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FROM THE DESK OF CHIEF EDITOR

Lord Denning gave a piece of advice to judges. Judges should never lose their temper. The reason is obvious. An angry and agitated mind cannot do justice evenly and fairly. Judges must have scientific temper. It is important for a judge to discipline his mind and temper. Different and difficult situations arise in court from time to time. Therefore, a judge should be able to deal with situations with a cool mind. Only then, justice can flow equally. I wish to share some situations. Real situations.

K.M. Munshi was addressing the Constitution Bench of Five Judges in the Supreme Court. All the judges of the Bench asked different questions one after the other. Munshi started by answering the query of Justice J.C. Shah. He was the junior most judge of the Bench. Justice P.B. Gajendergadkar protested : I am the chief justice, answer my query first. Munshi responded, I would answer the queries raised by the judges according to their seniority. After he had answered all the queries, Munshi looked at the chief justice. He said : My Lord, I wanted to answer Justice Shah first. Because, his query was the most intelligent and difficult. In fact, it would have covered the queries of all other judges. Thus, the intervention of the chief justice was not in accordance with judicial temper. Even if the chief justice is part of the Bench, it does not mean that necessarily his query must be answered first of all. Chief Justice Gajendergadkar did not demonstrate the right kind of judicial mind and temper. He must have realised his mistake when Munshi gave the response. Judicial patience is part of judicial mind and temper. Once one is part of the Bench, therefore, there is no question of seniority and priority.

Rustom Kolah was arguing an income tax appeal before the Supreme Court. He wanted to cite some decisions of the English Courts. Chief Justice M.C. Mahajan did not allow him to cite those decisions. He was told that they are foreign cases. Meaning thereby, they are not relevant in the Indian context. On the other side, Motilal Setalvad, the then Attorney General was allowed to cite English decisions. On the completion of the arguments by Setalvad, Chief Justice Mahajan told Kolah that since the Attorney General had been allowed to cite English cases, therefore, fairness demanded that you may also now be allowed to cite your English cases. The response of Kolah was rather sharp. I was not allowed to cite on my turn. I, therefore, refuse to cite them. In fact, you may do self study of the English cases. Having said that, Kolah sat down. No doubt, lawyers must be given equal treatment. Chief Justice Mahajan did realise his mistake. Precisely, this was reason when he said that to be fair, you must also be allowed to cite English cases. Kolah's response was not fair. In fact, unwarranted. There was no justification to tell the Chief Justice that you do self study. Lawyers and Judges are part of the coparcenary. Both must understand each other. Temperament is never one sided. Chief Justice Mahajan kept his cool. The situation warranted that. That too was part of Judicial temper.

It is said that a lawyer is good if he knows the law. It is also said a lawyer is great, if he knows the judge. What does one mean by knowing the judge? Knowing the judge means – understanding the judge. What pleases the mind of the judge? Do you need to feed him on facts or on law or both? What is his strength? A lawyer should know the mind of the judge. Cater accordingly. A lawyer must be able to feel the pulse of the judge. It is this which makes the lawyer great.

Balram K. Gupta

CASE COMMENT

Sampurna Behura vs. Union of India & Ors., 2018 SCC OnLine SC 106

Children are the greatest asset to the nation. The future of the nation lies in their hands. Unfortunately, these future stake holders are not brought up properly. Off late there has been a vast increase in the crimes committed by Juveniles across the country which is totally alarming. It has become essential to create a system wherein the rights of children are protected be it a child in conflict with law or child in need of care and protection. In 2006, the Chief Justices' Conference was held where in resolution was passed that all the Chief Justices of the High Courts will nominate a judge to make periodical visits to Juvenile Homes and will expedite the matter with the respective State Governments for setting up of Juvenile Justice Boards. In 2009, in the Chief Justices' Conference, the resolution passed in the conference of 2006 was reiterated indicating that little or no progress had still been made by the State Governments in setting up Juvenile Justice Boards. In 2013, the issue of strengthening the juvenile justice system was again discussed at the Chief Justices' Conference. In 2015, again this issue was discussed in the conference and it was resolved that cases pending for a period in excess of one year be disposed of on priority by the JJBs and Juvenile Justice Committees of the High Court's shall monitor the pendency and disposal of adoption cases, training and refresher training be imparted to judicial officers etc. in 2005, a Writ Petition (Civil No.473 of 2005) was filed by Sampurna Behura under Article 32 of the Constitution drawing attention to several Articles of the Constitution. In the said Writ, some of the issues identified as needing serious consideration and deliberation were constitution of State Child Protection Society, State Commissions for the Protection of Child Rights. Establishment of Juvenile Justice Boards (JJBs), Child Welfare Committees (CWCs), Special Juvenile Police Units and their training, Appointment of Probation Officers, provision for legal aid lawyers and their training, proper selection of members of JJBs and CWCs, significance of Social Investigation Report, Principal Magistrates to exclusively deal with Juvenile Justice Inquiries, registration of Child Care Institutions, improvement of living conditions in government run child care institutions, establishment of Juvenile Justice Fund. While deciding the above said Writ Petition on 09.02.2018, following directions were given.

