



***Core Competence Conference on Knowledge, Skill and Perspective  
Development***

***JSCC-Cum -ASCJ-Guardianship Judge /Civil Judges***

***25<sup>th</sup> -26<sup>th</sup> March, 2022***

***Venue: Delhi Judicial Academy, Dwarka, Sector - 14,***

***New Delhi - 110078***

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## INDEX

### A. Relevant Statutes

S. No.	Title
1.	Code of Civil Procedure, 1908
2.	Constitution of India, 1950
3.	Court Fees Act, 1870
4.	Indian Evidence Act, 1872
5.	Specific Relief Act, 1963
6.	Limitation Act, 1963
7.	Suit Valuation Act, 1887
8.	Transfer of Property Act, 1882
9.	The Indian Stamp Act, 1899
10.	The Indian Succession Act, 1925

### B. Rules

S. No.	Title	Source
1.	Practice in the Trial of Civil Suits, Chapter 1, Volume I, Delhi High Court Rules	RULES\CHAPTER 1 - Practice in Trial of Civil Court.PDF
2.	Witnesses – Civil Courts , Chapter 5, Volume I, Delhi High Court Rules	RULES\CHAPTER 5 Witnesses—Civil Courts.PDF
3.	CHAPTER X-A Evidence on Commission at Courts Discretion	<a href="http://delhihighcourt.nic.in/writereaddata/upload/CourtRules/CourtRuleFile_0AW339DN.PDF">http://delhihighcourt.nic.in/writereaddata/upload/CourtRules/CourtRuleFile_0AW339DN.PDF</a>
4.	Judgment and Decrees , Chapter 11, Volume I, Delhi High Court Rules	RULES\CHAPTER 11 - Judgment and Decrees.PDF
5.	Execution of Decrees, Chapter 12, Volume I, Delhi High Court Rules	RULES\CHAPTER 12 -Execution of Decrees.PDF
6.	Court-fees and Stamps , Chapter 4 , Volume IV, Delhi High Court Rules	RULES\CHAPTER 4 - Court-fees and Stamps.PDF
7.	Admissions, Denials, Framing of Issues and Examination of Parties , Chapter 8, Part B, Delhi High Court Rules	RULES\CHAPTER 8 - Admissions, Denials, Framing of Issues and Examination of Parties.PDF
8.	VC rules by Delhi High Court	<a href="https://delhihighcourt.nic.in/writereaddata/upload/Notification/NotificationFile_ULDC4UVQWZ">https://delhihighcourt.nic.in/writereaddata/upload/Notification/NotificationFile_ULDC4UVQWZ</a>



		<a href="#">9.PDF</a>
9.	Practice Direction to use A4 sheet size paper	<a href="https://delhihighcourt.nic.in/writereaddata/upload/Notification/NotificationFile_W0KE2RRXNP2.PDF">https://delhihighcourt.nic.in/writereaddata/upload/Notification/NotificationFile_W0KE2RRXNP2.PDF</a>

### C. Law Commission Reports

S. No.	Title	Source
1.	257 <sup>th</sup> Report on Reforms in Guardianship and Custody Laws in India (May, 2015)	<a href="http://lawcommissionofindia.nic.in/reports/Report%20No.257%20Custody%20Laws.pdf">http://lawcommissionofindia.nic.in/reports/Report%20No.257%20Custody%20Laws.pdf</a>
2.	240 <sup>th</sup> Report on Costs in Civil Litigation (May, 2012)	<a href="http://lawcommissionofindia.nic.in/reports/report240.pdf">http://lawcommissionofindia.nic.in/reports/report240.pdf</a>
3.	178 <sup>th</sup> Report on Recommendations For Amending Various Enactments, Both Civil And Criminal (December, 2001)	<a href="http://lawcommissionofindia.nic.in/reports/178rpt1.pdf">http://lawcommissionofindia.nic.in/reports/178rpt1.pdf</a>
4.	163 <sup>rd</sup> Report on The Code of Civil Procedure Bill, 1997 (November, 1996)	<a href="http://lawcommissionofindia.nic.in/101-169/Report163.pdf">http://lawcommissionofindia.nic.in/101-169/Report163.pdf</a>
5.	144 <sup>th</sup> Report on Conflicting Judicial Decisions Pertaining to The Code of Civil Procedure, 1908 (April, 1992)	<a href="http://lawcommissionofindia.nic.in/101-169/Report144.pdf">http://lawcommissionofindia.nic.in/101-169/Report144.pdf</a>
6.	54 <sup>th</sup> Report on the Code of Civil Procedure, 1908 (February, 1973)	<a href="http://lawcommissionofindia.nic.in/51-100/Report54.pdf">http://lawcommissionofindia.nic.in/51-100/Report54.pdf</a>
7.	27 <sup>th</sup> Report on the Code of Civil Procedure, 1908 (December, 1964)	<a href="http://lawcommissionofindia.nic.in/1-50/Report27.pdf">http://lawcommissionofindia.nic.in/1-50/Report27.pdf</a>

### D. Circular

S. No.	Title	Source
1.	Temporarily Suspend Physical Service Of Summons and Documents, Delivery Through Email And WhatsApp Will Be Preferred- High Court of Delhi	<a href="http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_DRMG217T7AG.PDF">http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_DRMG217T7AG.PDF</a>
2.	Office order regarding online filing system and other important direction regarding filing-High Court of Delhi	<a href="http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_7ZU2RMC KBLG.PDF">http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_7ZU2RMC KBLG.PDF</a>
3.	Service abroad of judicial and extra-judicial documents under the Hague convention of	<a href="https://delhicourts.nic.in/circulars/Sep%2011/21b.pdf">https://delhicourts.nic.in/circulars/Sep%2011/21b.pdf</a>



	1965/Mutual legal assistance Treaties /Reciprocal Arrangements with foreign countries in civil and commercial Matters – regarding	
4.	Hague Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters	<a href="https://assets.hcch.net/docs/f4520725-8cbd-4c71-b402-5aae1994d14c.pdf">https://assets.hcch.net/docs/f4520725-8cbd-4c71-b402-5aae1994d14c.pdf</a>
5.	Comprehensive Guidelines for investigation abroad and issue of Letters Rogatory (LRs)/ Mutual Legal Assistance (MLA) Request and Service of Summons/Notices/Judicial documents in respect of Criminal Matters.	<a href="https://www.mha.gov.in/sites/default/files/IS-II_ComprehensiveGuidelines16032020.pdf">https://www.mha.gov.in/sites/default/files/IS-II_ComprehensiveGuidelines16032020.pdf</a>
6.	Request for advice on the matter regarding procedure for service of legal notice / summons etc. in China	<a href="https://legallaffairs.gov.in/sites/default/files/China.PDF">https://legallaffairs.gov.in/sites/default/files/China.PDF</a>

### E. Force Majeure in Times of Covid-19: Challenges and the Road Ahead

S. No.	Title	
1.	Ministry of Road Transport and Highways ('MORTH') circular dated 18.05.2020 ('MORTH Circular')	
2.	Ministry of Home Affairs circular dated 17.05.2020	
3.	Ministry of Finance office memorandum with respect to 'Manual for Procurement of Goods, 2017' dated February 19, 2020	
4.	Ministry of Finance office memorandum with respect to 'Manual for Procurement of Goods, 2017' clarification dated May 13, 2020	
5.	Ministry of New & Renewable Energy office memorandum with respect to solar project developers dated March 20, 2020	
S. No.	Title	Citation
<b>A.</b>	<b>Force Majeure and Performance of Contracts</b>	
	<b>Supreme Court</b>	
1.	<i>South East Asia Marine Engineering and Constructions Ltd. v. Oil India Limited</i> (¶¶21-27)	Civil Appeal Nos. 673 and 900 of 2012 Dated: 11.05.2020
2.	<i>Energy Watchdog v. Central Electricity</i> (¶¶32-42)	(2017) 14 SCC 80
3.	<i>The Naihati Jute Mills Ltd. vs. Khyaliram Jagannath</i> (¶20)	AIR 1968 SC 522
4.	<i>Satyabrata Ghose v. Mugneeram Bangur and Company and Ors</i> (¶¶10-27)	AIR 1954 SC 44



