213	1006	11219	44867	5557	50424	26.47	23.02	3.45
10	Jammu & Kashmir ¹	71819	3473	75292	4754	432	5186	2389	319	2708	74184	3586	77770	6.89	3.60	3.29
11	Jharkhand	30717	27794	58511	2520	4790	7310	2434	4071	6505	30803	28513	59316	12.49	11.12	1.38
12	Karnataka	155690	15773	171463	26105	3283	29388	21495	3968	25463	160300	15088	175388	17.14	14.85	2.29
13	Kerala	92342	31095	123437	12010	5031	17041	13592	4214	17806	90760	31912	122672	13.81	14.43	-0.62
14	Madhya Pradesh	158950	76200	235150	15742	11506	27248	12311	9992	22303	162381	77714	240095	11.59	9.48	2.10
15	Madras	422106	61742	483848	43127	17368	60495	36645	18148	54793	428588	60962	489550	12.50	11.32	1.18
16	Orissa	276520	31008	307528	14172	11460	25632	7025	10448	17473	283667	32020	315687	8.33	5.68	2.65
17	Patna	67975	47354	115329	7127	11739	18866	7851	12640	20491	67251	46453	113704	16.36	17.77	-1.41
18	Punjab & Haryana	191350	52383	243733	13443	11555	24998	12112	8668	20780	192681	55270	247951	10.26	8.53	1.73
19	Rajasthan	223099	56478	279577	23712	10907	34619	18549	10371	28920	228262	57014	285276	12.38	10.34	2.04
20	Sikkim	54	15	69	30	9	39	29	9	38	55	15	70	56.52	55.07	1.45
21	Uttarakhand	13992	6515	20507	2104	1382	3486	1991	1369	3360	14105	6528	20633	17.00	16.38	0.61
TOTAL		3392567	938294	4330861	289776	150548	440324	244916	137273	382189	3437427	951569	4388996	10.17	8.82	1.34

• Above statement is compiled on the basis of figures received from the High Courts

1. Figures revised by the High Court concerned.

B) DISTRICT AND SUBORDINATE COURTS (FROM 01-04-12 TO 30-06-12)

S. No.	Name of the State / UT	Cases brought forward from the previous Quarter			Freshly instituted Cases during this Quarter			Disposed of Cases during this Quarter			Pending cases at the end of this Quarter			% of Institution of Cases w.r.t Opening Balance as on 1-4-12	% of Disposal of Cases w.r.t Opening Balance as on 1-4-12	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1-4-12
		CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)	CIVIL	CRL	(CIV.+ CRL)			
1	Uttar Pradesh	1346735	4451537	5798272	125736	640100	765836	112183	629585	741768	1360288	4462052	5822340	13.21	12.79	0.42
2	Andhra Pradesh	447476	470144	917620	63361	82665	146026	57352	85504	142856	453485	467305	920790	15.91	15.57	0.35
3(a)	Maharashtra	971945	2172481	3144426	117563	284181	401744	107777	392451	500228	981731	2064211	3045942	12.78	15.91	-3.13
3(b)	Goa	18018	12034	30052	3204	5243	8447	2973	5067	8040	18249	12210	30459	28.11	26.75	1.35
3(c)	Diu and Daman	960	845	1805	240	181	421	345	815	1160	855	211	1066	23.32	64.27	-40.94
3(d)	Silvassa	866	2326	3192	124	932	1056	82	688	770	908	2570	3478	33.08	24.12	8.96
4(a)	West Bengal	520480	2118457	2638937	30256	194860	225116	24509	196236	220745	526227	2117081	2643308	8.53	8.36	0.17
4(b)	Andaman & Nicobar	2259	11125	13384	268	1300	1568	269	2479	2748	2258	9946	12204	11.72	20.53	-8.82
5	Chhatisgarh	57872	208348	266220	5962	31725	37687	4203	28028	32231	59631	212045	271676	14.16	12.11	2.05
6	Delhi ¹	143976	545790	689766	18001	176481	194482	20257	177652	197909	141659	544496	686155	28.20	28.69	-0.52
7	Gujarat	671293	1526272	2197565	37699	213550	251249	48912	212932	261844	660080	1526890	2186970	11.43	11.92	-0.48
8(a)	Assam	73860	190344	264204	9800	55767	65567	9665	54069	63734	73995	192042	266037	24.82	24.12	0.69
8(b)	Nagaland	1599	2531	4130	362	475	837	349	424	773	1612	2582	4194	20.27	18.72	1.55
8(c)	Meghalaya	1517	1840	3357	593	1325	1918	249	659	908	1861	2506	4367	57.13	27.05	30.09
8(d)	Manipur	5915	8323	14238	1117	2630	3747	1267	1398	2665	5765	9555	15320	26.32	18.72	7.60
8(e)	Tripura	7578	36376	43954	2049	42905	44954	1900	39336	41236	7727	39945	47672	102.28	93.82	8.46
8(f)	Mizoram	1788	2638	4426	475	1730	2205	637	1835	2472	1626	2533	4159	49.82	55.85	-6.03
8(g)	Arunachal Pradesh	906	5242	6148	229	1532	1761	300	1485	1785	835	5289	6124	28.64	29.03	-0.39
9	Himachal Pradesh	76603	118415	195018	17165	68016	85181	15105	60208	75313	78663	126223	204886	43.68	38.62	5.06
10	Jammu & Kashmir	74697	132891	207588	15235	55979	71214	14045	54857	68902	75887	134013	209900	34.31	33.19	1.11
11	Jharkhand ²	60106	238384	298490	5498	27395	32893	4078	23466	27544	61526	242313	303839	11.02	9.23	1.79
12	Karnataka	558830	556450	1115280	75034	174797	249831	64060	175945	240005	569804	555302	1125106	22.40	21.52	0.88
13(a)	Kerala	385426	685879	1071305	61170	226600	287770	50092	182731	232823	396504	729748	1126252	26.86	21.73	5.13
13(b)	Lakshadweep	75	165	240	10	18	28	12	26	38	73	157	230	11.67	15.83	-4.17
14	Madhya Pradesh	234812	894620	1129432	48431	281600	330031	40024	257257	297281	243219	918963	1162182	29.22	26.32	2.90
15(a)	Tamil Nadu	728064	465477	1193541	184441	146319	330760	159444	151108	310552	753061	460688	1213749	27.71	26.02	1.69
15(b)	Puducherry	13519	13622	27141	3917	4535	8452	3811	4138	7949	13625	14019	27644	31.14	29.29	1.85
16	Orissa	214955	944527	1159482	13840	57070	70910	7713	50032	57745	221082	951565	1172647	6.12	4.98	1.14
17	Bihar ³	260856	1359032	1619888	15649	92249	107898	13503	65132	78635	263002	1386149	1649151	6.66	4.85	1.81
18(a)	Punjab	271994	272978	544972	60770	123297	184067	60215	111193	171408	272549	285082	557631	33.78	31.45	2.32
18(b)	Haryana	244300	350433	594733	65024	144857	209881	62168	130166	192334	247156	365124	612280	35.29	32.34	2.95
18(c)	Chandigarh	23619	34271	57890	2835	28304	31139	2781	31989	34770	23673	30586	54259	53.79	60.06	-6.27
19	Rajasthan	400839	1032128	1432967	45360	220808	266168	37536	220776	258312	408663	1032160	1440823	18.57	18.03	0.55
20	Sikkim	453	857	1310	96	298	394	174	353	527	375	802	1177	30.08	40.23	-10.15
21	Uttarakhand	31750	120890	152640	7105	37960	45065	6800	33924	40724	32055	124926	156981	29.52	26.68	2.84
Total		7855941	18987672	26843613	1038619	3427684	4466303	934790	3383944	4318734	7959709	19031289	26990998	16.64	16.09	0.55

