AJMANI & LAW PARTNERS

NEWSLETTER - 2025 (ISSUE I)

Dear Readers,

As the new year begins, we find ourselves amidst a legal landscape shaped by constant transformation and adaptation. At Ajmani & Law Partners, we are dedicated to guide our clients and community through these dynamic shifts, ensuring they are well-equipped with the latest legal insights and information.

Our continuous efforts of issuing regular newsletters and research pieces exemplify this dedication. In this edition, we delve into the recent developments in various areas of law, including Civil Laws, Matrimonial Laws, and Defamation Laws, which have undergone notable changes in the first quarter of the year.

We deeply value the trust and support of our clients and community. We sincerely hope this newsletter serves as a valuable tool, offering comprehensive updates and perspectives to keep you informed in today's ever-evolving legal landscape.

Thank you for being an integral part of the Ajmani & Law Partners family. Together, we navigate the future with knowledge, resilience, and unwavering commitment.

Warm regards,

Adv. Lalit Ajmani

Managing Principal | F/M Manager

AJMANI & LAW PARTNERS, NEW DELHI

Glimpse:-

- Civil & Commercial Laws
- Matrimonial Laws
- Defamation Laws
- Miscellaneous Laws
- Disclaimer

CIVIL AND COMMERCIAL LAWS

UNDISPUTED WILL VALID FOR MUTATION IN MUNICIPAL RECORDS: MADHYA PRADESH HIGH COURT

Gopal Das vs. The State of Madhya Pradesh and Others (Madhya Pradesh High Court)

In the case of "Gopal Das vs. The State of Madhya Pradesh and Others", the Madhya Pradesh High Court ruled that an undisputed will, executed in accordance with the law, can be relied upon to mutate names in municipal records. The court emphasised that when a will is legally executed and remains unchallenged, municipal authorities can proceed with name mutations based on it, without necessitating the parties to undergo the rigors of a civil suit. The matter was remanded back to the concerned authority for appropriate action.

SUPREME COURT AFFIRMS INJUNCTION SUIT VALID WITHOUT DECLARATORY RELIEF WHEN TITLE IS UNCONTESTED

Krushna Chandra Behera & Others vs. Narayan Nayak & Others (Supreme Court)

In the matter of "Krushna Chandra Behera & Others vs. Narayan Nayak & Others", the Supreme Court addressed the maintainability of a suit for injunction without seeking declaratory relief. The Court observed that if the defendant does not dispute the plaintiff's title, the suit should not fail merely because it seeks only an injunction and not a declaration. Consequently, the Supreme Court set aside the Orissa High Court's judgment and remitted the case for fresh consideration.

CIVIL AND COMMERCIAL LAWS

SUPREME COURT REAFFIRMS: ATS DOES NOT CONFER PROPERTY TITLE WITHOUT A REGISTERED DEED

Indian Overseas Bank vs. M.A.S. Subramanian & Others (Supreme Court)

In the case of "Indian Overseas Bank vs. M.A.S. Subramanian & Others", the Supreme Court emphasised that an agreement to sell immovable property does not transfer ownership to the purchaser. Citing Section 54 of the Transfer of Property Act, 1882, the Court clarified that such agreements do not create any interest in the property; ownership transfer requires a duly registered sale deed as per the Indian Registration Act, 1908.

DELHI HIGH COURT RULES PRIVATE MEDIATION INSUFFICIENT UNDER S. 12A OF COMMERCIAL COURTS ACT

Renewflex Recycling vs. Facilitation Centre Rohini Courts & Others (Delhi High Court)

In "Renewflex Recycling vs. Facilitation Centre Rohini Courts & Others", the Delhi High Court held that merely sending a legal notice or an informal mediation request does not fulfill the mandatory pre-litigation mediation requirement stipulated in Section 12A of the Commercial Courts Act, 2015. The court emphasised that such mediation must occur within the statutory framework established by the Act, specifically through authorities designated under the Legal Services Authorities Act, 1987. Consequently, the court dismissed the petition, underscoring that compliance with Section 12A necessitates obtaining a certificate or non-starter report from an authorized mediation authority before initiating a commercial suit.