	<b>High Court of Delhi</b>	
1.	<i>Rashmi Cement Ltd v. World Metals &amp; Alloys (FZC) &amp;Anr</i> (¶¶24-36)	O.M.P.(I)(COMM) 118/2020 Dated: 18.06.2020
2.	<i>M/S Polytech Trade Foundation v UOI</i> (¶¶45-51)	W.P.(C) 3029/2020 Order Dated: 22.05.2020
<b>B.</b>	<b>Construction Contracts</b>	
	<b>High Court of Delhi</b>	
1.	<i>MEP Infrastructure Developers Ltd. v South Delhi Municipal Corporation</i> (¶¶27, 29, 31)	W.P.(C) 2241/2020 Dated: 12.06.2020
<b>C.</b>	<b>Invocation of Bank Guarantee</b>	
	<b>High Court of Delhi</b>	
1.	<i>M/S Halliburton Offshore Services Inc. v. Vedanta Limited &amp;Anr</i> (¶¶56-58, 62-63, 69)	O.M.P (I) (COMM.) No. 88/2020 Dated: 29.05.2020
2.	<i>Indrajit Power Private Limited vs. Union of India and Ors.</i> (¶¶54-55)	W.P. (C) 2957/2020 (URGENT) Dated: 28.04.2020
3.	<i>Coastal Andhra Power Limited v. Andhra Pradesh Central Power Distribution Co. Ltd. and Ors.</i> (¶29)	256(2019)DLT764
4.	<i>Global Steel Philippines v. STC of India Ltd.</i> (¶¶12,14,17-18)	FAO (OS) No. 186/2009, Dated: 12.05.2009
5.	<i>Global Steel Philippines (SPV-AMC) v. STC of India Ltd. and Ors.</i> (¶¶59-63)	2009 (110) DRJ 516
<b>D.</b>	<b>Pledge of Shares</b>	
	<b>Other High Court</b>	
1.	<i>Rural Fairprice Wholesale Limited and Ors. v. IDBI Trusteeship Services Limited and Ors.</i> (¶7)	2020 SCC OnLine Bom 518
<b>E.</b>	<b>Classification of an asset as Non-Performing Asset (NPA)</b>	
	<b>High Court of Delhi</b>	
1.	<i>Anant Raj Ltd v. Yes Bank</i> (¶¶25-31)	2020 SCC OnLine Del 543



2.	<i>Shakuntla Educational &amp; Welfare Society v Punjab &amp; Sind Bank</i> (¶¶13-14)	W.P.(C)2959/2020 Order Dated: 13.04.2020
3.	<i>India Bulls Housing Finance Ltd. v. Securities Exchange Board of India &amp;Ors.</i> (¶8)	W.P.(C) Urgent No. 7/2020 order dated 03.04.2020
	<b>Other High Court</b>	
1.	<i>TransconSkycityPvt. Ltd. and Ors. v. ICICI Bank and Ors.</i> (¶¶38-44)	Writ Petition LD-VC Nos. 28 and 30 of 2020 Dated: 11.04.2020 (BOMHC)
<b>F.</b>	<b>Invocation of LC's (Letter of Credits)</b>	
	<b>Other High Court</b>	
1.	<i>Standard Retail Pvt. Ltd. and Ors. v. G.S. Global Corp. and Ors</i> (¶4)	Commercial Arbitration Petition Nos. 408 and 407 of 2020 Dated: 08.04.2020 (BOMHC)
<b>G.</b>	<b>Defaults in Payment of Reverse Factoring Facility</b>	
	<b>High Court of Delhi</b>	
1.	<i>Eastman Auto &amp; Power Ltd. v. Reserve Bank of India &amp;Ors.</i> (¶¶15-16)	W.P.(C) 2997/2020 Order Dated: 27.04.2020
<b>H.</b>	<b>Lease/Rent Agreements</b>	
	<b>Supreme Court</b>	
1.	<i>Sushila Devi v. Hari Singh</i> (¶8)	AIR 1971 SC 1756
2.	<i>Dhruv Dev Chand v. Harmohinder Singh and Ors.</i> (¶¶9-11,17)	AIR 1968 SC 1024
	<b>High Court of Delhi</b>	
1.	<i>Gaurav Jain v. UOI</i> (¶¶4-6,9-10)	WP(C) 3519 of 2020, Dated: 15-06-2020
2.	<i>Ramanand and Ors. v. Girish Soni and Ors.</i> (¶¶30-32)	R.C. Rev. 447/2017 Dated: 21.05.2020



<b>I.</b>	<b>Employment Contracts and Payment of Wages</b>	
	<b>Supreme Court</b>	
1.	<i>Ficus Pax Private Ltd. and Ors. v. Union of India (UOI) and Ors.</i> (¶¶37)	W. P. (C) Diary No. 10983 of 2020 Order Dated:12.06.2020
	<b>Other High Court</b>	
1.	<i>Align Components Pvt Ltd v Union of India</i> (¶¶6,8)	W. P. STAMP NO.10569 of 2020 Order Dated: 30.04.2020 (BOM HC)

## F. Pre-Trial Issues

S.No.	Title	Citation
<b>A.</b>	<b>Suit for Possession</b>	
	<b>Supreme Court</b>	
1.	<i>Nazir Mohamed vs. J. Kamala</i>	2020 SCCONLINE SC 676
	<b>Delhi High Court</b>	
1.	<i>Aspen build tech.v. Epicuria Gallery</i>	AIR 2020 Del 82
2.	<i>Rita Ghosh v. Rama Tiwari</i> (¶¶5-8)	C. R. P. 49/2020 Dated 13.03.2020
3.	<i>Ajay Kumar and Ors. v. Harka Bahadur Gurung</i> (¶¶34,37)	RSA No. 163/2018 Decided On: 27.11.2018
4.	<i>Kuljit Singh and Ors. vs. Govt. of N.C.T. of Delhi and Ors.</i> (¶¶42,74,77)	W.P. (C) 12377/2005, CM Nos. 9109, 9572/2005, 25066/2016, W.P. (C) 3518/2011, W.P. (C) 6797/2008, CM Nos. 13103/2008, 25078/2016, W.P. (C) 6905/2014, CM Nos. 16279/2014 and 25065/2016
5.	<i>Thomas Cook (India) Limited vs. Hotel Imperial and Ors.</i> (¶¶25-28)	127 (2006) DLT 431
6.	<i>Rattan Lal vs. Municipal Corporation of Delhi</i> (¶¶16)	100 (2002) DLT 213
<b>B.</b>	<b>Suit for Perpetual Injunction</b>	
	<b>Supreme Court</b>	



1.	<i>A.Subramanian Vs. R. Pannerselvam</i>	2021 SCC ONLINE SC 66
2.	<i>Jose v. Johnson</i> (¶¶13-14)	Civil Appeal No. 1892 of 2020 (Arising out of SLP (Civil) No. 21328 of 2015) Decided On: 02.03.2020
3.	<i>Ravinder Kaur Grewal and Ors. v. Manjit Kaur and Ors.</i> (¶¶48-61)	AIR 2019 SC 3827
4.	<i>Union of India (UOI) v. Vijay Krishna Uniyal (D) through L.Rs.</i> (¶¶34,35,39)	(2018) 11 SCC 382
5.	<i>Velayudhan and Ors. vs. Mohammedkutty and Ors.</i> (¶¶13-20)	AIR 2017 SC 2098
6.	<i>Agnigundala Venkata Ranga Rao v. Indukuru Ramachandra Reddy (Dead) by L.Rs. and Ors.</i>	AIR 2017 SC 2042
7.	<i>Maria Margarida Sequeria Fernandes and Ors. vs. Erasmo Jack de Sequeria (Dead)</i> (¶¶62-77)	AIR 2012 SC 1727
8.	<i>Anathula Sudhakar vS. P. Buchi Reddy (Dead) by LRs. and Ors.</i> (¶17)	AIR 2008 SC 2033
9.	<i>Chairman Tamil Nadu Housing Board Madras v. T N Ganapathy</i> (¶2,4,7)	AIR1990SC642
	<b>High Court of Delhi</b>	
1.	<i>Gauri Shankar vs. Rakesh Kumar and Ors.</i> (¶45)	RSA 146/2005 Decided On: 09.05.2020
2.	<i>Delhi Development Authority and Ors. vs. Pushpa Lata and Ors.</i> (¶34-35)	RSA No. 2/2012 Decided On: 30.04.2020
3.	<i>VickramBahl and Ors. vs. Siddhartha Bahl and Ors.</i> (¶38)	CS(OS) 78/2016 Decided On: 25.04.2020
4.	<i>Keller Williams Realty, Inc. vs. Dingle Buildcons Pvt. Ltd. and Ors.</i> (¶12)	CS (COMM) 74/2019 Decided On: 17.04.2020
5.	<i>UnilinBeheer B.V. vs. Balaji Action Buildwell</i>	CS (COMM) 1683/2016 and CC (COMM) 38/2018 Decided On: 15.05.2019
<b>C.</b>	<b>Summary suit under Order XXXVII</b>	
	<b>Supreme Court</b>	
1.	<i>IDBI Trsuteeship Service Ltd. vs. Hubtown ltd</i> (¶9)	(2017) 1 SCC 568
2.	<i>Southern Sales and Services and Ors. vs. Sauermilch Design and Handels GMBH</i> (¶8)	AIR 2009 SC 320
3.	<i>Neebha Kapoor vs. JayantilalKhandwala and Ors.</i> (¶¶8-9)	AIR 2008 SC 1117
4.	<i>Defiance Knitting Industries Pvt Ltd v. Jay Arts</i> (¶15)	(2006)8SCC25
5.	<i>Rajni Kumar vs. Suresh Kumar Malhotra and Ors.</i> (¶10)	AIR 2003 SC 1322
6.	<i>Oil &amp; Natural Gas Corporation Ltd. (ONGC) v. State Bank of India, Overseas Branch, Bombay</i> (¶12)	AIR 2000 SC 2548
7.	<i>Sunil Enterprises and Ors. vs. SBI Commercial and</i>	AIR 1998 SC 2317