• Above statement is compiled on the basis of figures received from the High Courts

1. As per order of the High Court concerned, 61 HMA Petitions, 123 U/s 125 Cr.P.C and Execution petition (Total 184) transferred to the newly created Family Court at New Delhi District, Patiala House Court, New Delhi.
2. Figures revised by the High Court concerned.
3. Figures revised by the High Court concerned.

SOME SUPREME COURT JUDGMENTS OF PUBLIC IMPORTANCE

(01-07-2012 to 30-09-2012)

1. On 3rd July, 2012, in the case of *A. Nawab John & Ors. v. V.N. Subramaniam* [Civil Appeal No.4838-4840 of 2012], it was held that "Section 149 CPC does not confer an absolute right in favour of a plaintiff to pay the court fee as and when it pleases the plaintiff. It only enables a plaintiff to seek the indulgence of the Court to permit the payment of court fee at a point of time later than the presentation of the plaint. The exercise of the discretion by the Court is conditional upon the satisfaction of the Court that the plaintiff offered a legally acceptable explanation for not paying the court fee within the period of limitation." The Bench held that "in a case where the plaint is filed within the period of limitation prescribed by law but with deficit court fee and the plaintiff seeks to make good the deficit of the court fee beyond the period of limitation, the Court, though has discretion under Section 149 CPC, must scrutinise the explanation offered for the delayed payment of the deficit court fee carefully because exercise of such discretion would certainly have some bearing on the rights and obligations of the defendants or persons claiming through the defendants."
2. On 6th July, 2012, in the case of *Ponnala Lakshmaiah v. Kommuri Pratap Reddy & Ors.* [Civil Appeal No.4993 of 2012], it was held that though "the election of a successful candidate is not lightly interfered with by the Courts" and the "Courts generally lean in favour of the returned candidates and place the onus of proof on the person challenging the end result of an electoral contest" however "that approach is more in the nature of a rule of practice than a rule of law and should not be unduly stretched beyond a limit." The Bench held that "while it is important to respect a popular verdict and the courts ought to be slow in upsetting the same, it is equally important to maintain the purity of the election process." It held that the Courts are "duty bound to examine the allegations whenever the same are raised within the framework of the statute without being unduly hyper-technical in its approach & without being oblivious of the ground realities." The Bench held that "if the Courts also adopt a technical approach towards the resolution of electoral disputes, the confidence of the people not only in the democratic process but in the efficacy of the judicial determination of electoral disputes will be seriously undermined."
3. On 10th July, 2012, in the case of *Asha v. Pt. B.D. Sharma University of Health Sciences & Ors.* [Civil Appeal No. 5055 of 2012], in context to admission to medical courses (MBBS and BDS), the following questions were formulated by the Court:- a) Is there any exception to the principle of strict adherence to the Rule of Merit for preference of courses and colleges regarding admission to such courses; b) Whether the cut-off date of 30th September of the relevant academic year is a date which admits any exception; c) What relief the courts can grant and to what extent they can mould it while ensuring adherence to the rule of merit, fairness and transparency in admission in terms of rules and regulations and d) What issues need to be dealt with and finding returned by the

