

IMPORTANT LEGAL UPDATES

1. High Court of Karnataka : no evidence of sexual assault due to a doctor's carelessness in completing a medical examination. As a result, the Court granted bail to a rape suspect while simultaneously ordering the Medical Department's chief secretary to write a circular reaffirming the duties of doctors conducting medical examinations.

2. Suspended Board of Directors Has No Power To Replace RP Under IBC: NCLAT, Chennai: The NCLAT, Chennai in a Bench consisting of Justice M. Venugopal, Judicial Member and Kanthi Narahari, Technical Member in the case of Anil Kumar Ojha v. Chandramouli Ramasubramaniam Resolution Professional of SLO Industrial Ltd. & Anr. held that the suspended Board of Directors has no power under the IBC to appoint a Resolution Professional. The power to do so has only been vested in the Committee of Creditors (CoC) and then the Adjudicating Authority (AA).

The Supreme Court has reiterated that Trial Court does not have the jurisdiction to sentence an accused to life imprisonment which is to extend to the remainder of their life.

3. The Supreme Court discovered that the applicable date for the purpose of the period of limitation beneath Section 468 CrPC is the date of submitting of the grievance or the date of group of prosecution and now no longer the date on which the Magistrate takes focus of the offence.

4. Mere Pendency Of Title Suit No Ground To Disentitle Person From Obtaining Electricity Connection When In Possession Of Property: Delhi High Court

5. Right To 'Equal Pay For Equal Work' Is Constitutionally Enforceable: Himachal Pradesh High Court

6. Prima Facie Appreciation of Evidence & Application of Judicial Mind Must For Summoning Order To Be Just And Legal: Delhi High Court: The Delhi High Court has observed that while issuing summons, a prima facie appreciation of evidence coupled with application of judicial mind needs to be carried out for a summoning order to be just and legal.

7. PIL In Delhi High Court Seeks Directions to Ensure Continuity of Education for 20,000 Medical Students Returning From Ukraine : Pravasi Legal Cell has moved the Delhi High Court seeking directions on Central Government and the National Medical Commission for taking appropriate steps to ensure continuity of education for medical students returning from Ukraine, in medical colleges here from the stage from which their study has been disrupted.

8. Over 40 Lakh Cases Disposed in First National Lok Adalat of 2022: The Legal Services Authorities across the country, under the aegis of National Legal Services Authority (NALSA) and the leadership of Mr. Justice Uday Umesh Lalit, Judge, Supreme Court of India & Executive Chairman, NALSA, organised the first National Lok Adalat of the year 2022 in all the 36 States/UTs on 12th March in both physical and hybrid mode.

9. Ad-Hoc Employee Entitled To Maternity Benefits Beyond The Term Of Contract For Pregnancy Occurring During Contractual Period : Delhi High Court: In a significant judgment that can come to the aid of women who are employed on contractual basis, the

Delhi High Court has held that an ad-hoc employee will be entitled to maternity benefits under the Maternity Benefits Act, 1961, beyond the period of the contract, for a pregnancy occurring during the tenure of the employment

10. Supreme Court Relaxes Upper-Age Limit For Age-Barred Candidates Who Were Eligible In 2020 & 2021; Upholds Minimum Age Criteria Of 35 Years For DHJS: The Supreme Court on Monday relaxed the upper-age limit of 32 years for the Delhi Judicial Service Examinations (DJSE) and 45 years for the Delhi High Judicial Service Examinations (DHJSE) of 2022 for those candidates, who were eligible in 2020 and 2021 but have become age-barred this year.

11. Mental Health in Central Armed Forces : Supreme Court Allows Ex-CAPF Members to Make Representation to Centre : The Supreme Court on Monday refused to entertain a PIL seeking directions to all the Central Armed Police Forces ("CAPFs") to periodically carry out specific mental health assessments of all personnel in the Forces to ensure their physical and mental fitness while on duty

12. Holy Quran Does Not Mandate Wearing of Hijab; Islam Does Not Cease to Exist if Hijab is Not Followed : Karnataka High Court: The Karnataka High Court, while declaring that the wearing of hijab by Muslim women is not an 'essential religious practice' in Islamic Faith, said that, "The Holy Quran does not mandate wearing of hijab or headgear for Muslim women".

13. Delhi High Court Allows Reopening Of Four Floors Of Masjid In Nizamuddin Markaz On Shab-e-Barat : The Delhi High Court on Wednesday allowed reopening of four floors, including Ground floor as well as three floors, of the masjid premises in Nizamuddin Markaz for offering of prayers on the festival of Shab e-Barat.

14. Political Parties Not Bound to Establish Internal Complaints Committee Under POSH Act : Kerala High Court: In a significant decision, the Kerala High Court on Thursday observed that political parties are not legally liable to establish Internal Complaints Committee as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 since there is no employer-employee relations among its members

15. Karnataka Govt Announces Y Category Security To Judges In Hijab Case After Police FIR Over Threatening Message: The Karnataka Government has decided to provide 'Y' category security cover to the three judges including the Chief Justice Ritu Raj Awasthi of the Karnataka High Court, who were part of the bench which upheld the ban on wearing of hijab inside classrooms in colleges with prescribed dress code.