	<i>International Bank Ltd.</i> (¶4)	
8.	<i>Raj Duggal v. Ramesh Kumar Bansal</i> (¶2-3)	AIR 1990 SC 2218
9.	<i>Mechelec Engineers &amp; Manufacturers vs.. Basic Equipment Corporation</i> (¶8)	AIR 1977 SC 577
10.	<i>Milkhiram (India) (P) Ltd. v. Chamanlal Bros</i> (¶1-5)	AIR1965 SC 1698
11.	<i>Santosh Kumar vs. Bhai Mool Singh</i> (¶12)	AIR 1958 SC 321
	<b>High Court of Delhi</b>	
1.	<i>Chetan Singh vs. R.C. Chadda</i> (¶9,13)	CS (OS) 56/2019Decided On: 20.03.2020
2.	<i>S.S. Thapar vs. L.R. Verma</i> (¶5,7)	CM (M) 880/2019, CAV 587/2019 and CM Appl. 26281-26282/2019 Decided On: 28.05.2019
3.	<i>M.D. Overseas Ltd. vs. Uma Shankar Kamal Narain and Ors.</i>	AIR 2006 Delhi 361
4.	<i>Skylark Motors (India) &amp;Ors.vs. Lakshim Commercial Bank Ltd.</i>	AIR 1997 Delhi 46
<b>D.</b>	<b>Service of Summons by Electronic means</b>	
1.	<b><u>By Email</u></b>	
	<b>Supreme Court</b>	
1.	<i>Indian Bank Association &amp;Ors vs Union Of India &amp;Anr</i> (¶2)	(2014) 5 SCC 590
2.	<i>Central Electricity Regulatory Commission Vs. National Hydroelectric Power Corporation Ltd.</i> (¶2)	(2010 )10SCC 280
	<b>Delhi High Court</b>	
1.	<i>Tata Sons Limited &amp;Ors vs John Doe (s)</i> (¶3)	MANU/DE/1235/2017
	<b>Other High Courts</b>	
1.	<i>Ksl and Industries Ltd., v.Mannalal Khandelwal and the State of Maharashtra</i> (¶40)	2007(107(3))BomLR108
2.	<b><u>By Whatsapp /Text Message</u></b>	
	<b>SUPREME COURT</b>	
1.	In Re : Cognizance Of Extension Of Limitation. Decided on 10.07.2020	2020 SCC ONLINE SC 712
	<b>Delhi High Court</b>	
1.	<i>Tata Sons Limited &amp;Ors vs John Doe (s)</i> (¶3)	MANU/DE/1235/2017
	<b>Limitation</b>	
1.	In Re : Cognizance Of Extension Of Limitation. Decided on 08.03.2021	2021 SCC ONLINE SC 193
	<b>Supreme Court</b>	



1.	<i>In Re : Cognizance For Extension of Limitation</i>	2022 SCC OnLine SC 27
<b>E.</b>	<b>Pleadings</b>	
	<b>Supreme Court</b>	
1.	<i>M/S. Exl Careers Vs. Frankfinn Aviation Services Private Limited</i>	2020 SCC ONLINE SC 621
2.	<i>A. Shanmugam vs. Ariya Kshatriya Rajakula Vamsathu Madalaya Nandhavana Paripalanai Sangam Represented by Its President and Ors. (¶¶26-29,32, 43.1-43.5)</i>	AIR 2012 SC 2010
3.	<i>Maria Margarida Sequeria Fernandes and Ors. vs. Erasmo Jack de Sequeria (Dead) (¶¶61)</i>	AIR 2012 SC 1727
i.	<b><u>Rejection of plaint</u></b>	
	<b>Supreme Court</b>	
1.	<i>Dahiben Vs. Arvindbhai Kalyanji Bhanusali (Gajra)(D) ThrLrs</i>	2020 SCC ONLINE SC 562
2.	<i>Madhav Prasad Aggarwal and Ors. vs. Axis Bank Ltd. and Ors. (¶¶11)</i>	MANU/SC/0878/2019
3.	<i>Sejal Glass Ltd. vs. Navilan Merchants Pvt. Ltd.(¶¶5)</i>	AIR2017SC4477
4.	<i>SopanSukhdeo Sable and Ors. v. Assistant Charity Commissioner and Ors. (¶¶20)</i>	AIR 2004 SC 1801
5.	<i>Saleem Bhai and Ors. vs. State of Maharashtra and Ors.(¶¶9)</i>	AIR 2003 SC 759
ii.	<b><u>Written-statement</u></b>	
	<b>Supreme Court</b>	
1.	<i>Sugandhi (Dead) Vs. P. Rajkumar</i>	2020 SCC ONLINE SC 870
2.	<i>Kailash vs. Nankhu and Ors(¶¶22,32,33,46)</i>	AIR2005SC2441
iii.	<b><u>Amendment of pleadings</u></b>	
	<b>Supreme Court</b>	
1.	<i>M. Revanna v. Anjanamma (Dead) By Lrs. &amp; Ors. (¶¶5)</i>	AIR2019SC940
2.	<i>Revajeetu Builders and Developers vs. Narayanaswamy and Sons and Ors. (¶¶67-68)</i>	( 2009 ) 10 SCC 84
3.	<i>Ganesh Trading Co vs. Moji Ram (¶¶4-5)</i>	1978 AIR 484
4.	<i>Sampath Kumar vs. Ayyakannu and Ors. (¶¶9-10)</i>	AIR 2002 SC 3369
<b>F.</b>	<b>Impleadment of parties</b>	
	<b>Supreme Court</b>	
1.	<i>Vidur Impex and Traders Pvt. Ltd. and Ors. vs. Tosh Apartments Pvt. Ltd. and Ors. (¶¶36)</i>	AIR 2012 SC 2925



Delhi Judicial Academy

2.	<i>Mumbai International Airport Pvt. Ltd. vs. Regency Convention Centre and Hotels Pvt. Ltd. and Ors.</i> (¶8)	AIR 2010 SC 3109
3.	<i>Kasturi Vs. Uyyamperumal&amp;Ors</i> (¶¶6,10)	AIR 2005 SC 2813
4.	<i>Anil Kumar Singh v. Shivnath Mishra</i> (¶7)	(1995) 3 SCC 147
5.	<i>Ramesh HirachandKundanmal v. Municipal Corporation of Greater Bombay</i> (¶6)	(1992) 2 SCC 524
<b>G.</b>	<b>Examination of Parties</b>	
	<b>Supreme Court</b>	
1.	<i>Kapil Corepacks Private Limited &amp; Others v. Shri Harbans Lal (since deceased) through LRs</i> (¶¶ 9-14, 17)	(2015) 10 SCC 241
2.	<i>A. Shanmugam v. Ariya Kshatriya RajakulaVamsathuMadalayaNandhavanaParipalanai Sangam Represented by Its President and Ors.</i> (¶¶30-32)	AIR 2012 SC 2010
3.	<i>Vikas Agarwal v. Anubha</i> (¶ 12)	(2002) 4 SCC 468
<b>H.</b>	<b>Framing of Issues</b>	
	<b>Supreme Court</b>	
1.	<i>Kuldeep Singh Pathania v. Bikram Singh Jaryal</i> (¶¶6-9)	AIR 2017 SC 593
2.	<i>Makhan Lal Bangal v. Manas Bhunia and Ors.</i> (¶19)	AIR 2001 SC 490
3.	<i>S.S. Khanna v. F.J. Dillon</i> (¶21)	AIR 1964 SC497
	<b>High Court of Delhi</b>	
1.	<i>Tata Communications Limited v. Union of India</i> (¶9)	2018 SCC OnLine Del 7434
<b>I.</b>	<b>Preliminary Issue</b>	
	<b>Supreme Court</b>	
1.	<i>SattiParadesi Samadhi v. M. Sankuntala</i> (¶19)	(2015) 5 SCC 674
2.	<i>Rameshwari Devi and Ors. v. Nirmala Devi and Ors.</i> (¶¶52-54)	(2011) 8 SCC 249
3.	<i>Ramesh B. Desai and Ors. v. Bipin Vadilal Mehta and Ors.</i> (¶12)	AIR 2006 SC 3672
4.	<i>S.S. Khanna v. F.J. Dillon</i> (¶21)	AIR1964 SC 497
<b>J.</b>	<b>Exhibiting of documents</b>	
	<b>Pre-Independence cases</b>	
1.	<i>Baldeo Sahaiv. Ram Chander&amp;Ors</i>	AIR 1931 Lahore 546
	<b>Supreme Court</b>	
1.	<i>SaitTarajeeKhimchand and Ors. v..Yelamarti Satyam and Ors.</i> (¶27)	AIR 1971 SC 1865