court before passing orders which may be more equitable, but still in strict compliance with the framework of regulations and judgments of this court governing the subject. The Bench answered the questions as follows:- a) The rule of merit for preference of courses and colleges admits no exception. It is an absolute rule and all stakeholders and concerned authorities are required to follow this rule strictly and without demur. b) 30th September is undoubtedly the last date by which the admitted students should report to their respective colleges without fail. In the normal course, the admissions must close by holding of second counseling by 15th September of the relevant academic year [in terms of the decision of Supreme Court in Priya Gupta]. Thereafter, only in very rare and exceptional cases of unequivocal discrimination or arbitrariness or pressing emergency, admission may be permissible but such power may preferably be exercised by the courts. Further, it will be in the rarest of rare cases and where the ends of justice would be subverted or the process of law would stand frustrated that the courts would exercise their extra-ordinary jurisdiction of admitting candidates to the courses after the deadline of 30th September of the current academic year. This, however, can only be done if the conditions stated by Supreme Court in the case of Priya Gupta and this judgment are found to be unexceptionally satisfied and the reasons therefor are recorded by the court of competent jurisdiction. c) & d) Wherever the court finds that action of the authorities has been arbitrary, contrary to the judgments of this Court and violative of the Rules, regulations and conditions of the prospectus, causing prejudice to the rights of the students, the Court shall award compensation to such students as well as direct initiation of disciplinary action against the erring officers/officials. The court shall also ensure that the proceedings under the Contempt of Courts Act, 1971 are initiated against the erring authorities irrespective of their stature and empowerment. Where the admissions given by the concerned authorities are found by the courts to be legally unsustainable and where there is no reason to permit the students to continue with the course, the mere fact that such students have put in a year or so into the academic course is not by itself a ground to permit them to continue with the course."

4. On 16th July, 2012, in the case of *Ashok Kumar Ratilal Patel v. Union of India and Another* [Civil Appeal No.5225 of 2012], difference between "transfer on deputation" and "appointment on deputation for which advertisement was issued and after due selection, the offer of appointment was issued" was highlighted. It was held that "ordinarily transfers on deputations are made as against equivalent post from one cadre to another, one department to another, one organisation to another, or one Government to another; in such case a deputationist has no legal right in the post. Such deputationist has no right to be absorbed in the post to which he is deputed. In such case, deputation does not result into recruitment, as no recruitment in its true import and significance takes place as the person is continued to be a member of the parent service. However, the aforesaid principle cannot be made applicable in the matter of appointment (recruitment) on deputation. In such case, for appointment on deputation in the services of the State or organisation or State within the meaning of Article 12 of the Constitution of India, the provisions of Article 14 and Article 16 are to be followed. No person can be discriminated nor it is open to the appointing authority to act arbitrarily or to pass any order in violation of Article 14 of the Constitution of India."

The Bench held that "a person, who applies for appointment on deputation has indefeasible right to be treated fairly and equally and once such person is selected and offered with the letter of appointment on deputation, the same cannot be cancelled except on the ground of non-suitability or unsatisfactory work."

5. On 3rd August, 2012, in the case of *Dr. Mehmood Nayyar Azam v. State of Chattisgarh and Ors.* [Civil Appeal No.5703 of 2012], it was held that "any treatment meted out to an accused while he is in custody which causes humiliation and mental trauma corrodes the concept of human dignity. The majesty of law protects the dignity of a citizen in a society governed by law. It cannot be forgotten that the Welfare State is governed by rule of law which has paramountcy." The Bench held that "the Constitution as the organic law of the land has unfolded itself in manifold manner like a living organism in the various decisions of the court about the rights of a person under Article 21 of the Constitution of India. When citizenry rights are sometimes dashed against and pushed back by the members of City Halls, there has to be a rebound and when the rebound takes place, Article 21 of the Constitution springs up to action as a protector."
6. On 3rd August, 2012, in the case of *Dayal Singh & Ors. v. State of Uttaranchal* [Criminal Appeal No.529 of 2010], it was held that "the Investigating Officer, as well as the doctor who are dealing with the investigation of a criminal case, are obliged to act in accordance with the police manual and the known canons of medical practice, respectively. They are both obliged to be diligent, truthful and fair in their approach and investigation." The Bench held that "where the prosecution attempts to misdirect the trial on the basis of a perfunctory or designedly defective investigation, there the Court is to be deeply cautious and ensure that despite such an attempt, the determinative process is not sub-served. For truly attaining this object of a 'fair trial', the Court should leave no stone unturned to do justice and protect the interest of the society as well." It was held that "the Courts, normally, look at expert evidence with a greater sense of acceptability, but it is equally true that the courts are not absolutely guided by the report of the experts, especially if such reports are perfunctory, unsustainable and are the result of a deliberate attempt to misdirect the prosecution."
7. On 17th August, 2012, in the case of *M/s Michigan Rubber (India) Ltd. v. The State of Karnataka & Ors.* [Civil Appeal No.5898 of 2012], it was held that "a Court before interfering in tender or contractual matters, in exercise of power of judicial review, should pose to itself the following questions: (i) Whether the process adopted or decision made by the authority is mala fide or intended to favour someone; or whether the process adopted or decision made is so arbitrary and irrational that the court can say: "the decision is such that no responsible authority acting reasonably and in accordance with relevant law could have reached"; and (ii) Whether the public interest is affected. If the answers to the above questions are in negative, then there should be no interference under Article 226 of the Constitution." The Bench held that "the Government and their undertakings must have a free hand in setting terms of the tender and only if it is arbitrary, discriminatory, mala fide or actuated by bias, the Courts would interfere. The Courts cannot interfere with the terms of the tender prescribed by the Government because it feels that some other terms in the tender would have been fair, wiser or logical."