That the State level Child Protection Societies and the District level Child Protection Units would be well advised to take the assistance of NGOs and civil society to ensure that the JJ Act serves the purpose for which it is enacted by Parliament, The State Governments must ensure that all positions in the JJBs and CWCs are filled up expeditiously and in accordance with the Model Rules, The JJBs and CWCs must appreciate that it is necessary to have sittings on a regular basis so that a minimal number of inquiries are pending at any given point of time and justice is given to all juveniles in conflict with law and social justice to children in need of care and protection. The State Government must appoint the necessary number of Probation Officers, There is a need to set up meaningful Special Juvenile Police Units and appoint Child Welfare Police Officers in terms of the JJ Act at the earliest ad not, the National Police Academy and State Police Academies and State Governments and Union Territories would be well advised to ensure that all such institutions are registered. It is vital for understanding and appreciating child rights and for the effective implementation of the JJ Act. All authorities such as JJBs and CWCs, Probation Officers, members of the Child Protection Societies and District Child Protection Units, Special Juvenile Police Units, Child Welfare Police Officers and managerial staff of child Care Institutions must be sensitized and given adequate training relating to their position. While concluding the judgment, Apex Court further urged the Chief Justices' of each High Court to seriously consider establishing Child Friendly Courts and Vulnerable Witness Courts in each district and observed that inquiries under the JJ Act and trials under other statutes such as POCSO Act, 2012, the Prohibition of Child Marriage Act, 2006, trials for sexual offences under the IPC and other similar laws require to be conducted with a high degree of sensitivity, care and empathy for the victim.

Mandeep Pannu
ADJ-cum-Faculty Member

LATEST CASES: CIVIL

"The law courts exist for the society and they have an obligation to meet the social aspirations of citizens since law courts must also respond to the needs of the people."

Umesh C. Banerjee, J. in M.S. Grewal vs. Deep Chand Sood, (2001) 8 SCC 151

UCO Bank and Others vs. Rajendra Shankar Shukla: 2018 SCC OnLine SC 133 : MANU/SCOR/08739/2018: Pending enquiry the denial of subsistence allowance/pension to an employee would amount to denial of reasonable opportunity – The Supreme Court has ruled that an employee is entitled to subsistence allowance pending inquiry against him and the denial of financial resources would amount to depriving him of an opportunity to defend him. It has been observed that an employee is entitled to subsistence allowance during an inquiry pending against him or her but if that employee is starved of finances by zero payment, it would be unreasonable to expect the employee to meaningfully participate in a departmental inquiry. Further, it is also observed that access to justice is a valuable right available to every person, even to a criminal, and indeed free legal representation is provided even to a criminal. In the case of a departmental inquiry, the delinquent is at best guilty of misconduct but that is no ground to deny access to pension (wherever applicable) or subsistence allowance (wherever applicable).

Jayant Verma vs. Parveen Sharma : 2018 SCC OnLine SC 124 : Section 21A of the Banking Regulation Act held valid but not applicable to agricultural debts in states where State Debt Relief Acts are in force – It has been observed by the Apex Court that Section 21A of the Banking Regulation Act to be valid as it is part of an enactment which, in pith and substance, is relatable to Entry 45, List I of the Seventh Schedule to the Constitution. Further, it is held that insofar as Section 21A incidentally encroaches upon the field of relief of agricultural indebtedness, set out in Entry 30, List II, it will not operate only in States where there is a State Debt Relief Act which deals with the subject matter of relief of agricultural indebtedness, where the State Debt Relief Act covers debts due to "banks", as defined in those Acts.