	<b>High Court of Delhi</b>	
1.	<i>Sudir Engineering Company v. Nitco Roadways Ltd.</i> (¶¶9,13,14,86)	1995 II AD (Delhi)189
2.	<i>UnilinBeheer B.V. v. Balaji Action Buildwell</i> (¶¶27,31)	MANU/DE/1650/2019
<b>K.</b>	<b>Interim/temporary Injunction</b>	
	<b>Supreme Court</b>	
1.	<i>Ambalal Sarabhai Enterprise Ltd. v. KS Infraspace Llp</i> (¶16,23)	Civil Appeal No. 9346/2019 Decided on 06.01.2020
2.	<i>U.C. Surendranath vs. Mambally's Bakery</i> (¶7)	AIR2019SC3799
3.	<i>Saketa Vaksana LLP &amp; Anr. v.Kaukutla Sarala &amp; Ors.</i> (¶20)	Civil Appeal No. 9483/2019 Decided on 17.12.2019
4.	<i>Mohd. Mehtab Khan. v. Khushnuma Ibrahim</i> (¶13)	AIR 2013 SC 1099
5.	<i>Maria Margarida Sequeria Fernandes v. Erasmo Jack de Sequeria (Dead)</i> (¶¶83-86)	AIR 2012 SC 1727
6.	<i>Hindustan Petroleum Corporation Ltd. v. Sriman Narayan and Ors.</i>	AIR 2002 SC 2598
7.	<i>Gujarat Bottling Company Ltd.v.Coca Cola Company</i> (¶¶46-47)	AIR 1995 SC 2372
8.	<i>Dalpat Kumar v. Prahlad Singh</i> (¶¶ 13, 14)	(1992) 1 SCC 719
9.	<i>Wander Ltd. v. Antox India Private Ltd.</i> (¶¶10, 11)	1990 (Supp) SCC 727
	<b>High Court of Delhi</b>	
1.	<i>Paul Sales Pvt. Ltd. vs. Hari Darshan Sevashram Pvt. Ltd.</i>	CS (COMM) 732/2017, Decided On: 16.03.2020
2.	<i>Swift Initiative Pvt. Ltd. vs. DilipChhabria Design Pvt. Ltd.</i> (¶¶8-12)	O.M.P. (I) 454/2015, I.A. Nos. 17627, 19315 & 19316/2015 Decided On: 19.10.2015
<b>L.</b>	<b>Anti-Suit Injunction</b>	
	<b>Supreme Court</b>	
1.	<i>Modi Entertainment Network and Ors. v. W.S.G. Cricket PTE. Ltd.</i> (¶¶33-34)	AIR 2003 SC 1177
	<b>High Court of Delhi</b>	
1.	<i>M/S Indiabulls Real Estate Ltd. v. M/S Veritas Investment Research Corporation &amp; Ors.</i> (¶¶33-34)	2019 SCC OnLine Del 8294



	<b>Foreign Judgments</b>	
1.	<i>John Reginald Stott Kirkham and others v. Trane US Inc and others</i> (Singapore Supreme Court)	[2009] 4 SLR(R) 428 at [44]
<b>M.</b>	<b>Adverse possession</b>	
	<b>Supreme Court</b>	
1.	<i>Narasamma &amp; Ors. v. A. Krishnappa (Dead) through LR's</i>	2020 SCC ONLINE SC 672
2.	<i>Uttam Chand (D) through L.Rs. v. Nathu Ram (D) through L.Rs. and Ors.</i> (¶¶11,15)	2020 (1) RCR (Civil) 721
3.	<i>Vidya Devi v. The State of Himachal Pradesh and Other</i> (¶10)	(2020)2SCC569
4.	<i>M. Siddiq (D) thr. L.Rs. vs. Mahant Suresh Das and Ors</i> (¶13)	(2020)1SCC1
5.	<i>Ravinder Kaur Grewal and Ors. v. Manjit Kaur and Ors.</i> (¶¶59, 60)	AIR 2019 SC 3827
6.	<i>Brijesh Kumar and Ors. v. Shardabai (Dead) by L.Rs. and Ors.</i> (¶13)	(2019) 9 SCC 369
7.	<i>Dagadabai (Dead) by L.Rs. v. Abbas</i> (¶21)	( 2017 ) 13 SCC 705
8.	<i>M. Venkatesh and Ors. v. Commissioner, Bangalore Development Authority and Ors.</i> (¶¶14-18)	(2015) 17 SCC 1
9.	<i>ChattiKonati Rao &amp; Ors v.Palle Venkata Subba Rao</i> (¶12)	(2010) 14 SCC 316
10.	<i>Annakili v. A. Vedanayagam&amp;Ors</i> (¶22)	(2007) 14 SCC 308
11.	<i>T. Anjanappa&amp;Ors. v. Somalingappa&amp;Anr.</i> (¶¶9-14)	(2006) 7 SCC 570
12.	<i>Karnataka Board of Wakf v. Government of India and Ors.</i> (¶11)	(2004) 10 SCC 779.

## G. Issues of Trial

S. No.	Title	Citation
<b>A.</b>	<b>Admissibility vs. Relevancy</b>	
	<b>Supreme Court</b>	
1.	<i>Anvar P.V vs P.K.Basheer&amp; Ors</i> (¶22)	AIR 2015 SC 180
2.	<i>State (NCT of Delhi) v. Navjot Sandhu</i> (¶150)	AIR 2005 SC 3820
3.	<i>Pooran Mal v Director of Inspection</i> (¶25)	AIR 1974 SC 348
4.	<i>State (NCT of Delhi) v. Navjot Sandhu alias Afsan Guru</i> (¶150)	AIR 2005 SC 3820
5.	<i>Ram Bihari Yadav vs State Of Bihar &amp; Ors</i> (¶6)	AIR1998SC1850
	<b>Other High Courts</b>	
1.	<i>Bharat R. Desai and Ors. vs. Naina Mohanlal Bhal</i> (¶¶4-6)	AIR 2005 BOM 38
<b>B.</b>	<b>Adjournments</b>	
	<b>Supreme Court</b>	
1.	<i>Salem Advocate Bar Association vs. Union of India</i> (¶¶29-31)	AIR 2005 SC 3353