8. On 24th August, 2012, in the case of *Subramanian Swamy v. A. Raja* [Special Leave Petition (Crl.) No.1688 of 2012 and I.A. No. 34 of 2012 in Civil Appeal No.10660 of 2010], the Bench was of the considered view that the materials on record did not show "that Shri P. Chidambaram had abused his position as a Minister of Finance or conspired or colluded with A. Raja so as to fix low entry fee by non-visiting spectrum charges fixed in the year 2001." The Bench held that no materials were "made available even for a prima facie conclusion that Shri P. Chidambaram had deliberately allowed dilution of equity of the two companies, i.e. Swan and Unitech" and that no materials were also available "even prima facie to conclude that Shri P. Chidambaram had abused his official position, or used any corrupt or illegal means for obtaining any pecuniary advantage for himself or any other persons, including Shri A. Raja."

It was held that though "Shri P. Chidambaram and Shri A. Raja met on 29.5.2008 and 12.6.2008 for resolving the then outstanding issues relating to the allocation and pricing 2G and 3G Spectrums" however "meeting of two Ministers would not by itself be sufficient to infer the existence of a conspiracy. Even before those meetings, as instructed by the Finance Minister, the Finance Secretary and Telecom Secretary had already met on 24.4.2008, had agreed that it might not be possible to charge operators already having allocation upto 6.2 MHz and the principle of equity and level playing field would require that the operators who get fresh allotment of Spectrum upto 6.2MHz for GSM too should not be charged for Spectrum upto 6.2 MHz for GSM. Therefore, the allegation that Shri P. Chidambaram had over-ruled his officers' views and had conspired with Shri A. Raja is without any basis."

The Bench held that "criminal conspiracy cannot be inferred on the mere fact that there were official discussions between the officers of the MoF and that of DoT and between two Ministers, which are all recorded. Suspicion, however, strong, cannot take the place of legal proof and the meeting between Shri P. Chidambaram and Shri A. Raja would not by itself be sufficient to infer the existence of a criminal conspiracy so as to indict Shri P. Chidambaram." "A wrong judgment or an inaccurate or incorrect approach or poor management by itself, even after due deliberations between Ministers or even with Prime Minister, by itself cannot be said to be a product of criminal conspiracy."

9. On 29th August, 2012, in the case of *Mohammed Ajmal Mohammad Amir Kasab @ Abu Mujahid v. State of Maharashtra* [Criminal Appeal Nos.1899-1900 of 2011], a three Judge Bench held that the terrorist attack on Mumbai on November 26, 2008 "was in pursuance of a larger conspiracy of which the appellant was as much part as the nine dead accused and the other wanted accused" and "in the facts of the case death penalty is the only sentence that can be given to the appellant."

The Bench held that "the offences committed by the appellant show a degree of cruelty, brutality and depravity as in very few other cases." "The appellant, as also the other nine (9) terrorists, his co-conspirators, used highly lethal weapons such as AK-47 rifles, 9 mm pistols, and grenades and RDX bombs." "As to the personality of the victims, all the persons killed/injured at CST, Badruddin

Tayabji Marg and Cama Hospital were harmless, defenceless people. What is more, they did not even know the appellant and the appellant too had no personal animus against them. He killed/injured them simply because they happened to be Indians." It was held that "the conspiracy behind the attack was as deep and large as it was vicious. The preparation and training for the execution was as thorough as the execution was ruthless. In terms of loss of life and property, and more importantly in its traumatizing effect, this case stands alone, or it is at least the very rarest of rare to come before this Court since the birth of the Republic. Therefore, it should also attract the rarest of rare punishment." "Against all this, the only mitigating factor is the appellant's young age, but that is completely offset by the absence of any remorse on his part, and the resultant finding that in his case there is no possibility of any reformation or rehabilitation."

The Bench held that "death as a penalty has been held to be Constitutionally valid, though it is indeed to be awarded in the "rarest of rare cases when the alternative option (of life sentence) is unquestionably foreclosed" and "as long as the death penalty remains on the statute book as punishment for certain offences, including "waging war" and murder, it logically follows that there must be some cases, howsoever rare or one in a million, that would call for inflicting that penalty." That being the position one fails to see "what case would attract the death penalty, if not the case of the appellant. To hold back the death penalty in this case would amount to obdurately declaring that this Court rejects death as lawful penalty even though it is on the statute book and held valid by Constitutional benches of this Court."

10. On 31st August, 2012, in the case of *Mohd. Hussain @ Julfikar Ali v. The State* (Govt. of NCT) Delhi [Criminal Appeal No. 1091 of 2006], a three Judge Bench held that "speedy trial' and 'fair trial' to a person accused of a crime are integral part of Article 21[of the Constitution]" however, there is "qualitative difference between the right to speedy trial and the accused's right of fair trial."