Sundram Finance Limited vs. Abdul Samand & Others: Civil Appeal No.1650 of 2018 : DoD 15.02.2018 (SC):No requirement for obtaining a transfer of the decree from the court, which would have jurisdiction over the arbitral proceedings – The Supreme Court, after considering divergent opinions of various High Courts has observed that an arbitral award can straightaway be filed and executed in the Court where the assets of JD are located, without first obtaining a transfer of decree from the Court which would have jurisdiction over the arbitral proceedings.

Navin Kumar and Others vs. Vijay Kumar and Others : Civil Appeal No. 1427 of 2018 : DoD 06.02.2018 (SC) : Owner for the purpose of Motor Vehicles Act is the person in whose name the motor vehicle stands registered – The Apex Court has observed that the principle underlying the provisions of Section 2(30) of Motor Vehicle Act, is that the victim of a motor accident or, in the case of a death, the legal heirs of the deceased victim should not be left in a state of uncertainty. A claimant ought not to be burdened with following a trail of successive transfers, which are not registered with the registering authority. It was further observed that holding otherwise would be to defeat the salutary object and purpose of the Act and the interpretation must facilitate the fulfillment of the object of the law. In the present case, the first respondent was the 'owner' of the vehicle involved in the accident within the meaning of Section 2(30) and the liability to pay compensation was fastened upon him by Apex court.

Mohinder Kumar Mehra vs. Roop Rani Mehra: 2018 (1) RCR (Civil) 501 (SC) :

Limitation for filing amendment application for involved claim be ascertained after appraisal of evidence – In this case the amendment application was filed in the trial court and application was kept open to be decided at the time of arguments but on direction it was dismissed on the ground of limitation of relief claimed. The dispute in this case was regarding the right to share in the joint family property and the plea of the plaintiff was that the limitation for filing the suit for share in the joint family property is 12 years. The Apex Court has observed that the final determination as to whether claim is barred by limitation be decided only after considering evidence led by the parties and amendment application cannot be dismissed.

State of Punjab vs. Thuru Ram : 2018 (1) RCR (Civil) 724 (SC) : Appraisal of evidence regarding the fruit trees – The reference court as well as the High Court has awarded the compensation for 396 fruit trees. The Supreme Court after the reappraisal of evidence set aside the award of compensation. It was observed that as per the evidence only 90 fruit trees can be planted in one killa i.e. one acre and it is not possible to plant 250 trees or 396 trees in seven kanal and two marlas of acquired land.

Harpal Singh vs. Ashok Kumar : 2018 (1) RCR (Civil) 507 (SC): Agriculture land is converted into non-agriculture land authorizedly / un-authorizedly, then the dispute cannot be decided by Revenue Authority – In this case the plaintiff had filed suit for restoration of possession alleging to have been disposed by the defendant. The suit was decreed by the trial court ex-parte and in execution proceedings, the defendant had filed objection claiming jurisdiction of civil court is barred as the land an agricultural land. It has been observed by the Court that once the agriculture land is converted into non-agriculture land authorizedly/ un-authorizedly, then the dispute cannot be decided by revenue authority.

Sube Singh & Anr. vs. Shyam Singh (D) & Ors.: 2018 SCC OnLine SC 105 : MANU/SC/0106/2018 : Age of the deceased relevant – In claim petition considering that the deceased was 23 years of age on the date of accident. He was unmarried and his parents who filed the petition for compensation were in the age group of 40 to 45 years. The High Court, relying on the decision of *Ashvinbhai Jayantilal Modi's* case, held that multiplier of 14 will be applicable in this case, keeping in mind the age of the parents of the deceased. After modifying the findings on multiplier, it is held by the Supreme Court after reiterating that multiplier should depend on the age of the deceased and not on the age of the dependants.