<b>C.</b>	<b>Exhibiting of documents</b>	
	<b>Pre-Independence cases</b>	
1.	<i>Baldeo Sahai vs. Ram Chander &amp; Ors</i>	AIR 1931 Lahore 546
	<b>Supreme Court</b>	
1.	<i>Sait Tarajee Khimchand and Ors. vs. Yelamarti Satyam and Ors. (¶27)</i>	AIR 1971 SC 1865
	<b>Electronic Evidence</b>	
1.	<i>Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal and ors.</i>	2020 SCC ONLINE SC 571
2.	<i>Shafi Mohd v State of Himachal Pradesh</i>	AIR 2018 SC 714
3.	<i>Sonu v State of Haryana</i>	(2017) 8 SCC 570
4.	<i>Anvar PV v P K Basheer</i>	2014 SCC Online SC 732
5.	<i>NCT of Delhi v Navjot Sandhu</i>	(2005) 11 SCC 600
	<b>High Court of Delhi</b>	
1.	<i>Sudir Engineering Company vs. Nitco Roadways Ltd. (¶¶9,13,14,86)</i>	1995 II AD (Delhi) 189
<b>D.</b>	<b>Recording of evidence</b>	
	<b>Supreme Court</b>	
1.	<i>Salem Advocate Bar Association vs. Union of India (UOI) (¶¶17-19)</i>	AIR 2003 SC 189
2.	<i>Ameer Trading Corp. vs. SDP Ltd (¶¶17-21,35)</i>	2004(1) SCC 702
	<b>Other High Courts</b>	
1.	<i>Sanj Dainik Lokopchar v. Gokulchand Govindlal Sananda (¶¶10-13)</i>	2018 SCC OnLine Bom 3336
2.	<i>Rita Pandit Vs. Atul Pandit (¶17)</i>	AIR 2005 AP 253
3.	<i>Amitabh Bagchi Vs. Ena Bagchi (¶10)</i>	2005 AIR (Calcutta) 11
4.	<i>Twentieth Century Fox Film Corporation vs. NRI Film Production Associates (P) Ltd (¶¶7,10)</i>	AIR 2003 Kar 148
<b>E.</b>	<b>Recalling of Witnesses</b>	
	<b>Supreme Court</b>	
1.	<i>Gayathri vs. M. Girish (¶5)</i>	AIR 2016 SC 3559
2.	<i>K.K. Velusamy vs. N. Palanisamy (¶¶8-12,18)</i>	(2011) 11 SCC 275
3.	<i>Vadiraj Naggapa Vernekar (D) Through Lrs. vs. Sharad Chand Prabhakar Gogate (¶¶16-17)</i>	AIR 2009 SC 1604
<b>F.</b>	<b>Appreciation of Evidence</b>	
	<b>Supreme Court</b>	
1.	<i>Narbada Devi Gupta v. Birendra Kr. Jaiswal (¶19)</i>	AIR 2004 SC 175



2.	<i>R.V.E. VenkatachalaGounder vs. ArulmiguViswesaraswami and V.P. Temple and Ors. (¶28)</i>	AIR 2003 SC 4548
3.	<i>SaitTarajeev..Khimchand Vs. Yelamarti Satyam (¶17)</i>	AIR 1971 SC 1865
	<b>Other High Courts</b>	
1.	<i>Smt. Sudha Agarwal v.. VII ADJ, Ghaziabad(¶6)</i>	2006 (63) ALR 659 (Allahabad)
	<b>G. Burden of Proof vs. Onus of Proof</b>	
	<b>Supreme Court</b>	
1.	<i>AddagadaRaghavamma and Ors. vs. AddagadaChenchamma and Ors. . (¶15)</i>	AIR 1964 SC 136
	<b>H. Commission to examine witnesses</b>	
	<b>Supreme Court</b>	
1.	<i>Salem Advocate Bar Association vs. Union of India(¶¶5-9)</i>	AIR 2005 SC 3353
2.	<i>Salem Advocate Bar Association vs. Union of India (¶19)</i>	AIR 2003 SC 189
	<b>High Court of Delhi</b>	
1.	<i>Fashion Linkers vs. Savitri Devi(¶¶15,16,19,20,21)</i>	(1996) ILR 2 Delhi 80
	<b>Other High Courts</b>	
1.	<i>S.Balasubramanian vs M.Chandira(¶6)</i>	MANU/TN/4480/2018 (Mad)
2.	<i>Bharat R. Desai and Ors. vs. Naina Mohanlal Bhal(¶6)</i>	AIR 2005 Bom 38
3.	<i>OrugunatiRanganayakamma vs. MaduriLakshminarasamma and another(¶3)</i>	AIR 1979 AP 8
4.	<i>Jaya Shanker Mills (Barsi) Ltd. vs. Zakaria Hazi Ebrahim (¶¶9-10)</i>	AIR 1962 AP 435
	<b>I. Appointment of Local Commissioner</b>	
	<b>Supreme Court</b>	
1.	<i>Haryana Waqf Board vs. Shanti Sarup and Ors. (¶2)</i>	( 2008 ) 8 SCC 671
2.	<i>Padam Sen and Ors. vs. The State of Uttar Pradesh (¶¶7-12)</i>	AIR 1961 SC 218
	<b>High Court of Delhi</b>	
1.	<i>Shanti Devi vs. Jai Bhagwan and Ors. (¶¶7,13)</i>	MANU/DE/0104/2017
	<b>Other High Courts</b>	
1.	<i>Sarala Jain vs Sangu Gangadhar (¶¶19,21)</i>	2016 (3 )ALD 197 (AP)
2.	<i>Devadoss vs. A. Duraisingh(¶8)</i>	MANU/TN/1763/2002
	<b>J. Admissibility of Document</b>	
	<b>Supreme Court</b>	



Delhi Judicial Academy

1.	<i>Shalimar Chemical Works vs Surendra Oil</i> (¶7)	(2010) 8 SCC 423
2.	<i>Sonu vs. State of Haryana</i> (¶¶27,32)	(AIR 2017 SC 3441)
3.	<i>NandkishoreLalbhahi Mehta v. New Era Fabrics Private Limited &amp; Others</i> (¶¶ 10, 12)	AIR 2015 SC 3796
4.	<i>Anvar P.V. v. P.K. Basheer</i> (¶22)	(2014) 10 SCC 473
5.	<i>Salem Advocate Bar Association, Tamil Nadu v. UOI</i>	AIR2005SC 3353,
6.	<i>RVE VenkatachalaGounder v. ArulmiguViswesaraswami</i> (¶¶ 20-22)	AIR 2003 SC 4548
7.	<i>Bipin Shantilal vs State of Gujarat</i> (¶¶13-15)	AIR2001SC1158
8.	<i>Ram Rattan v. Bajrang Lal</i> (¶ 6)	AIR 1978 SC 1973
9.	<i>Javer Chand and ors. vs. Pukhraj Surana</i> (¶7)	AIR 1961 SC 1655
	<b>High Court of Delhi</b>	
1.	<i>Doctor Morepen v. Poysha Power Generation</i> (¶¶ 4-6)	2013 (137) DRJ 261
2.	<i>Sudir Engineering Company v. Nitco Roadways</i> (¶¶12-16)	1995 II AD (Delhi)189
<b>K.</b>	<b>Attachment before judgment</b>	
	<b>Supreme Court</b>	
1.	<i>Raman Tech. and Process Engg. Co. and Ors. vs. Solanki Traders</i> (¶¶ 5,6)	( 2008 ) 2 SCC 302
	<b>High Court of Delhi</b>	
1.	<i>Manganese Ore (India) Ltd., Nagpur v.MangilalRungta, Calcutta</i> (¶¶9-12)	AIR1981Delhi114
	<b>Other High Courts</b>	
1.	<i>Sunil Kakrania and Ors. v. Saltee Infrastructure Ltd. and Ors.</i> (¶¶24-27)	AIR 2009 Cal 260
2.	<i>V. Gopi v. Bhaskaran and Ors.</i> (¶22)	2015(3)KLT835 (Kerala)
3.	<i>Premraj Mundra vs. Md. Maneck Gazi and Ors.</i> (¶10)	AIR 1951 Cal 156
<b>L.</b>	<b>Execution</b>	
	<b>Supreme Court</b>	
1.	<i>Sir Sobha Singh &amp; Sons Pvt. Ltd. v. Shashi Mohan Kapur</i> (¶¶30-32)	2019 (9) SCALE 369
2.	<i>S. Bhaskaran v. Sebastian (Dead) by L.Rs. and Ors.</i> (¶9)	Civil Appeal No. 7800 of 2014 Dated: 13.09.2019
3.	<i>West Bengal Essential Commodities Supply Corporation vs. Swadesh Agro Farming and Storage Pvt. Ltd. and Ors.</i> (¶19)	AIR 1999 SC 3421
	<b>High Court of Delhi</b>	
1.	<i>Delhi Chemical and Pharmaceutical Works Pvt. Ltd. and Another v. Himgiri Realtors Pvt. Ltd. and Another</i>	2021 SCC OnLine Del 3603
2.	<i>H.S. Bedi vs. National Highway Authority of India</i> (¶¶6.1-6.5)	227 (2016) DLT 129