The Bench held that "unlike the accused's right of fair trial, deprivation of the right to speedy trial does not per se prejudice the accused in defending himself. The right to speedy trial is in its very nature relative. It depends upon diverse circumstances. Each case of delay in conclusion of a criminal trial has to be seen in the facts and circumstances of such case. Mere lapse of several years since the commencement of prosecution by itself may not justify the discontinuance of prosecution or dismissal of indictment. The factors concerning the accused's right to speedy trial have to be weighed vis-a-vis the impact of the crime on society and the confidence of the people in judicial system. Speedy trial secures rights to an accused but it does not preclude the rights of public justice. The nature and gravity of crime, persons involved, social impact and societal needs must be weighed along with the right of the accused to speedy trial and if the balance tilts in favour of the former the long delay in conclusion of criminal trial should not operate against the continuation of prosecution and if the right of accused in the facts and circumstances of the case and exigencies of situation tilts the balance in his favour, the prosecution may be brought to an end."

11. On 6th September, 2012, in the case of *Bharat Aluminium Co. v. Kaiser Aluminium Technical Service, Inc.* [Civil Appeal No.7019 of 2005], a five Judge Constitutional Bench held that "Part I of the Arbitration and Conciliation Act, 1996 is applicable only to all the arbitrations which take place within the territory of India."

The Bench held that "Part I of the Arbitration and Conciliation Act, 1996 would have no application to International Commercial Arbitration held outside India. Therefore, such awards would only be subject to the jurisdiction of the Indian courts when the same are sought to be enforced in India in accordance with the provisions contained in Part II of the Arbitration and Conciliation Act, 1996." "The provisions contained in Arbitration and Conciliation Act, 1996 make it crystal clear that there can be no overlapping or intermingling of the provisions contained in Part I with the provisions contained in Part II of the Arbitration and Conciliation Act, 1996.

It was further held that "in a foreign seated international commercial arbitration, no application for interim relief would be maintainable under Section 9 or any other provision, as applicability of Part I of the Arbitration and Conciliation Act, 1996 is limited to all arbitrations which take place in India. Similarly, no suit for interim injunction simplicitor would be maintainable in India, on the basis of an international commercial arbitration with a seat outside India."

12. On 11th September, 2012, in the case of *Sahara India Real Estate Corp. Ltd. & Ors. v. Securities & Exchange Board of India & Anr.* [I.A. Nos. 4-5, 10, 11, 12-13, 16-17, 18, 19, 20-21, 22-23, 24-25, 26-27, 30-31, 32-33, 34, 35-36, 37-38, 39-40, 41-42, 43-44, 45-46, 47-48, 49-50, 55-56, 57, 58, 59, 61 and 62 in C.A. No. 9813 of 2011 and C.A. No. 9833 of 2011], a five Judge Constitutional Bench held that "anyone, be he an accused or an aggrieved person, who genuinely apprehends on the basis of the content of the publication and its effect, an infringement of his/ her rights under Article 21 (of the Constitution) to a fair trial and all that it comprehends, would be entitled to approach an appropriate writ court and seek an order of postponement of the offending publication/ broadcast or postponement of reporting of certain phases of the trial (including identity of the victim or the witness or the complainant), and that the court may grant such preventive relief, on a balancing of the right to a fair trial and Article 19(1)(a) rights", bearing in mind the "principles of necessity and proportionality and keeping in mind that such orders of postponement should be for short duration and should be applied only in cases of real and substantial risk of prejudice to the proper administration of justice or to the fairness of trial. Such neutralizing device (balancing test) would not be an unreasonable restriction and on the contrary would fall within the proper constitutional framework."

13. On 12th September, 2012, in the case of *Kunal Majumdar v. State of Rajasthan* [Criminal Appeal No. 407 of 2008] it was held that in a Reference made under Section 366(1) CrPC (for confirmation of death sentence), "there is no question of the High Court short-circuiting the process of Reference by merely relying upon any concession made by the counsel for the convict or that of counsel for the State."

"A duty is cast upon the High Court to examine the nature and the manner in which the offence was committed, the mens rea if any, of the culprit, the plight of the victim as noted by the trial Court, the diabolic manner in which the offence was alleged to have been performed, the ill-effects it had on the victim as well as the society at large, the mindset of the culprit vis-à-vis the public interest, the conduct of the convict immediately after the commission of the offence and thereafter, the past history of the culprit, the magnitude of the crime and also the consequences it had on the dependants or the custodians of the victim. There should be very wide range of consideration to be made by the High Court dealing with the Reference in order to ensure that the ultimate outcome of the Reference would instill confidence in the minds of peace loving citizens and also achieve the object of acting as a deterrent for others from indulging in such crimes."

14. On 13th September, 2012, in the case of *Namit Sharma v. Union of India* [Writ Petition (Civil) No. 210 of 2012], it was held that "the Information Commission is bound by the law of precedence, i.e., judgments of the High Court and the Supreme Court of India". The Bench held that "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."
15. On 18th September, 2012, in the case of *V. Chandrasekaran & Anr. v. The Administrative Officer & Ors.* [Civil Appeal Nos. 6342-6343 of 2012], it was held that "once the land is acquired and it vests in the State, free from all encumbrances, it is not the concern of the land owner, whether the land is being used for the purpose for which it was acquired or for any other purpose. He becomes persona non-grata once the land vests in the State. He has a right to only receive compensation for the same, unless the acquisition proceeding is itself challenged. The State neither has the requisite power to reconvey the land to the person-interested, nor can such person claim any right of restitution on any ground, whatsoever, unless there is some statutory amendment to this effect."
16. On 24th September, 2012, in the case of *Gian Singh v. State of Punjab & Another* [Special Leave Petition (Crl.) No. 8989 of 2010], a three Judge Bench held that the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 CrPC.