DELHI HIGH COURT GRANTS PERMANENT INJUNCTION TO RISHIKESH'S CHOTIWALA RESTAURANT IN A TRADEMARK INFRINGEMENT CASE

Chotiwala Food & Hotels Private Limited & Another vs. Chotiwala & Others (Delhi High Court)

On February 27, 2025, in the matter of "Chotiwala Food & Hotels Private Limited & Another vs. Chotiwala & Others" the Delhi High Court ruled in favour of Chotiwala Food and Hotels Private Limited, a Rishikesh-based restaurant, in a trademark infringement lawsuit against three Delhi-based establishments. The court issued a permanent injunction, prohibiting the defendants from using the 'Chotiwala' name, trademark, and associated artistic works. Additionally, the court awarded Rs. 3 lakh in damages to the plaintiff.

CIVIL AND COMMERCIAL LAWS

INVALIDATE DEED WITHOUT TITLE: SUCCESSORS CANNOT ENFORCE PROPERTY RIGHTS

Kizhakke Vattakandiyil Madhavan (d) thr. LRs vs. Thiyyurkunnath Meethal Janaki (Supreme Court)

The Supreme Court in "Kizhakke Vattakandiyil Madhavan (d) thr. LRs vs. Thiyyurkunnath Meethal Janaki" ruled that when a person attempts to transfer property rights through a legal document without actually possessing those rights, neither the transferee nor their successors can legally enforce those rights based on such a document. The court emphasized that if a document clearly shows that the transferor lacked title over the property, there's no need for a specific declaration of its invalidity; instead, the court can address the issue if contested during proceedings.

DIRECTOR NOT LIABLE FOR CHEQUE DISHONOUR AFTER RESIGNATION

Rajesh Viren Shah vs. Redington (India) Ltd. (Supreme Court)

The Supreme Court in "Rajesh Viren Shah vs. Redington (India) Ltd." ruled that a company director cannot be held liable for dishonored cheques issued after their resignation unless credible evidence proves their involvement. The Court clarified that liability arises only if the director was involved or consented to the act leading to the dishonor. The judgment referenced Section 141 of the Negotiable Instruments Act, emphasizing that a directors liabilities depend on their involvement in the company's affairs. The Court dismissed criminal proceedings against the accused director.

CIVIL AND COMMERCIAL LAWS

OWNERSHIP CANNOT BE CLAIMED IF A PERSON HAVING NO TITLE EXECUTES SALE DEED

Savitri Bai & Anr. vs. Savitri Bai (Supreme Court)

The Supreme Court in "Savitri Bai & Anr. vs. Savitri Bai" ruled that a sale deed executed by someone who is not the property owner in favor of the plaintiff does not grant ownership or possession rights over the property. The court emphasized that the mere participation of a non-owner in signing the sale deed does not transfer property ownership. The defendant, unaware of the property's true ownership, signed the deed believing it was related to her family's share. The court upheld the validity of a will in favor of the actual property owner, rendering the sale deed ineffective.

PLACE OF ARBITRATION VS. SEAT OF ARBITRATION - DELHI HIGH COURT CLARIFIES

M/S Axalta Coating Systems India Pvt. Ltd. Vs M/S Madhuban Motors Pvt. Ltd. (Delhi High Court)

The Delhi High Court clarified that the mere mention of a place in an arbitration clause does not necessarily establish it as the seat of arbitration. In the case of "M/S Axalta Coating Systems India Pvt. Ltd. Vs M/S Madhuban Motors Pvt. Ltd.", the court determined that New Delhi was the seat of arbitration based on clauses specifying the venue and exclusive jurisdiction in New Delhi. The court emphasized the distinction between the 'place of arbitration' and the 'seat of arbitration' and concluded that the determination of the seat should be inferred from other clauses in the agreement and the conduct of the parties.

CIVIL AND COMMERCIAL LAWS

CORPORATE ENTITY ALSO A COMPLAINANT UNDER CONSUMER PROTECTION ACT, 1986

M/S. Kozyflex Mattresses Private Limited vs. SBI General Insurance Company Limited (Supreme Court)

The Supreme Court in "M/S. Kozyflex Mattresses Private Limited vs. SBI General Insurance Company Limited and Anr." ruled that under the old Consumer Protection Act of 1986, a corporate entity or company can be considered a 'person' eligible to file a consumer complaint, despite the term 'person' not specifically including corporations. The court emphasized that the Act's definition of 'person' is inclusive and should be liberally interpreted, noting that the 2019 amendment included corporate entities within the definition.