3.	<i>Sanjeev Kumar Mittal vs. The State</i> (¶¶10-11)	174 (2010) DLT 214
<b>M.</b>	<b>Preliminary Decree versus Final Decree</b>	
	<b>Supreme Court</b>	
1.	<i>Srihari v. Syed Maqdoom Shah</i> (¶¶20)	(2015)1SCC607
2.	<i>Shub Karan Bubnav Saran Bubna</i> (¶¶12-14)	(2009) 9 SCC 689
3.	<i>MaddineniKoteswara Rao v. MaddineniBhaskara Rao and Anr.</i> (¶¶7-16)	(2009)13SCC179
4.	<i>Phoolchand and Ors. vs. Gopal Lal</i> (¶¶7)	AIR 1967 SC 1470
<b>N.</b>	<b>Preliminary Decree and Final Decree in Partition Suits</b>	
	<b>Supreme Court</b>	
1.	<i>GanduriKoteswarammavChakiriYanadi</i> (¶¶20)	AIR 2012 SC 169
2.	<i>Bimal Kumar v Shakuntala Debi</i> (¶¶27)	(2012) 3 SCC 548
3.	<i>PremavNasZanje Gowda</i> (¶¶ 11-20)	(2011) 6 SCC 462
4.	<i>BikobaDeora Gaikwad vHirabaiMarutiraoGhorgare</i> (¶¶ 9-14)	(2008) 8 SCC 198
5.	<i>Hasham Abbas Sayyad v Usman Abbas Sayyad</i> (¶¶8)	(2007) 2 SCC 355
6.	<i>Shankar Balwant Lokhandev Shankar Lokhande</i> (¶¶ 4,8)	(1995) 3 SCC 413
	<b>Consent Decree and Settlement</b>	
1.	<i>Compack Enterprises India (P) Ltd. Vs. Beant Singh</i>	2021 SCC ONLINE SC 97
2.	High Court of Judicature at Madras vs. M.C. Subramaniam	2021 SCC ONLINE SC 109
	<b>High Court of Delhi</b>	
1.	<i>The Jammu &amp; Kashmir Bank Ltd. v. Mayur Exports and Ors.</i>	MANU/DE/0143/2017
2.	<i>Smt. Swaran Lata and Ors. v. Shri Kulbhushan Lal and Ors.</i>	AIR2014Delhi86
<b>O.</b>	<b>Resistance to Execution of Decree</b>	
	<b>Supreme Court</b>	
1.	<i>Brahmdeo Choudhary vs Rishikesh Prasad Jaiswal &amp;Anr</i> (¶¶5)	AIR1997SC856
<b>P.</b>	<b>Proclamation and Sale Order in Suits for Partition and Possession</b>	
	<b>Supreme Court</b>	
1.	<i>Saheb Khan vMohd. Yusufuddin &amp; Others</i> (¶¶10-12)	(2006) 4 SCC 476
	<b>High Court of Delhi</b>	
1.	<i>Ramesh Dutt Salwanv Shiv Dutt Salwan</i> (¶¶ 24-27)	2016 (158) DRJ 601
	<b>Other High Courts</b>	
1.	<i>Antony v Joseph &amp; Others</i> (¶¶ 8-15, 17)	2010 (2) KLJ 508 (Ker.)



<b>Q.</b>	<b>Resistance to Delivery of Possession and Grant of Police Aid</b>	
	<b>Supreme Court</b>	
1.	<i>Brahmdeo Chaudhary, Advocate v Rishikesh Prasad Jaiswal &amp; Another</i> (¶¶ 4-6)	AIR 1997 SC 856
	<b>High Court of Delhi</b>	
1.	<i>SRM Infracon Private Limited &amp; Others v A.N. Elegant Hospitality &amp; Others</i> (¶¶ 13-18)	237 (2017) DLT 243
	<b>Other High Courts</b>	
1.	<i>Anjali Das &amp; Others v Sri Samar Roy &amp; Others</i> (¶¶ 7-8, 12-13)	2010 SCC Online Cal 1265
2.	<i>Shrimati Ratnabai, Advocate w/o Narayanrao Naik &amp; Another v Shri Satwarao s/o Narayanrao Naik</i> (¶¶ 5, 7-8)	AIR 1995 Bom 61
<b>R.</b>	<b>Execution of Foreign Court Decree (Section 44A, Sections 13 &amp; 14)</b>	
	<b>Supreme Court</b>	
1.	<i>Alcon Electronics Pvt. Ltd. v. Celem S.A. of FOS 34320 Roujan, France and Ors.</i> (¶¶ 13-15, 21)	AIR 2017 SC 1
2.	<i>M/s. International Woolen Mills v. M/s. Standard Wool (U.K.) Ltd.</i> (¶ 30)	AIR 2001 SC 2134

## H. Appellate Proceedings

S. No.	Title	Citation
<b>A.</b>	<b>Appeals against Original Decrees and Orders</b>	
	<b>Supreme Court</b>	
1.	<i>C. Venkata Swamy v. H.N. Shivamma (Dead) by LR and Others</i> (¶¶ 11-20)	(2018) 1 SCC 604
2.	<i>Neerja Realtors v. Janglu</i> (¶ 16)	(2018) III AD SC 29
3.	<i>Alcon Electronics Private Limited v. Celem S.A. of FOS 34320 Roujan, France &amp; Others</i> (¶¶ 12, 15-17, 21)	AIR 2017 SC 1
4.	<i>Union of India v. K.V. Lakshman &amp; Others</i> (¶¶ 22-31)	(2016) 13 SCC 124
5.	<i>Mangluram Dewangan v. Surendra Singh &amp; Others</i> (¶¶ 7-8)	(2011) 12 SC 773
6.	<i>Arundhati alias Harshana v. Iranna alias Veerandra</i> (¶ 5)	(2008) 3 SC 181
7.	<i>Bachahan Devi and Ors. vs. Nagar Nigam, Gorakhpur and Ors.</i> (¶ 10)	AIR 2008 SC 1282
8.	<i>Ramachandra Sakharam Mahajan v.</i>	(2007) 6 SCC 737



Delhi Judicial Academy

	<i>Damodar Trimbak Tansale (dead)</i> (¶14)	
9.	<i>Delhi, U.P. Madhya Pradesh Transport co. v. New India insurance</i> (¶5)	(2006) 9 SCC 213
10.	<i>P.S. Sathappan (Dead) by Lrs. vs. Andhra Bank Ltd. and Ors.</i> (¶¶135,138)	AIR 2004 SC 5152
11.	<i>Santosh Hazari Vs. Purushottam Tiwari (Dead) by Lrs.</i> (¶16)	MANU/SC/0091/2001
12.	<i>M/S International Woolen Mills v. M/S Standard Wool(U.K.) Limited</i> (¶¶ 13-14, 16-33)	AIR 2001 SC 2134
	<b>Delhi High Court</b>	
1.	<i>A.R. Nimv. Vishwamitra</i> (¶¶ 9-10)	178 (2011) DLT 450
	<b>Other High Courts</b>	
1.	<i>Nagen Chandra Das and Ors. v. Abhijit Deb and Ors.</i> (¶15) (Gauhati High Court)	MANU/GH/0496/2017
2.	<i>Nemi Chand Gangwal v. Suresh Kumar Jain (Bakliwal)</i> (¶9) (Gauhati High Court)	MANU/GH/0351/2014
3.	<i>Hemendra Dutta Choudhury and Anr. v. Arun Kumar Bordoloi and Ors.</i> (Gauhati High Court)	MANU/GH/0143/1987
<b>B.</b>	<b>Production of Additional Evidence</b>	
	<b>Supreme Court</b>	
1.	<i>A. Andiasamy Chettiar v. A. Subburaj Chettiar</i> (¶¶ 11-19)	AIR 2016 SC 79
2.	<i>Surjit Singh &amp; Others v. Gurwant Kaur &amp; Others</i> (¶¶ 12, 17-20)	(2015) 1 SCC 665
3.	<i>Lekhraj Bansal v. State of Rajasthan &amp; Another</i> (¶¶ 6-7)	2014 (3) SCALE 80
4.	<i>Shalimar Chemical Works v. Surendra Oil</i> (¶¶ 7-9, 11)	(2010) 8 SCC 423
5.	<i>Mahavir Singh &amp; Others v. Naresh Chandra &amp; Another</i> (¶ 5)	(2001) 1 SCC 309
6.	<i>K. Venkataramiah vs. A. Seetharama Reddy and Ors.</i> (¶¶13,16,18)	AIR 1963 SC 1526
	<b>High Court of Delhi</b>	
1)	<i>Lahorian Di Hatti v. Shyam Lal Meher Chand Jain Huf</i> (¶ 2, 13)	214(2014)DLT431
<b>C.</b>	<b>Dismissal in Limine of appeal</b>	
	<b>Supreme Court</b>	
1.	<i>V.N. Krishna Murthy Vs. Ravikumar</i>	2020 SCC ONLINE SC 664
2.	<i>Kalinga Mining Corporation v. Union of India (UOI) and Ors.</i>	(2013)5SCC252
3.	<i>UP Avas Evam Vikas Parishad v. Sheo Narain Kushwaha &amp; Others</i> (¶¶5-7)	(2011) 6 SCC 456