Kalawati (D) through LRs. & Ors. vs. Rakesh Kumar & Ors.:2018 SCC OnLine SC 132: MANU/SC/0137/2018: Readiness and willingness can be judged from conduct of parties during suit – In a suit for specific performance, an application was filed by Plaintiff-purchaser under Order XXXIX of the CPC for an injunction against alienation of the land in dispute was allowed subject to his depositing the balance sale consideration for restraining the defendants from alienating the land in dispute. Plaintiff did not deposit the balance sale consideration and his suit was dismissed on the ground that Plaintiff was not ready and willing to perform his part of contract and was not having sufficient funds. The first appeal was allowed by the High Court on the ground that, defendants were not willing to execute the sale deed because as per agreement to sell the defendants were obliged to obtain a 'no objection certificate' for executing the sale deed but they had not taken any steps in that regard. The Apex court after reversing the judgment of High court restored the findings of trial court and observed that plaintiff was not ready and willing to perform his part of contract. It was further observed that there is nothing to indicate the nature of the "no objection certificate" the vendors were required to obtain and the authorities from whom the "no objection certificate" was required, nor is there any indication of the purpose for which the "no objection certificate" was required.

LATEST CASES: CRIMINAL

"When an accused commits a grave and heinous offence and thereafter attempts to take statutory shelter under the guise of being a minor, a casual or cavalier approach while recording as to whether an accused is a juvenile or not cannot be permitted as the courts are enjoined upon to perform their duties with the object of protecting the confidence of common man in the institution entrusted with the administration of justice."

G.S. Misra, J. in Om Parkash vs. State of Rajasthan, (2012) 5 SCC 201

Nitya Dharmananda @ K. Lenin & Anr. vs. Sri Gopal Sheelum Reddy also Known as Nithya Bhaktananda & Anr.: 2018 (1) RCR (Criminal) 774 (SC) – In this case respondent was charge sheeted for offences, inter-alia, u/s 376 of IPC. The respondent approached the High Court with the prayer that the entire material available with the investigator, which was not made part of the chargesheet, ought to be summoned u/s 91 of the Cr.P.C. The High Court, reversing the contrary view of the trial court, allowed the said application. It was contended on behalf of appellants that the defence could not be considered at the stage of framing of charge so as to avoid a mini trial. Ld. Counsel for respondent, on the other hand submitted that if the investigator is not fair and the material of sterling quality is deliberately left out from the charge sheet, there is no bar for the court to summon the said material. Hon'ble Apex Court while setting aside the order of the High Court held that it is a settled law that at the stage of framing of charge, the accused cannot ordinarily invoke Section 91. However, the court being under the obligation to impart justice and to uphold the law, is not debarred from exercising its power, if the interest of justice in a given case so require, even if the accused may have no right to invoke Section 91. To exercise this power, the court is to be satisfied that the material available with the investigator, not made part of the charge sheet, has crucial bearing on the issue of framing of charge. Further held, that it is clear that while ordinarily the court has to proceed on the basis of material produced with the charge sheet for dealing with the issue of charge but if the court is satisfied that there is material of sterling quality which has been withheld by the investigator, the court is not debarred from summoning or relying upon the same even if such document is not a part of the charge sheet. It does not mean that the defence has a right to invoke Section 91 Cr.P.C. de hors the satisfaction of the court, at the stage of charge.

Prabhu Dutt Tiwari vs. State of Uttar Pradesh & Ors.: 2018 (1) RCR (Criminal) 613 (SC) – In this case ACJM summoned the accused for trial u/s 419, 420, 468, 471 & 120B IPC on finding a prima-facie case against the accused. Revision petition filed by accused was dismissed. The accused / respondents challenged the orders in a criminal writ petition before the High Court. Hon'ble High Court while setting aside the summoning orders observed that if there is any grievance to the complainant, he is well within his right to agitate the matter before the Civil Court in a suit for cancellation of the sale deed. The criminal jurisdiction of the Court cannot be invoked to settle the dispute purely of civil nature. Feeling aggrieved from the above said order of the Hon'ble High Court, appellant / complainant filed criminal appeal before the Hon'ble Apex Court. Held – At the stage of Summoning the accused on the basis of a private complaint, all that is required is a satisfaction by the Magistrate that there is sufficient ground to proceed against the accused in the light of the records made available and the evidence adduced by the complainant. Such a satisfaction for summoning an accused having been made out, the High Court went wrong in interfering with the summoning order. Accordingly, the appeal was allowed.