RESOLUTION PLAN APPROVED BY C.O.C. CANNOT BE WITHDRAWN OR MODIFIED

Supreme Court & High Court Precedents (Section 138 Amendment Analysis)

The issue of amending complaints in Section 138 cases under the Negotiable Instruments Act, 1881, lacks explicit statutory provisions, relying instead on judicial discretion and precedent. Supreme Court rulings, such as UP Pollution Control Board vs. Modi Distillery and S.R. Sukumar vs. S.S. Raghuram, permit amendments if they address curable infirmities and cause no prejudice. Conversely, amendments causing substantial changes or potential prejudice are generally denied. Our F/M Partner Mr. Lalit Ajmani's views on the same issue have been featured across leading platforms like LiveLaw.

MATRIMONIAL LAWS

PERFORMING REQUISITE CEREMONIES NECESSARY FOR VALID HINDU MARRIAGE

Dolly Rani vs. Manish Kumar Chanchal (Supreme Court)

The Supreme Court in "Dolly Rani vs. Manish Kumar Chanchal" ruled that a Hindu marriage is invalid if the requisite ceremonies, particularly saptapadi, are not performed, regardless of registration. The Supreme Court emphasized that according to Section 7 of the Hindu Marriage Act, 1955, appropriate rites are essential for a valid marriage. Registration under Section 8 only facilitates proof of marriage and does not confer legitimacy if the ceremonies are not performed. The court criticized the practice of obtaining registration certificates for convenience without solemnization.

FAMILY COURT NOT BOUND BY PROCEDURE IN CPC, EVIDENCE ACT; MAY LAY DOWN OWN PROCEDURE

X vs. Y (Telangana High Court)

The Telangana High Court in "X vs. Y" ruled that Family Courts are not strictly bound by the Civil Procedure Code (CPC) or the Indian Evidence Act, allowing them to establish their procedures to uncover the truth. The court emphasized that under Sections 10 and 14 of the Family Courts Act, 1984, these courts can accept relevant evidence, even if not traditionally admissible. The ruling underscores the broader procedural latitude afforded to Family Courts to facilitate fair and just dispute resolution.

MATRIMONIAL LAWS

FINANCIAL NEGLECT A GROUNDS FOR CRUELTY AND DESERTION

X vs. Y (Punjab & Haryana High Court)

The Punjab & Haryana High Court in "X vs. Y" upheld the dismissal of a divorce petition, highlighting financial neglect by the husband as constituting cruelty and desertion. The court emphasized that the husband's failure to fulfill basic financial responsibilities was pivotal. They underscored that such neglect, despite the husband's allegations, established grounds for cruelty under Section 13 of the Hindu Marriage Act. This ruling clarifies that spouses cannot seek divorce on grounds of desertion or cruelty if they fail to meet fundamental responsibilities within the marriage.

FAMILY COURTS HAVE THE POWER TO MODIFY CHILD CUSTODY ORDERS

Thomas @ Manoj EJ vs. Indu S (Kerala High Court)

The Kerala High Court in "Thomas @ Manoj EJ vs. Indu S" affirmed the Family Court's decision that child custody orders can be modified based on changed circumstances, emphasizing that the doctrine of res judicata does not apply in such matters. The court reiterated that courts have the discretion to revise custody arrangements if it serves the child's welfare, regardless of prior agreements between parents. In custody disputes, the paramount consideration is the child's best interests, not formal legal doctrines.

MATRIMONIAL LAWS

HMA'S SECTION 14 EXTENDS TO SECTION 13B: COUPLES CAN PURSUE EARLY MUTUAL DIVORCE

X vs. Y (Punjab & Haryana High Court)

The Punjab & Haryana High Court in "X vs. Y" addressed the legal issue of mutual divorce under the Hindu Marriage Act (HMA). Despite a one-year waiting period mandated by Section 14(1) of the HMA, the court allowed a couple to seek mutual divorce within 15 days of marriage under Section 13-B. This decision clarified that Section 14(1) applies to Section 13-B as well, emphasizing the Act's aim to facilitate peaceful divorce through mutual consent.

HIGH COURT GRANTS DIVORCE TO MAN FROM "NON-ADJUSTING WIFE" ON GROUNDS OF CRUELTY

X vs. Y (Delhi High Court)

The Delhi High Court recently in "X vs. Y" granted divorce to a husband citing cruelty by his wife, noting her non-adjusting attitude and lack of maturity in resolving differences privately. Justices Suresh Kumar Kait and Neena Bansal Krishna emphasized the wife's persistent allegations against the husband without basis, leading to mental cruelty. The court overturned the family court's decision and granted divorce under Sections 13(1)(ia) and 13(1)(ib) of the Hindu Marriage Act, 1955.