	<b>High Court of Delhi</b>	
1.	<i>Hari Singh v. S. Seth</i> (¶¶ 7, 8, 11)	AIR 1996 Del 21
	<b>Other High Court</b>	
1.	<i>Sham Rajendra Agrawal v. Ghanshyam Hajarilal Sharma and Anr</i>	2007(4)BOMCR330
<b>D.</b>	<b>Review</b>	
	<b>Supreme Court</b>	
1.	<i>Pradeep Kumar Maskarav. State of West Bengal</i> (¶ 28)	(2015) 2 SCC 653
2.	<i>Haryana State Industrial Development Corporation Limited &amp; Others Etc v.Mawasi&amp; Others Etc</i> (¶¶ 9-19)	AIR 2013 SC 3874
3.	<i>The State of West Bengal &amp; Others v. Kamal Sengupta &amp; Another</i> (¶¶ 9-27)	(2008) 8 SCC 612
4.	<i>A.V. Papayya Sastry &amp; Others v. Government of A.P. &amp; Others</i> (¶¶ 25, 28-29, 31)	(2007) 4 SCC 221
5.	<i>Board of Control for Cricket, India and Ors. vs. Netaji Cricket Club and Ors.</i> (¶90)	AIR2005SC592
6.	<i>Lily Thomas v. Union of India</i> (¶¶ 53-56, 58)	(2000) 6 SCC 224
<b>E.</b>	<b>Maintainability of Review &amp; Appeal dismissed <i>in limine</i></b>	
1.	<i>Kunhayammed and Ors. vs. State of Kerala and Ors.</i> (¶¶35-38)	AIR2000SC2587
2.	<i>Thungabhadra Industries Ltd. vs. The Government of Andhra Pradesh</i> (¶¶14-15)	AIR1964SC1372
	<b>Delhi High Court</b>	
1.	<i>A.V. DTC v. Delhi Administration Others</i> (¶ 15)	2016 III AD (Del) 258
2.	<i>M/s Kalakankar Investment(Private) Limited &amp; Others v. Menlo Consultant India Private Limited &amp; Others</i> (¶¶ 18, 24)	2013 SCC Online Del 4186
3.	<i>Sarla Devi Jain v. Union of India</i> (¶¶ 3-5)	121 (2005) DLT 426
<b>F.</b>	<b>Revision</b>	
	<b>Supreme Court</b>	
1.	<i>Nawab Shaqafath Ali Khan &amp; Others v. Nawab Imdad Jah Bahadur &amp; Others</i> (¶¶ 52-53)	(2009) 5 SCC 162
2.	<i>Shiv Shakti Coop. Housing Society, Nagpur vs. Swaraj Developers and Ors.</i> (¶32)	AIR 2003 SC 2434
3.	<i>ITI Limited v. Siemens Public Communications Network Limited</i> (¶¶ 8, 13, 18-22)	(2002) 5 SCC 510
4.	<i>Dhurandhar Prasad Singh v. Jai Prakash University &amp;</i>	(2001) 6 SCC 534



	<i>Others</i> (¶ 23)	
5.	<i>S.S. Khanna vs. F.J. Dillon</i> ((¶13)	AIR 1964 SC 497
6.	<i>Kiran Singh and Ors. vs. Chaman Paswan and Ors.</i> (¶ 6)	AIR 1954 SC 340

## I. Practice Directions by HMJ Pratibha M. Singh

S.No.	Suit Title	Suit No.	Date of Decision	Direction(s)
1.	<i>Amrish Agarwal v. Venus Home Appliances Pvt. Ltd.</i>	CM (M) 1059/18	27.08.19	The TC's order, taking on record the Legal Proceedings Certificate relating to the trademark, was challenged on the ground that evidence had already concluded and the matter was at the stage of final arguments. The Court observed that in a trademark infringement matter, it is imperative for the Court to be able to see that the trademark itself is registered. <u>Directions were therefore passed, specifying the documents, such as the Legal Proceedings Certificate, which ought to be filed along with the plaint in trade mark infringement matters. (Para 7)</u>
2.	<i>Lalit Kumar v. M/s Samsonite IP Holding SARL</i>	CM (M) 737/19	29.08.19	The TC's order, appointing an LC to seize the alleged counterfeit products, was challenged on the ground that the name of Defendant No. 2 was mentioned as 'Ashok Kumar'. The reason given for not specifying the name of the Defendant was that the Plaintiff was unaware of the name of the Defendant's proprietor. In order to ensure that such grievances are not raised in the future, <u>a direction was given that if the name of the proprietor of the Defendant or any other entity is not known, the trading name shall appear in the memo of parties as the name of the Defendant. (Para 7)</u>
3.	<i>Satender Singh Rana &amp; Ors. v. Gaon Sabha Kadipur &amp; Anr.</i>	CM (M) 1017/19	29.08.19	In view of the fact that several adjournments were taking place due to non-receipt or non-supply of copies of complete pleadings and documents, <u>directions were passed in respect of service of copies of documents/pleadings</u>

				<u>between counsels and court clerks. (Para 3)</u>
4.	<i>BVG India Ltd. v. Navin Saini</i>	CM (M) 1311/19	04.09.19	In this case, a handwritten notation had caused confusion as to whether only the dispute in the suit was settled or whether all the disputes arising under the agreements between the parties were settled. <u>It was observed that the court which recorded the settlement ought to have perused the report and clarified the same prior to disposing of the suit. Direction was given to Mediators to not allow any handwritten notations or words, in the Mediation/settlement agreements, especially if the same are not countersigned/initialed by the Mediator himself. (Para's 6&amp;7)</u>
5.	<i>PSA Nitrogen Ltd. v. Maeda Corporation</i>	CM (M) 4/19	17.09.19	The TC's order, rejecting the Plaintiff's application for condonation of delay in filing the written statement to the Defendant's counterclaim, was challenged on the ground that the counter-claim had not been registered. The Court clarified that a counter-claim is governed by the same rules as applicable to plaints under the Commercial Courts Act. Hence, it was observed that every counter-claim must be registered before summons can be issued and the time for filing the written statement runs from the date of service of summons. <u>Directions were given prescribing the procedure to be followed for registration of counter-claims to ensure that there is no ambiguity in the timelines for filing of the written statement to the counter-claim. (Para 11)</u>
6.	<i>Rajesh Aggarwal v. Om Prakash &amp;Anr.</i>	CM(M) 768/19	17.09.19	The TC's order, permitting an amendment to the plaint, was challenged on the ground that it was highly belated. The Court <u>observed that at the stage of final arguments the TC ought not to permit amendments in the plaint. (Para's 4&amp;5)</u>
7.	<i>M/s Prakash Oil Corporation &amp;Anr.</i>	CM (M) 1002/18	19.09.19	The question before the Court was whether the admissibility and mode of proof of an

	<i>v. BrijKishan</i>			exhibited document is to be decided at the final stage or during the trial itself - at the time when the exhibit mark is being put on the document. The Court observed that the mere marking of a document as an exhibit does not amount to it being proved. Several judgments were relied on to clarify <u>the procedure to be adopted in the case of exhibition of documents</u> . Finally, it was observed that <u>“allowing objections regarding exhibited documents to be captured in the statement of the witness and permitting cross examination to be conducted without prejudice to the objections raised, would strike the right balance between ensuring that the trial is not protracted and that the rights of the party are also not jeopardized”</u> . <b>(Para’s 10-14)</b>
8.	<i>Veena Gupta v. Bajaj Allianz Life Insurance Co. Ltd.</i>	CM (M) 1555/19	30.10.19	The TC’s order, imposing costs on the Plaintiff for non-appearance, was challenged on the ground that the Junior Counsel’s appearance had wrongly been recorded as ‘Proxy Counsel’, due to which the Plaintiff was considered as having not appeared. <u>The Court issued directions clarifying when the term “Proxy Counsel” ought to be used.</u> <b>(Para 6)</b>
9.	<i>Zile Singh v. Santosh@Santra &amp; Ors.</i>	CM (M) 1296/18	06.11.19	This petition challenged an order of the TC by which the evidence of a witness was directed to not be read, as no affidavit had been filed on their behalf and the evidence of another witness, who was present in Court, was not recorded, on the ground that the list of witnesses was not filed. Insofar as the second witness was concerned, the Court held that <u>“once witnesses are summoned and are present before the Court, with notice to the opposite party, the usual procedure ought to be to record their evidence rather than sending them back”</u> . As regards the first witness, it was found that a <u>non-existent affidavit had been exhibited</u> . In view of these discrepancies in the recordal of evidence, <u>directions were passed, specifying the manner in which evidence must</u>

