

Supreme Court of India Judgments

[UPSC Notes]

Supreme Court of India Judgments: Landmark Judgment & Landmark Decision

Landmark judgments of the Supreme Court of India set a precedent in law, terminate an essential new legal principle or judicial concept, or affect the interpretation of the existing law substantially.

- A landmark decision is a decision that changes the interpretation of the existing law and sets a new legal principle, which becomes the landmark judgment.
- The SC is the highest judicial court in India, the final court of appeal under the Indian Constitution, and the highest constitutional court with the power of judicial review. One can review the binding decisions of the SC with the help of a Review Petition. The Supreme Court does not usually unsettle a decision in the absence of a strong case considering the principle of stare decisis.
- The SC has to work based on laws made by the Parliament. However, the SC can declare a law invalid framed by the Parliament if the law violates the Constitution. The Parliament can also amend the Constitution subject to the Basic Structure doctrine.

Role of a Constitution in Supreme Court of India Judgments

The Constitution of India was enacted in 1950. Since when the constitution was formed, it has gone through a lot of amendments. The Supreme court takes its decision within the constitutional framework; its decisions are based on the law of the constitution. The Supreme court is the protector of our constitutional rights and fundamental freedom. The Supreme court is based on the constitutional decision laid on all levels of the court in India.

Influential and Important Supreme Court of India Judgments

Below we have mentioned some of the important Supreme Court of India Judgments.

AK Gopalan case 1950

One of the most important supreme court judgments made in history was that parliament could not make any amendment to the constitution, which was earlier permitted to the parliament. As per articles 13,19,21and 22 under the prevention act,

the Parliament was allowed to make some amendments to the constitution, but this is not possible now, after the supreme court judgment on the AK Gopalan case.

Shankari Prasad case

Judgment under this case shows that according to article 368 in part 111 of the constitution, parliament has the power to amend the constitution.

Champakam dorairajan state of madras

Judgment for this case by the supreme court fixed the number of seats in medical and engineering colleges for extraordinary communities. It means deprived communities can get a chance to get seats in top colleges and universities.

Golaknath case

Judgment in this case by the supreme court made it clear that parliaments do not have any power to make amends to cons the constituent assembly can make the situation Amendment in the constitution according to article 368.

Madhav jiwaji rao scandia , union of India

Judgment, in this case, abolished all the privileges and titles given to the princely ruler. Even the privy purse was also abolished, which was promised by the president to convince the ruler to merge with India after independence. This judgment overrides the president's decision.

Kesavananda Bharati case

This case judgment shows that the supreme court clarified that changing the constitution is beyond the parliament's power. Therefore, Parliament has no power to make amendments to the constitution or any other fundamental right.

Maneka Gandhi case

This case puts the question of whether going abroad is part of personal liberty under article 21 Supreme court ruling under this case that going abroad under the individual liberty article is fair, reasonable, and just.

Minerva mills case

This case made the two amendments unconstitutional. Section 4 and 55 under amendments give limitless power to the parliament to amend the constitution. This case made clear that the constitution is supreme power over the parliament.

Shah Bano case

It is one of the most significant judgments made by the supreme court to protect Muslim women's rights. They announced that under the protection divorce act 1986, Muslim

women have the right to take the alimony from their former husbands to support their livelihood after the separation or divorce.

MC Mehta and union of India

This case dealt with three issues: scope of article 32, rule of absolute liability, and issue of compensation. Judgment, in this case, points out that the supreme court has the absolute right to take remedial measures to protect the individual's rights. The judgment also makes it clear that if any industry is indulging in a harmful practice it will have to accept its liability. Its compensation will also be according to the magnitude of the industry.

Indira Sawhney case

In this case, the supreme court wants the creamy layer of OBC excluded from the reservation. Reservation should only be given while entering the job, not for promotion. According to this judgment, reservations should not exceed 50%.

SP bommai

This judgment overrides the power of the president to control the state. In this case, the president misuses the presidential power to control the state.

Vishaka state of Rajasthan

This judgment dealt with sexual harassment in the workplace. The Supreme Court of India has issued some guidelines to be followed by all the employees in the company to prevent sexual harassment. If any person does not follow the guidelines, then he or she will be entitled to punishment.

Triple talaq

This is one of the landmark judgments by the supreme court in which they abolish triple talaq practices. Under this practice, a Muslim man can take talaq by just uttering the word 'TALAQ' three times. In addition, this judgment ordered the Muslim men to pay alimony to their wives after separation.

Repealing section 377

This judgment made section 377 unconstitutional, which criminalizes consensual sex between adults of the same sex.

Putt Swamy case

This judgment will protect the right of the individual whose personal rights are violated.

Important Cases in India

We have discussed some of the important cases in India below.

Kesavananda Bharati case

- When the constitution was created, it gave the parliament power to amend it. Therefore, Parliament can make necessary changes in the constitution if required.
- But in this judgment, the supreme court made it clear that the parliament does not have any power to amend the constitution in any situation.
- During the Indira Gandhi government, articles 24, 25, 26, and 29 were amended. These amendments give power to parliament to amend the constitution and fundamental rights.
- This power of parliament was challenged in the Kesavanandaqq Bharati case, in which the court judged that parliament has no authority to amend the constitution.

Maneka Gandhi case

- Under this case, the supreme court gives judgment that the supreme court does not have any power to question any law unless it violates a person's right to life and liberty.
- This judgment makes clear that the supreme court is a watchdog of the constitution rather than the protector of the constitution.
- Judgment mentions that the procedure established by law under the article 11 would have the same effect as the expression of due process of the law.
- This states that no person can be deprived of his right to life or liberty. Therefore, every person has the right to life and liberty.

Shah Bano case

- This case gave Muslim women the right to claim rights in court, which was not possible before.
- Judgment, in this case, makes the Muslim woman entitled to take alimony from her former husband after the separation or divorce to support their livelihood after the separation.
- On the one hand, this case strengthens women's situation. But, on the other hand, it faces massive criticism from Muslim society for interference in Muslim personal law, the supreme court.

Indira Sawhney case

- In this case, the supreme court says that the creamy layer of the OBC should be removed from a reservation in the job,
- Reservation should be given while entering the job, not for promotion.
- The Supreme court has amended article 16(a), in which they had the power to make necessary changes in the reservation law if the backward class does not get appropriate representation in society.
- The Supreme court made it clear that reservations should not exceed 50 % in any case.

Vishaka case

- This case was in the context of sexual harassment at the workplace. This was the first time when authorities defined sexual harassment cases in India.
- Earlier Supreme Court relied on international treaties that have not been transformed into municipal law to deal with such cases.
- The Supreme court defined sexual harassment for the first time; earlier, there was no law to deal with sexual harassment in the workplace.
- Under this case, the supreme court laid some guidelines to be strictly followed by every employee in the company.

Key Takeaways from Important Cases in India

All these important cases in India show that, over time, the supreme court has made landmark decisions to protect individual rights. According to the constitution guidelines, the supreme court is responsible for protecting the individual's rights. The Supreme court not only protects the individual's rights but also makes amendments to the law to give people justice. These all cases clearly show that the court is where any person can expect and seek justice.