MATRIMONIAL LAWS

CHILDREN OF VOID MARRIAGES ENTITLED TO INHERIT PARENTAL PROPERTY

Raja Gounder & Ors. vs. M. Sengodan & Ors. (Supreme Court)

The Supreme Court in "Raja Gounder & Ors. vs. M. Sengodan & Ors." ruled that children from void and voidable marriages are legitimate and entitled to an equal share of ancestral property. Despite challenges in the High Court, the Court upheld the legitimacy of such children, citing the common ancestor's acknowledgment and documentary evidence. The judgment emphasized the legal recognition of children born from such marriages as legitimate successors in property matters.

INTERIM MAINTENANCE ORDER APPEALABLE TO HIGH COURT

X vs. Y (Punjab & Haryana High Court)

The Punjab & Haryana High Court in "X vs. Y" clarified that orders of pendente lite maintenance issued by Family Courts under Section 24 of the Hindu Marriage Act, 1955 are subject to appeal before the High Court under Section 19(1) of the Family Courts Act. The court emphasized that such orders conclusively determine the right to maintenance and expenses until the conclusion of proceedings, thus qualifying as 'judgments' eligible for appeal, rather than mere interlocutory orders.

MATRIMONIAL LAWS

PARTIES TO A VOID MARRIAGE CAN SEEK REDRESSAL FROM FAMILY COURT

Joseph A U vs. Princy P J (Kerala High Court)

The Kerala High Court in "Joseph A U vs. Princy P J" interpreted the Family Courts Act, 1984 and the Special Marriage Act, 1954, ruling that even disputes arising from void marriages can be addressed by a Family Court. Referring to the provisions of both acts, the court emphasized that a marriage declared void under the Special Marriage Act remains valid for practical purposes unless annulled by the Family Court.

TO DISENTITLE WIFE FROM MAINTENANCE, CONTINUOUS ACT OF ADULTERY IS TO BE PROVED

RKA vs. DA (Madhya Pradesh High Court)

The Madhya Pradesh High Court "RKA vs. DA" reiterated that for a wife to be denied maintenance based on 'adultery,' she must be proven to be 'living in adultery' at the time of the maintenance application. The burden of proof lies with the husband, requiring continuous evidence of adultery. The court emphasized that occasional acts of adultery do not suffice.

DEFAMATION LAWS

POLITICAL PARTIES NOT IMMUNE TO DEFAMATION SUITS

Bharatiya Janata Party vs. Rizwan Arshad (Karnataka High Court)

The Karnataka High Court in "Bharatiya Janata Party vs. Rizwan Arshad" declined to quash a defamation complaint against the Bharatiya Janata Party (BJP) by Congress Legislator Rizwan Arshad over allegedly defamatory tweets. The court highlighted that the tweets in question could prima facie damage the complainant's reputation. Rejecting the contention that political parties are immune to defamation suits, the court emphasized the broad definition of 'person' under Section 11 of the Indian Penal Code (IPC).

DELHI HIGH COURT ORDERS TMC MP SAKET GOKHALE TO PAY RS 50 LAKH FOR DEFAMATION

Lakshmi Murdeshwar Puri vs. Saket Gokhale (Delhi High Court)

The Delhi High Court in "Lakshmi Murdeshwar Puri vs. Saket Gokhale" ordered TMC MP Saket Gokhale to pay Rs 50 lakhs in damages to Lakshmi Puri, former Assistant Secretary-General to the UN, for defamatory tweets. The court ruled that Gokhale's tweets, questioning Puri and her husband's financial assets, were false and malicious. Gokhale was also directed to publish an apology in the Times of India and on his Twitter handle for six months.

DEFAMATION LAWS

DELHI HIGH COURT ORDERS REMOVAL OF DEFAMATORY TWEETS AGAINST RAJAT SHARMA

Rajat Sharma v. X Corp & Ors. (Delhi High Court)

The Delhi High Court in "Rajat Sharma v. X Corp & Ors." recently issued an ex-parte ad interim injunction ordering the removal of tweets by Congress leaders Ragini Nayak, Jairam Ramesh, and Pawan Khera alleging abusive language during a live broadcast. The court found that edited videos misrepresented Sharma's conduct and emphasized the delicate balance between freedom of speech and protecting individual dignity.

BALANCING PRESS FREEDOM AND REPUTATION: BOMBAY HIGH COURT

Khanjan Jagadishkumar Thakkar vs. Waahiid Ali Khan & Ors. (Bombay High Court)

The Bombay High Court in "Khanjan Jagadishkumar Thakkar vs. Waahiid Ali Khan & Ors." underscored the necessity of balancing press freedom with an individual's right to reputation, clarifying that investigative journalism, while crucial for public interest, cannot defame individuals without basis in truth. The court granted an interim injunction directing removal of defamatory content pending trial.