16. Handwriting Expert's Opinion Not The Only Mode To Prove Signature And Handwriting : Supreme Court: The Supreme Court observed that opinion of the handwriting expert is not the only way or mode of proving the signature and handwriting of a person.

17. No Need For Trial Court's Permission To Renew Passport When Criminal Proceedings Are Stayed By Higher Court : Karnataka HC: The Karnataka High Court has held that the permission from a trial court is not necessary for renewal of passport when the proceedings are stayed by higher court.

18. Writ Petition To Initiate In-House Inquiry Against Judges Alleging Misconduct Not Maintainable : Kerala High Court: The Kerala High Court recently upheld a Single bench

decision that dismissed a couple of petitions seeking the constitution of an In-House Committee to probe into the alleged judicial misconduct against two judges.

19. Vaccine Mandates Are Reasonable Restrictions In Larger Public Interest : States Before Supreme Court: The States of Tamil Nadu, Maharashtra and Madhya Pradesh on Tuesday justified the government orders which mandated the taking of COVID vaccines to avail public utilities and access public places.

20. Supreme Court Allows Physically Disabled Persons To Apply For IPS, IRPFS, DANIPS Services Provisionally In UPSC Selection Process: The Supreme Court on Friday passed an interim order allowing physically disabled persons, who have cleared the civil services exam, to provisionally apply to the Union Public Service Commission for selection to Indian Police Service, Indian Railways Protection Force Service, & Delhi, Daman & Diu, Dadra and Nagar Haveli, Andaman and Nicobar Islands and Lakshadweep Police Service[DANIPS].

21. A Litigant Cannot Take Contradictory Stands Before Two Different Courts/Authorities: Supreme Court: The Supreme Court observed that a litigant cannot be permitted to take two contradictory stands before two different authorities/courts

22. Land Acquisition Compensation Cannot Be Determined On The Basis Of Consent Award Passed In Another Acquisition : Supreme Court: The Supreme Court observed that a consent award cannot be the basis to determine the compensation in other acquisition more particularly, when there are other evidences on record.

23. Supreme Court Sets April 30 Deadline For Centre To Decide Death Row Convict Balwant Singh Rajoana's Mercy Petition: The Supreme Court has directed the Central Government to take a call by April 30 with respect to the mercy petition of death row convict Balwant Singh who has been in jail for over 26 years for the assassination of killing former Punjab Chief Minister Beant Singh.

24. 18% GST Payable On Supply Of Functional Cattle Feed Plant, Inclusive Of Erection, Installation, Commissioning: AAR: The Gujarat Authority of Advance Ruling (AAR) has ruled that the 18% GST is applicable on supply of a functional Cattle Feed Plant, inclusive of its Erection, Installation and Commissioning and related works.

25. NEET-PG | Not All MBBS Grads Qualified To Become Specialists, Will Introduce 'Exit Test' Like AIBE To Regulate Doctors' Practice: Centre To Delhi HC: The Central Government on Monday claimed before the Delhi High Court that to generalize and say that everybody who has qualified MBBS is on "flat ground" and should be eligible to pursue post-graduate education, is not right

26. Extra Attempt In UPSC Mains For Candidates Who Missed It Due To COVID Can't Be Considered, Centre Tells Supreme Court: On the pleas seeking relaxation in terms of one additional attempt at the civil services examination by those who could not appear in the Mains on account of COVID, the UOI has told the Supreme Court that the demands raised by the petitioners in the cannot be considered, that there is no merit the case either in law or on facts and the said writ petition is liable to be dismissed by the court.

27. New Motor Vehicles Act Provisions Effective From April 1: Limitation For MACT Claims, Removal Of 2nd Schedule & More: New provisions of the Motor Vehicles Act

relating to third party insurance and filing of claims before Motor Accident Claims Tribunal will come into force from tomorrow, April 1, 2022.

28. 105th Constitutional Amendment Act Is Prospective In Nature : Supreme Court In Vanniyar Quota Case: In its judgment holding that the Tamil Nadu law providing internal reservation of 10.5 % to the Vanniyar Community under the category Most Backward Classes is unconstitutional, the Supreme Court held that the Constitution 105th Amendment Act is prospective in nature

29. Either Of The Spouse Can Claim Alimony Under Sec 25 HMA : Bombay High Court Directs Wife To Pay Maintenance To Husband: a rare instance the Bombay High Court upheld two orders of the civil court in Nanded, directing a wife, working as a teacher, to pay Rs 3,000 maintenance to her husband by directing the school principal to deduct Rs. 5000 from her salary towards unpaid maintenance since August 2017.

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