The Bench held that "inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like

murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominately civil flavour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding."

17. On 26th September, 2012, in the case of *MSR Leathers v. S. Palaniappan & Anr.* [Criminal Appeal Nos.261-264 of 2002], a three Judge Bench held that "prosecution based upon second or successive dishonour of the cheque is also permissible so long as the same satisfies the requirements stipulated in the proviso to Section 138 of the Negotiable Instruments Act, 1881".
18. On 27th September, 2012, in the case of *V.K. Sasikala v. State Rep. by Superintendent of Police* [Criminal Appeal No.1497 of 2012], it was held that "if in a given situation the accused comes to the court contending that some papers forwarded to the Court by the investigating agency have not been exhibited by the prosecution as the same favours the accused the court must concede a right to the accused to have an access to the said documents, if so claimed." Disagreeing with the view taken by the High Court that the accused must be made to await the conclusion of the trial to test the plea of prejudice that he may have raised, the Bench held that "such a plea must be answered at the earliest and certainly before the conclusion of the trial, even though it may be raised by the accused belatedly."
19. On 27th September, 2012, in re: Special Reference No.1 of 2012 [Under Article 143(1) of the Constitution of India], a five Judge Constitutional Bench answered a Presidential Reference opining that "auctions are not the only permissible method for disposal of all natural resources across all sectors and in all circumstances." The Bench held that "auction as a mode cannot be conferred

the status of a constitutional principle. Alienation of natural resources is a policy decision, and the means adopted for the same are thus, executive prerogatives. However, when such a policy decision is not backed by a social or welfare purpose, and precious and scarce natural resources are alienated for commercial pursuits of profit maximizing private entrepreneurs, adoption of means other than those that are competitive and maximize revenue may be arbitrary and face the wrath of Article 14 of the Constitution."

20. On 28th September, 2012, in the case of *Manubhai Ratilal Patel Tr. Ushaben v. State of Gujarat & Ors.* [Criminal Appeal No.1572 of 2012] it was held that "a writ of habeas corpus is not to be entertained when a person is committed to judicial custody or police custody by the competent court by an order which prima facie does not appear to be without jurisdiction or passed in an absolutely mechanical manner or wholly illegal." "The court is required to scrutinize the legality or otherwise of the order of detention which has been passed. Unless the court is satisfied that a person has been committed to jail custody by virtue of an order that suffers from the vice of lack of jurisdiction or absolute illegality, a writ of habeas corpus cannot be granted."
21. On 28th September, 2012, in the case of *Chloro Controls (I) P. Ltd. v. Severn Trent Water Purification Inc. & Ors.* [Civil Appeal No.7134 of 2012], a three Judge Bench examined the ambit and scope of Section 45 of the Arbitration and Conciliation Act, 1996 and held that the expression therein viz. 'person claiming through or under' "would mean and take within its ambit multiple and multi-party agreements, though in exceptional case." The Bench held that "even non-signatory parties to some of the agreements can pray and be referred to arbitration provided they satisfy the pre-requisites under Sections 44 and 45 read with Schedule I." It was held that "in the cases of group companies or where various agreements constitute a composite transaction like mother agreement and all other agreements being ancillary to and for effective and complete implementation of the Mother Agreement, the court may have to make reference to arbitration even of the disputes existing between signatory or even non-signatory parties. However, the discretion of the Court has to be exercised in exceptional, limiting, befitting and cases of necessity and very cautiously."

SOME RECENT MAJOR EVENTS AND INITIATIVES

(01-07-2012 to 30-09-2012)

MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA): Workshop on "Building and Other Construction Workers": A workshop on "Building and Other Construction Workers" was organised on 5th August, 2012 at Bangalore. Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India and Executive Chairman, NALSA inaugurated the workshop. Hon'ble Mr. Justice Vikramajit Sen, Chief Justice, Karnataka High Court and Patron-in-Chief, Karnataka State Legal Services Authority presided over the function. Shri Jagadish Shettar, Hon'ble Chief Minister of Karnataka was the Chief Guest.

SOME IMPORTANT VISITS AND CONFERENCES

(From 01-07-12 to 30-09-12)