Ranjit Singh vs. State of Punjab : 2018 (1) RCR (Criminal) 672 (P&H) – In this criminal revision, the petitioner challenged the order of appellate court dismissing his appeal filed against the order by which the petitioners application seeking that he be declared juvenile was dismissed. Briefly stated the facts of the case were that the petitioner was arrested by the police for having committed the murder and robbery. The petitioner was produced in the court alongwith another accused and was stated to have got recorded his age as 19 years with the police. Report u/s 173 Cr.P.C was submitted to the competent court mentioning his age as 19 years. Thereafter, petitioner filed an application before SDJM contending therein that as per his 5th standard examination certificate, issued by PSEB, he was less than 17 years age at the time of occurrence and was

therefore a juvenile. It was prayed in the application that an inquiry be conducted and he be declared a juvenile. Ld. Magistrate held that the 5th standard examination certificate issued by the education Board could not be taken as authenticated proof of the date of birth, especially when the offence committed was double murder with robbery and destruction of evidence. Accordingly, the application was dismissed. In an appeal filed against the above said order, Ld. Additional Sessions Judge while dismissing the same held that the petitioner himself had got recorded his age as 19 years before the police on the date of his arrest, and again at the time when an identification certificate was prepared. In the present Criminal Revision Petition before the Hon'ble High Court, again the copy of the 5th standard examination certificate issued by PSEB had been annexed alongwith other school record. Hon'ble High Court held that though the offence alleged to have been committed by the petitioner and his co-accused is obviously very grave and heinous, the allegation of being a double murder having been committed, an inquiry into whether he was just above 16 years of age on the date of commission of offence, as contended, or was not, should have been conducted pursuant to the photocopy of the educational qualification certificate having been produced by the petitioner before the SDJM. While allowing the revision petition Hon'ble High Court directed the Magisterial Court to call for the original document, i.e. the 5th standard certificate issued by PSEB and thereafter determine the question of juvenility of the petitioner.

Mohammed Abdulla Khan vs. Prakash K. : 2018 (1) RCR (Criminal) 437 (SC) – In this case, respondent was the owner of Daily Newspaper which carried a news item containing certain allegations against the appellant. According to the appellant, the allegations were highly defamatory in nature. The appellant lodged a report with Police against respondent and the editor of the said newspaper. Police did not take any action. Thereafter, appellant filed a private complaint against the respondent and the editor. The Magistrate took cognizance of the matter for the offences punishable under Ss. 500, 501 and 502 of IPC. Aggrieved by the order, the respondent carried the matter in Revision Petition before Sessions Judge. The revision was dismissed. Respondent further carried the matter in Criminal Petition to the High Court who allowed the petition. Apex Court while discussing the principle of vicarious liability observed that owner of a newspaper employs people to print, publish and sell newspaper to make a financial gain out of said activity. Each activity is carried on by persons employed by owner. Where defamatory matter is printed and sold or offered for sale, whether the owner thereof can be heard to say that he cannot be made vicariously liable for defamatory material carried by his newspaper etc. requires a critical examination. Neither prosecutions nor the power u/s 482 Cr.P.C can be either conducted or exercised casually. Quashing of complaint was set aside.

Dinesh Kumar Kalidas Patel vs. State of Gujarat : MANU/SC/0110/2018 : 2018 SCC OnLine SC 110 – The appellant was convicted by the Sessions Judge, for offences under Sections 498A and 201 of IPC. This is a case where the appellant's wife committed suicide by hanging. The incident took place on 26.12.1990. The father and brother of the deceased, who is a doctor by profession, attended the last rites. After more than three months, the father of the deceased filed a complaint before the Judicial Magistrate. The same was investigated, and the appellant was charged under Sections 304B, 306, 498A and 201 read with Section 120B of the IPC and Section 4 of the Dowry Prohibition Act, 1961. The Sessions Judge convicted the appellant under Sections 498A and 201 of the IPC but acquitted the seven others. The appeals filed in 1995 were heard in the year 2015 and, as per the impugned judgment, the appellant was acquitted of the offence under Section 498A of the IPC but conviction under Section 201 of the IPC was maintained by observing that the complaint was lodged almost after a period of four months of the incident. The fact remains that no post mortem was performed of the deceased. Considering the said aspect, we have all reasons to believe that the offence is made out under section 201 of the IPC. Thus, aggrieved, the appellant challenged the impugned judgment. Held – The law is well-settled that a charge under Section 201 of the IPC can be independently laid and conviction maintained also, in case the prosecution is able to establish that an offence had been committed, the person charged with the offence had the knowledge or the reason to believe that the offence had been committed, the said person has caused disappearance of evidence and such act of disappearance has been done with the intention of screening the offender from legal punishment.