DEFAMATION LAWS

PRESS FREEDOM UPHELD IN DEFAMATION CASE

Mahaveer Singhvi vs. Hindustan Times Limited & Ors. (Delhi High Court)

The Delhi High Court in "Mahaveer Singhvi vs. Hindustan Times Limited & Ors." while dismissing defamation suits against Hindustan Times emphasized the need to balance the public's right to information with the media's duty of truthful reporting and the individual's right to protect their reputation. The court found that the articles were based on verified sources, neutral, and fair comment.

DEFAMATION COMPLAINT AGAINST MP QUASHED BY HIGH COURT CITING EXCEPTION UNDER CONFIDENTIAL COMMUNICATION

Brij Bhushan Sharan Singh vs. State Of U.P. (Allahabad High Court)

The Allahabad High Court in "Brij Bhushan Sharan Singh vs. State Of U.P." quashed a criminal defamation case against a Member of Parliament emphasizing that letters he wrote to the Chief Minister were confidential communications falling under the 8th Exception of Section 499 IPC. The court held that his actions were within his role as a public representative addressing legitimate concerns.

DEFAMATION LAWS

ENVIRONMENTAL ACTIVIST FOUND GUILTY OF CRIMINAL DEFAMATION

V.K. Saxena vs. Medha Patkar (Delhi Court)

A Delhi court convicted Medha Patkar, leader of Narmada Bachao Andolan, for criminal defamation against V.K. Saxena, currently Delhi's Lieutenant Governor. It sentenced her to 5 months simple imprisonment along with Rs 10 lakh compensation to Saxena while ruling that her statements accusing Saxena of involvement in hawala transactions and questioning his patriotism were defamatory per se under Section 500 IPC.

RETWEET OF DEFAMATORY CONTENT ON SOCIAL MEDIA CONSTITUTES 'PUBLICATION'

Arvind Kejriwal vs. State & Anr. (Delhi High Court)

The Delhi High Court in "Arvind Kejriwal vs. State & Anr." ruled that every retweet of defamatory content on social media constitutes 'publication' under Section 499 of the Indian Penal Code, 1860, potentially leading to liability for defamation. The court emphasized that the extent of harm depends on the retweeter's reach and influence, holding retweeters accountable if they amplify defamatory content.

DEFAMATION LAWS

BALANCE BETWEEN FREEDOM OF EXPRESSION AND PROTECTION AGAINST DEFAMATION IN THE DIGITAL AGE

X vs. Squint Neon & Ors. (Delhi High Court)

The Delhi High Court in "X vs. Squint Neon & Ors." while addressing a case involving doxing, emphasized that unregulated dissemination of personal information online could breach privacy rights and leave victims without legal remedies. The ruling mandated the removal of defamatory tweets and ordered disclosure of subscriber information.

HIGH COURT QUASHES DEFAMATION CASE OVER LACK OF INTENT

O. Abdul Rahiman vs. State Of Kerala & Ors. (Kerala High Court)

The Kerala High Court in "O. Abdul Rahiman vs. State Of Kerala & Ors." quashed defamation proceedings against the editor and publisher of Madhyamam newspaper under Section 499 of the IPC. The court found no intent or knowledge to harm the complainant's reputation in the published news item, reiterating that intention or knowledge is an essential ingredient.

MISCELLANEOUS LAWS

ELECTORAL BOND SCHEME DECLARED UNCONSTITUTIONAL

Association for Democratic Reforms & Anr. vs. Union of India & Ors. (Supreme Court)

The Supreme Court in "Association for Democratic Reforms & Anr. vs. Union of India & Ors." declared electoral bonds unconstitutional, citing violation of the right to information. The Court emphasized transparency, ruling the scheme infringed Article 19(1)(a) of the Constitution. The Court halted bond issuance and directed State Bank of India to disclose purchaser details and political party recipients.

THREE NEW CRIMINAL LAWS CAME INTO FORCE

Bharatiya Nyaya Sanhita, BNSS & Bharatiya Sakshya Act (Parliament of India)

In 2023-2024, the Parliament of India implemented three new criminal laws aimed at overhauling the country's criminal justice system: The Bharatiya Nyaya Sanhita Act, 2023 (replacing IPC 1860), The Bharatiya Nagarik Suraksha Sanhita Act, 2023 (replacing CrPC 1973), and The Bharatiya Sakshya Act, 2023 (replacing Evidence Act 1872), incorporating electronic evidence standards and updated procedures.