1. Hon'ble Shri S. H. Kapadia, CJI visited (a) Mumbai to participate in the "Conclusion programme of Sesquicentennial Celebrations" of the Bombay High Court during the period from 17th to 20th August, 2012 and (b) Aurangabad to deliver inaugural lecture in the memory of Shri V. R. Savant organized by Shri V. R. alias Dadasaheb Savant Memorial Trust during the period from 31st August to 1st September, 2012.
2. Hon'ble Mr. Justice P. Sathasivam visited (a) Chennai (i) to deliver Lecture under the endowment "C. Hari Krishnan Endowment Lectures on Corporate Laws" at the Tamil Nadu Dr. Ambedkar Law University on 7th July, 2012; (ii) to participate in the inaugural function of Southern State Bar Councillors Meet, 2012 organised by the Bar Council of Tamil Nadu and Puducherry on 18th August, 2012; (iii) to participate in the function organized by Select'75 & the Committee of Hosts to celebrate the Sesquicentennial of the High Court of Madras on 1st September, 2012 and (iv) to attend the Valedictory Function of the Sesquicentennial Celebrations of the Madras High Court on 8th September, 2012 and (b) Coimbatore (i) for inauguration of District Court & CJM Court at Tiruppur and (ii) for inauguration of the Combined Court Buildings at Kangayam on 14th July, 2012.
3. Hon'ble Mr. Justice R. M. Lodha visited (a) Mumbai to attend Sesquicentennial function of Bombay High Court at Bhabha Theatre of NCPA on 18th August, 2012 and (b) Shimla to inaugurate the Biennial Conference of the Judicial Officers of the State of Himachal Pradesh organized by the High Court of Himachal Pradesh from 8th to 9th September, 2012.
4. Hon'ble Mr. Justice H. L. Dattu visited (a) Bangalore to inaugurate as Chief Guest the Silver Jubilee Celebrations of the Central Administrative Tribunal, Bangalore Bench at Banquet Hall, Vidhana Soudha on 11th August, 2012; (b) Chennai to attend the 'Celebrations of 150 years Completion of Madras High Court on 8th September, 2012 and (c) Raipur (Chattisgarh) to attend the 'Executive Council Meeting of the Hidayatullah National Law University' on 22nd September, 2012.
5. Hon'ble Mr. Justice Deepak Verma visited Beawar (Rajasthan) as a Chief Guest at the Installation Ceremony of Rotary Club, Beawar during the period from 14th to 15th July, 2012.
6. Hon'ble Dr. Justice B. S. Chauhan visited (a) Bangalore (i) to attend meeting of General Council of NLSIU on 4th August, 2012 and (ii) to attend Convocation of NLSIU at Christ University Auditorium on 5th August, 2012 and (b) Shillong to attend Seminar on Para Legal Volunteers Scheme on 15th September, 2012.

7. Hon'ble Mr. Justice A. K. Patnaik visited (a) Bilaspur to attend the ceremonial function of Chhattisgarh Bar Council Law Journal at Bilaspur on 14th July, 2012; (b) Cuttack (i) to attend the Function of All Orissa Tax Bar Association at Saheed Bhawan, Cuttack on 21st July, 2012 and (ii) to attend the function of National Law University, NLU Campus, Cuttack on 4th August, 2012; (c) Sonapat (Haryana) to attend a function at the O.P. Jindal Global University, Sonapat on 1st August, 2012 and (d) Bhubaneswar (i) to attend the Seminar of Bhubaneswar Bar Association at Bar Association Hall on 10th August, 2012; (ii) to attend a meeting at the new official residence of the Chief Justice, Orissa High Court and (iii) to attend the Function of Bhubaneswar Tax Bar Association at KIIT Campus on 11th August, 2012.
8. Hon'ble Mr. Justice K. S. Radhakrishnan visited (a) Chennai to attend the celebration of completion of 150 years of the Madras High Court during the period from 7th to 9th September, 2012 and (b) Kochi to inaugurate the annual Law Lecture held by National University of Advanced Legal Studies (NULAS) at Kalamassry on 22nd September, 2012.
9. Hon'ble Mr. Justice S. S. Nijjar visited Mumbai to attend the Sesquicentennial function of the Bombay High Court during the period from 17th to 20th August, 2012.
10. Hon'ble Mr. Justice Swatanter Kumar visited (a) Lucknow to address the students at IIM, Lucknow on 14th July, 2012; (b) Ludhiana to attend the Seminar on "Drug Abuse and Its Losses" organized by District Bar Association, Ludhiana on 28th July, 2012; (c) Pune to attend the function in the Marathwada Mitra Mandal's Shankarrao Chavan Law College, Pune on 4th August, 2012 and (d) Mumbai to attend the function to conclude the Sesquicentennial celebrations of the three chartered High Courts of Calcutta, Bombay and Madras on 18th August, 2012.
11. Hon'ble Mr. Justice C. K. Prasad visited Bangalore (i) to attend Academic Council meeting of NLSIU at the Training Centre, NLSUI, Bangalore on 4th August, 2012 and (ii) to attend 20th Annual Convocation of NLSIU at Christ University Auditorium, Hosur Road, Bangalore on 5th August, 2012.
12. Hon'ble Mr. Justice H. L. Gokhale visited (a) Vasmatnagar, Distt. Parbhani, Maharashtra for inauguration of the Court Building for the Addl. District Judge, Basmatnagar on 26th August, 2012; (b) Chennai to attend function at Madras High Court for completing its 150 years on 8th September, 2012 and (c) Ahmedabad to deliver a Lecture at Nirma University of Law on 15th September, 2012.
13. Hon'ble Mrs. Justice Gyan Sudha Misra visited (a) Indore to chair the function arranged by Indore Institute of Law on 27th July, 2012 and (b) Bhubaneswar (i) to address the 16,500 tribal children at KISS Campus and (ii) to address the students of KIIT School of Law on 22nd September, 2012.
14. Hon'ble Mr. Justice Anil R. Dave visited Hyderabad to attend the Regional Judicial Conference of A. P. Judicial Academy on 16th December, 2012.