				<u>be recorded. (Para 14)</u>
10.	<i>Ganga Ram v. Shekhar Kumar</i>	CM (M) 1656/19	22.11.19	Two grievances were raised in this petition. The first was that the TC had accepted the Plaintiff's witness' evidence by way of affidavit without the Plaintiff having filed a list of witnesses. The second was in relation to the de-exhibition of exhibited documents. With respect to the first grievance, while an exception was made in this case, it was observed that <u>parties ought not to be permitted to commence evidence without having filed a list of witnesses.</u> As regards the second grievance, it was observed that <u>the mere exhibition of a document does not amount to it being proved. (Para's 5-8)</u>
11.	<i>Harwant Singh v. Govind Singh</i>	CM(M) 1662/19	22.11.19	In this case, the written statement was taken on record, subject to costs. A demand draft was made out in the name of the Plaintiff, however, the same was not accepted on the ground that the costs were to be tendered in the name of the Plaintiff's counsel. On the Plaintiff's claim that costs had not been tendered, the written statement was taken off the record and additional costs were imposed on the Plaintiff. Setting aside this order, the Court held that - " <u>Whenever orders are passed imposing costs on parties, unless there is any specific person in whose favour the costs are directed to be paid, it is understood that costs are to be in the name of the party in whose favour the costs are being awarded.</u> "(Para 5)
12.	<i>Krishan Kumar v. Shanti Devi &amp; Anr.</i>	CM(M) 1694/19	29.11.19	The grievance in this petition was that the TC had settled the issues and also directed affidavits-in-evidence to be filed, without waiting for the Plaintiff's to file their replication. After passing certain directions, specific to the case at hand, the Court observed that - " <u>In order to avoid unnecessary delays and complexities, by framing issues prior to filing of replication, it is directed that in future, Trial Courts shall</u>



				<u>ensure that if permission for replication is being granted, issues shall be framed only after the replication is filed.”(Para 4)</u>
13.	<i>SarveshBisaria v. Anand NirogDham Hospital Pvt. Ltd.</i>	CM (M) 1787/19	17.12.19	In this case, though the suit had been filed under Order XXXVII CPC, summons were not issued under the said order. Instead, a template order had been passed which simply set out various portions of the CPC, did not record any satisfaction under Order XXXVII CPC and required the Defendant to file his written statement within 30 days of the receipt of summons. It was held that – <u>“Whenever summons are issued, the Court has to be conscious of the provision under which the summons is to be issued. The summons in a summary suit is completely different from the summons in Form No.2, for settlement of issues in an ordinary suit. Clearly, the Court has not taken into consideration that the suit was filed under Order XXXVII CPC and the Plaintiff’s grievance is thus completely justified.”(Para 10)</u>
14.	<i>ICICI v. Naveen Kalkal; ICICI v. Priya Baveja; ICICI v. Deepanshu Bansal &amp;Anr. &amp; Connected Matters</i>	CM (M) 1821/20 19; CM (M) 16/2020; CM (M) 18/2020	23.12.19 ; 13.01.20 20; 13.01.20 20	These petitions concerned applications seeking permission to sell hypothecated vehicles. In all these cases, though possession of the vehicle had been taken by the Receiver, inordinate delay was being caused in the grant of permission for sale of the vehicle, leading to additional expenditure for maintenance etc. In view of this, as well as the fact that the value of the vehicle deteriorates as time passes by, the Court directed the TC to expeditiously consider such applications. The <u>directions, as to the manner in which cases of vehicle loans are to be dealt with</u> , as passed by a ld. Single Judge of the Delhi High Court in <i>M/s. ICICI Bank Ltd. v. Kamal Kumar Garewal, [FAO 49/2015, decided on 29th May, 2015]</i> , were reiterated and public auction was permitted in all the cases. <b>(Naveen Kalkal: Para’s 6-9; Priya Baveja: Para’s 9-12; Deepanshu Bansal: Para’s 5-8 )</b>



15.	<i>YN Gupta (Deceased thr. LRs) v. MA Ramzana</i>	CM (M) 1827/19	24.12.19	In this case, the matter had been heard and adjourned on more than 10 hearings, with the order-sheet showing the matter as being either 'part-heard' or listed 'for orders'. The Court held that it was impermissible to repeatedly adjourn cases for orders and observed that the same " <u>reflects extremely poorly on the Court system</u> " and that " <u>Repeated hearing of arguments also increases the litigation costs for litigants, as they have to incur expenses for legal representation, etc., Such a practice would also make access to justice unaffordable.</u> " (Para's 18-20)
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## J. Suggested Readings

S. No.	Title	Author	Source
<b>A. Grant of Probate and Letters of Administration</b>			
1.	Application for Probate or Letters of Administration- Court Fee Payable	Justice S.A Kader	(2004) 2 LW (JS) 17
<b>Land Acquisition Matters</b>			
1.	Notes and Comments: 'Partners in Development' Under the New Land Acquisition Law: A Misnomer	AmitaPunj, Associate Professor, National Law University, Delhi.	59 JILI (2017) 153
2.	Development and Participation Under the New Land Acquisition Legislation: A Paradigm Shift or A Safety Valve	AmitaPunj, Associate Professor, National Law University, Delhi.	9 RMLNLUJ (2017) 42
3.	Holdout Problem and Private Takings in India	Khagesh Gautam, Associate Professor of Law, OP Jindal Global University, Sonapat	2 CALQ (2017) 7
4.	The Land Acquisition Policy in India With Special Reference to Property Rights: An Analysis	Hashmat Ali Khan, Assistant Professor, Department of Law, AMU, Aligarh.	23 ALJ (2015-16) 303



<b>Therapeutic Jurisprudence</b>			
1.	Book Review of Therapeutic Jurisprudence and Victim Participation in Justice: International Perspectives	Debarati Halder National Law School of India University, India	International Journal of Criminal Justice Sciences (IJCJS) Vol 7 Issue 2 July – December 2012
2.	The Methodology and Practice of Therapeutic Jurisprudence	Nigel Stobbs Faculty of Law Queensland University of Technology, Lorana Bartels Professor of Criminology Australian National University & Michel Vols Professor of Law University of Groningen	<a href="file:///C:/Users/choub/Downloads/The%20Methodology%20and%20Practice%20of%20T.P..pdf">file:///C:/Users/choub/Downloads/The%20Methodology%20and%20Practice%20of%20T.P..pdf</a>
3.	What is Therapeutic Jurisprudence? (1993)	Michael L. Perlin New York Law School	10 New York Law School Journal of Human Rights 623–636 (1993)
4.	Therapeutic Jurisprudence (2014)	Barbara A. Babb University of Baltimore School of Law & David B. Wexler University of Puerto Rico & University of Arizona James E. Rogers College of Law	Therapeutic Jurisprudence, Prepared for Springer Encyclopedia of Criminology and Criminal Justice (2014)
5.	The Study on the Application And Implementation Of Therapeutic Jurisprudence In Family Laws With Respect To Divorce In India	B. Leelesh Sundaram & Siddhi S. Student, Saveetha School of Law, Asst.Prof. & Head of Department, Saveetha School of Law	International Journal of Research and Analytical Reviews (IJRAR), VOLUME 4 I ISSUE 3 I JULY -SEPT. 2017]
6.	Canons of judicial ethics	Justice Y.K.Sabarwal, Former Chief Justice of India	M. C. SETALVAD MEMORIAL LECTURE
7.	Canons of judicial ethics	Justice R.C Lahoti	NJA Occasional paper series no. 5



<b>Court Craft</b>			
<b>1.</b>	How to be a Good Judge -Advice to New Judges	Justice R.V. Raveendran Former Judge, Supreme Court of India	<a href="http://rajasthanjudicialacademy.nic.in/docs/6_s1.pdf">http://rajasthanjudicialacademy.nic.in/docs/6_s1.pdf</a>

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