MISCELLANEOUS LAWS

SUPREME COURT DOES NOT HAVE SUPERINTENDENCE OVER HIGH COURTS

Ganpat @ Ganapat vs. State of Uttar Pradesh (Supreme Court)

The Supreme Court in "Ganpat @ Ganapat vs. State of Uttar Pradesh" emphasized its lack of authority to direct High Courts, rejecting a petitioner's plea to expedite a criminal appeal. It underlined the clear jurisdictional division between the two constitutional institutions, ruling that Article 32 petitions against High Court listing decisions are inadmissible.

LEGAL AID PANEL ADVOCATES NOT ENTITLED TO MATERNITY BENEFITS

Delhi State Legal Services Authority vs. Annwesha Deb (Delhi High Court)

The Delhi High Court in "Delhi State Legal Services Authority vs. Annwesha Deb" held that panel counsel appointed by DSLSA are professionals, not employees, and thus are not entitled to maternity benefits under the Maternity Benefit Act, 1961. The court emphasized that panel lawyers are engaged for legal services, not as employees receiving wages.

MISCELLANEOUS LAWS

RIGHT TO BE FREE FROM THE ADVERSE EFFECTS OF CLIMATE CHANGE RECOGNIZED BY SUPREME COURT

MK Ranjitsinh & Ors. vs. Union of India & Ors. (Supreme Court)

The Supreme Court in "MK Ranjitsinh & Ors. vs. Union of India & Ors." recognized the right to be free from the adverse effects of climate change as a distinct right under Articles 14 and 21 of the Constitution. The judgment acknowledged India's international commitments and marked the first time the Court explicitly recognized climate change impacts as a fundamental rights violation.

RELATIONSHIP BETWEEN CIVIL AND CRIMINAL PROCEEDINGS IN CHEQUE MATTERS

Prem Raj vs. Poonamma Menon & Anr. (Supreme Court)

The Supreme Court in "Prem Raj vs. Poonamma Menon & Anr." clarified that while civil court decisions do not formally bind criminal courts, if a civil court restrains the encashment of a cheque, the criminal court must consider this, making any punishment for cheque dishonor under the NI Act unsustainable.

MISCELLANEOUS LAWS

NO AUTOMATIC VACATION OF STAY ORDERS OF HIGH COURT: SUPREME COURT OVERRULES ASIAN RESURFACING

High Court Bar Association Allahabad vs. State Of Uttar Pradesh & Ors. (Supreme Court)

The Supreme Court in "High Court Bar Association Allahabad vs. State Of Uttar Pradesh & Ors." overturned its 2018 Asian Resurfacing judgment, which mandated that interim orders passed by High Courts staying trials automatically expire after six months. The Constitution Bench ruled that interim stays cannot automatically vacate without judicial hearing and consideration of merits.

GOVERNMENT TO ENSURE 1% RESERVATION FOR TRANSGENDERS IN PUBLIC SECTOR

Mrinal Barik vs. State of West Bengal & Ors. (Calcutta High Court)

The Calcutta High Court in "Mrinal Barik vs. State of West Bengal & Ors." directed the West Bengal government to implement a 1% reservation for transgender persons in all public employment, citing the Supreme Court's NALSA guidelines recognizing transgender persons as socially and educationally backward.

MISCELLANEOUS LAWS

HIGH COURT SHOULDN'T CONVICT ACCUSED BY REAPPRECIATING EVIDENCE IN ACQUITTAL APPEALS

Mallappa & Ors. vs. State of Karnataka (Supreme Court)

The Supreme Court in "Mallappa & Ors. vs. State of Karnataka" emphasized that when an appellate court reviews evidence in an appeal against acquittal, it should uphold the trial court's decision if it finds two plausible interpretations, one favoring innocence. The court stressed the 'two-views theory' safeguarding the presumption of innocence.

SURROGATE MOTHERS ENTITLED TO MATERNITY LEAVE: ORISSA HIGH COURT

Supriya Jena vs. State of Odisha & Ors. (Orissa High Court)

The Orissa High Court in "Supriya Jena vs. State of Odisha & Ors." ruled that women who attain motherhood through surrogacy are entitled to maternity leave, recognizing that the right to life under Article 21 includes motherhood and child development, directing the state to amend rules to include 180 days maternity leave for commissioning mothers.

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