LATEST CASES : FAMILY LAW

"The law must be stable and yet it cannot stand still. Hence all thinking about law has struggled to reconcile the conflicting demands of the need of stability and the need of change."

The Ideal Element in Law : Roscoe Pound

Danamma @ Suman Surpur & Anr. vs. Amar & Ors. – 2018 SCC OnLine SC 63 – Daughters born before the enactment of the Hindu Succession Act have Equal Rights in Ancestral Property **–** Mainly, two questions of law arose before the Court for consideration in the said appeal: *one,* whether, the daughters could be denied their share on the ground that they were born prior to the enactment of the Act and, therefore, cannot be treated as coparceners? *Two*, whether, with the passing of Hindu Succession (Amendment) Act, 2005, the daughters would become coparcener "by birth" in their "own right in the same manner as the son" and are, therefore, entitled to equal share as that of a son? – *Held* – amendment of 2005 now confers upon the daughter of the coparcener as well the status of coparcener in her own right in the same manner as the son and gives same rights and liabilities in the coparcener properties as she would have had if it had been son. *Further held* – Upholding the view taken in *Prakash & Ors. v. Phulavati & Ors. (2016) 2* SCC 36, held that Section 6, as amended, stipulates that on and from the commencement of the amended Act, 2005, the daughter of a coparcener shall by birth become a coparcener in her own right in the same manner as the son. It is apparent that the status conferred upon sons under the old section and the old Hindu Law was to treat them as coparceners since birth. The amended provision now statutorily recognizes the rights of coparceners of daughters as well since birth. The section uses the words in the same manner as the son. It should therefore be apparent that both the sons and the daughters of a coparcener have been conferred the right of becoming coparceners by birth. It is the very *factum* of birth in a coparcenary that creates the coparcenary, therefore the sons and daughters of a coparcener become coparceners by virtue of birth. Devolution of coparcenary property is the later stage of and a consequence of death of a coparcener. The first stage of a coparcenary is obviously its creation and one of the incidents of coparcenary is the right of a coparcener to seek a severance of status. Hence, the rights of coparceners emanate and flow from birth (now including daughters) as is evident from sub-section (1)(a) and (b).

Mr. Ranvir Deewan vs. Mrs. Rashmi Khanna & Others: 2018 (1) RCR (Civil) 193 (SC): Distinction of section 14(2) is held as proviso to section 14(1) of the Hindu Succession Act explained – In this case, it was contended that the property was transferred to the mother to be her absolute property as the suit property was given to the mother by way of gift and given as life interest whereas absolute ownership was given to son and daughter through will by the testator. It has been observed by the Hon'ble Supreme Court that 'life interest' means interest which determines on termination of life and it is incapable of being transferred by such person to others being personal in nature. Such person, therefore, could enjoy only 'life interest' during his or her lifetime which is extinguished on his or her death. It is further held that such "life interest" was in the nature of "restricted estate"; under Section 14(2) of the Act which remained a "restricted estate" till her death and did not ripen into an "absolute interest" under Section 14(1) of the Act. It is permissible in law because Section 14(2) is held as proviso to Section 14(1) of the Act.

Kuldeep Singh Meena S/o Sh. Laxmi Narayan Meena vs. State of Rajasthan through Chief Secretary, Secretariat, Jaipur; District Magistrate and Collectorate, Jaipur – D.B. Civil Writs No. 17080/2017 – DoD 20.02.2018 – No need to dispatch notices to the residence of the applicants who seek solemnization of their marriage under the Special Marriages Act, 1954 – The bench headed by Chief Justice Pradeep Nandrajog concurred with a decision of single bench of Delhi High Court, in *Pranav Kumar Mishra & Anr. vs. Govt. of NCT of Delhi* and observed that the procedure of affixing the notice at the residence of the parties is not warranted or authorised by law and this would amount to a breach of privacy of the individuals. *Further held*- "It is to be kept in mind the that the Special Marriage Act was enacted to enable a special form of marriage for any Indian national, professing different faiths, or desiring a civil form of marriage. The unwarranted disclosure of matrimonial plans by two adults entitled to solemnize it may, in certain situations, jeopardize the marriage itself. In certain instances, it may even endanger the life or limb of one at the other party due to parental interference."