15. Hon'ble Mr. Justice S. J. Mukhopadhaya visited (a) Ranchi to attend Regional Judicial Conference of National Judicial Academy during the period from 24th to 26th August, 2012 and (b) Bhopal to attend National Conference of High Court Judges on Human Rights and Civil Liberties conducted by National Judicial Academy, Bhopal on 15th September, 2012
16. Hon'ble Mrs. Justice Ranjana Prakash Desai visited (a) Pune to attend the State Lawyers Conference organized by Bar Council of Maharashtra & Goa on 14th July, 2012 and (b) Mumbai to attend the Concluding function of Sesquicentennial of the Bombay High Court held at Bhabha Theatre of NCPA at Mumbai on 18th August, 2012.
17. Hon'ble Mr. Justice Dipak Misra visited (a) Bhubaneswar to attend the function at KIIT University on 28th July, 2012 and (b) Bangalore (i) to attend the General Council Meeting of National Law School of India University on 4th August, 2012 and (ii) to attend the Twentieth Annual Convocation of NLSIU on 5th August, 2012.
18. Hon'ble Mr. Justice J. Chelameswar visited (a) Visakhapatnam to inaugurate the School of Law, GITAM University at Visakhapatnam during the period from 13th to 14th July, 2012; (b) Guntur to attend the 60th Birthday Celebration of Sri Rathaiah on 28th July, 2012; (c) Chennai to attend the Sesquicentennial Valedictory Function of the High Court of Madras on 8th September, 2012 and (d) Vijaywada to attend the inauguration of 130 Years Celebration of Establishment of Machilipatnam Bar Association on 15th September, 2012.
19. Hon'ble Mr. Justice F.M.I.Kalifulla visited Chennai (i) to attend the Sesquicentennial of the High Court of Madras and the Seminar and Distribution of Law Books by Select'75 and the Committee of Hosts at the Image Auditorium, R.A. Puram, Chennai on 1st September, 2012; (ii) to attend the Sesquicentennial Valedictory Function of Madras High Court at Jawaharlal Nehru Indoor Stadium on 8th September, 2012 and (iii) to deliver lecture on "Recent Trends in Taxation" on the launch of Sri V. Ramachandran Memorial Foundation and Sri V. Ramachandran Memorial Lecture at the ITC Park Sheraton, TTK Road, Alwarpet, Chennai on the occasion of Golden Jubilee Celebrations of Revenue Bar Association, Chennai on 29th September, 2012.
20. Hon'ble Mr. Justice Madan B. Lokur visited (a) Manesar (Gurgaon) to deliver Closing Remarks in the Orientation Course for the Members of District Judiciary on 'Principles of Mediation, Importance and Role of Referral Judges and Case Management' on 15th July, 2012; (b) Bhopal on the invitation of National Judicial Academy to attend (i) the National Conference of High Court Judges on Administration of Criminal Justice during the period from 11th to 12th August, 2012 and (ii) the National Conference of High Court Judges on Human Rights & Civil Liberties during the period from 15th to 16th September, 2012 and (c) Hyderabad to attend the Tenth Annual Convocation of NALSAR University of Law, Hyderabad on 2nd September, 2012.

LIST OF SUPREME COURT JUDGES (As on 30-09-2012)

S.No.	Name of the Hon'ble Judge	Date of Appointment	Date of Retirement
01.	Hon'ble Mr. Justice Altamas Kabir, Chief Justice of India (CJI)	09-09-2005 As CJI: 29-09-2012	19-07-2013
02.	Hon'ble Mr. Justice D.K. Jain	10-04-2006	25-01-2013
03.	Hon'ble Mr. Justice P. Sathasivam	21-08-2007	27-04-2014
04.	Hon'ble Mr. Justice G.S. Singhvi	12-11-2007	12-12-2013
05.	Hon'ble Mr. Justice Aftab Alam	12-11-2007	19-04-2013
06.	Hon'ble Mr. Justice R.M. Lodha	17-12-2008	28-09-2014
07.	Hon'ble Mr. Justice H.L. Dattu	17-12-2008	03-12-2015
08.	Hon'ble Dr. Justice B.S. Chauhan	11-05-2009	02-07-2014
09.	Hon'ble Mr. Justice A.K. Patnaik	17-11-2009	03-06-2014
10.	Hon'ble Mr. Justice T.S. Thakur	17-11-2009	04-01-2017
11.	Hon'ble Mr. Justice K.S. Radhakrishnan	17-11-2009	15-05-2014
12.	Hon'ble Mr. Justice S.S. Nijjar	17-11-2009	07-06-2014
13.	Hon'ble Mr. Justice Swatanter Kumar	18-12-2009	31-12-2012
14.	Hon'ble Mr. Justice C.K. Prasad	08-02-2010	15-07-2014
15.	Hon'ble Mr. Justice H.L. Gokhale	30-04-2010	10-03-2014
16.	Hon'ble Mrs. Justice Gyan Sudha Misra	30-04-2010	28-04-2014
17.	Hon'ble Mr. Justice Anil R. Dave	30-04-2010	19-11-2016
18.	Hon'ble Mr. Justice S.J. Mukhopadhaya	13-09-2011	15-03-2015
19.	Hon'ble Mrs. Justice Ranjana P. Desai	13-09-2011	30-10-2014
20.	Hon'ble Mr. Justice J.S. Khehar	13-09-2011	28-08-2017
21.	Hon'ble Mr. Justice Dipak Misra	10-10-2011	03-10-2018
22.	Hon'ble Mr. Justice J. Chelameswar	10-10-2011	23-06-2018
23.	Hon'ble Mr. Justice F.M. Ibrahim Kalifulla	02-04-2012	23-07-2016
24.	Hon'ble Mr. Justice Ranjan Gogoi	23-04-2012	18-11-2019
25.	Hon'ble Mr. Justice Madan B. Lokur	04-06-2012	31-12-2018