EVENTS OF THE MONTH

1. **Refresher-cum-Orientation Course** to sensitize Civil Judges-cum-Judicial Magistrates from the States of Punjab, Haryana and UT Chandigarh with regard to Civil and Criminal matters was organized on February 03, 2018. The Programme covered – Trial and Punishment of Offence made up of Several Offences, Appreciation of Circumstantial Evidence in Criminal Trials, Suits for Foreclosure, Sale and Redemption – Substantial Issues, Dragon Dictation Software and Visit to Paperless Court. 60 participants attended the programme.

2. **A Delegation of 47 Members from 30 different countries had come to India in an International Training Programme in Legislative Drafting.** This programme is organized every year by the Bureau of Parliamentary Studies and Training (BPST), Lok Sabha Secretariat. This year they were also attached with the Punjab Legislative Assembly Secretariat from February 11-15, 2018. On February 13, they came on a visit to Chandigarh Judicial Academy. They were accompanied by Dr. K.N. Chaturvedi, former Secretary, Department of Law and Justice, Government of India, Dr. Deepak Gosain, Additional Director (Co-ordination), BPST, Lok Sabha and Mr. Sumit Sabharwal, Research Assistant of Punjab Legislative Assembly, Secretariat. Mr. Arun Kumar Tyagi, Registrar General, Punjab and Haryana High Court was also present during the visit of the delegation to CJA. Mr. Inderjeet Mehta, Director (Administration) welcomed the delegates. Dr. Balram K. Gupta, Director (Academics) addressed the delegation on basic human values which help in contributing and enriching in any domain in which one is engaged. It is not enough to know your field of activity. It is equally important to be a good human being and to nurture human values. This blending is required.

3. **Refresher-cum-Orientation Course** to sensitize ADJs from the States of Punjab and Haryana and UT Chandigarh was organized on February 17, 2018. **Dr. Balram K. Gupta, Director (Academics) initially emphasized on the use of monthly e-Newsletter. The introduction of the monthly Newsletter and Study Circles are to enhance the capacity of Judges and Judicial Officers. Therefore, the Judicial Fraternity must make it a habit to use new tools which are being provided to them. They were also reminded that they must send their queries with regard to the different Refresher Programme which are conducted from time to time. This would help in making the programme more practical and need oriented**. The Programme covered – Pitfalls in Appreciation of Electronic Evidence, Ramifications of Drugs and Cosmetics Act, Cyber Crime – Parameters of Investigation, Dragon Dictation Software, Visit to Paperless Court. 60 participants attended the programme.

4. Sh. Davinder Singh has been newly appointed Civil Judge (JD)/JM as an additional officer at Jalandhar. He is to be provided **Induction Training**. Accordingly, the training was started w.e.f. 26th February, 2018.

FORTHCOMING EVENTS

1. National Judicial Academy in collaboration with Chandigarh Judicial Academy will be holding **North Zone Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges and Opportunities on March 17 & 18, 2018**. There would be minimum 5 High Court Justices, 10 Judges in the rank of Civil Judges Senior Division, 5 Judges in the rank of Civil Judges Junior Division each from the High Courts of Delhi, Himachal Pradesh, Jammu and Kashmir, Punjab and Haryana, Uttrakhand and Uttar Pradesh participating in this conference. A total of more than 100 Judicial Officers and more than 30 High Court Judges are expected to participate. Hon'ble Supreme Court Justices, Chief Justices and Judges of High Courts will be the Resource Persons. Punjab and Haryana High Court will be the host High Court.

2. **Video Conferencing on Personal Search under NDPS Act for Civil Judges** is scheduled to be held on 23.03.2018.

3. **Refresher–cum-Orientation Course on Cyber Crimes for ADJs** is scheduled to be held on 31.03.2018.

4. Chandigarh Judicial Academy will organize one day **Training Programme on PC&PNDT (Prohibition of Sex Selection) Act** during the month of March 2018.