

# **SOFT SKILL COURSE 214 K LEGAL PRINCIPLES THROUGH CASE STUDY**

## **OBJECTIVES OF COURSE :**

The main object of this course is to appraise the law students from various legal principles established by the apex court and/or foreign courts to develop the learning, understanding and writing skills. By reading the judgments taking into consideration the legal principles laid down in the judgments, the law students are expected to develop their skills of legal reasoning and applying the legal principles in practice and procedure.

### **1. Principle of Pro Bono Publico**

Illustrative Case : Bandhua Mukti Morcha v. Union of India (AIR) 1984 SC 802)

### **2. Rule of Prospective Overruling :**

Illustrative Case : Golak Nath v. State of Punjab (AIR 1967 SC 1642)

### **3. Basic Structure Theory**

Illustrative Case : Kesavananda Bharti v. State of Kerala (AIR 1973 SC 1461)

### **4. Maintenance to Muslim Divorced Women & Tripal Talaq :**

Mohd. Ahmed Khan v. Shah Banoo Begum (AIR 1985 SC 945)

Danial Litifi's case (2002), Recent Judicial Approach on Triple Talaq

### **5. Uniform Civil Code**

Sarla Mudgal President v. Union of India (AIR 1995 SC 153) and subsequent cases on the similar issue

### **6. Guidelines of Prevention of Sexual Harassment to women at working place**

Visakha v. State of Rajasthan (AIR 1997 SC 3011)

### **7. Principle of Absolute Liability**

Sri Ram Food Gas Leakage Case

### **8. Medical Negligence and liabilities of Medical Practitioners :**

Jacob Methew v. State of Punjab (AIR 2005 SC 3180)

### **9. Principle of Vicarious Liability :**

State of Rajasthan v. Vidhyawati (AIR 1963 SC 1295)

### **10. Polluter Pays Principle and Public Trust Doctrine:**

M. C. Mehta v. Kamal Nath (1997) 1 SCC 388

M. C. Mehta v. Union of India (1996)4 SCC 750

Council for Enviro Legal Action v. Union of India (1996)5 SCC 281

### **11. Principle of Sustainable Development and Precautionary Principle :**

Vellore Citizens' Welfare Forum v. Union of India ( 1996)5 SCC 647

### **12. Doctrine of Ultra Vires :**

Ashbury's Railway Company v. Riche

13. Doctrine of Indoor Management :  
Royal British Bank v. Turquand

14. Principle of Lifting the Corporate veil :  
Soloman v. Soloman's case

15. The Right of the Majority Rule (Company Law) :  
Foss v. Harbottle (1843) 67 ER 189

16. Principle of Contributory Negligence  
Donogue v. Stevenson (1932) AC. 562

17. Reps Ipsa Loquitur :  
Gulli v. Swan  
Byrne v. Boadle (1863) 2 HBE 722

18. Principle of Remoteness of Damages :  
Scott v. Shephard 96 Eng. Rep. 525 (K.B. 1773)  
Re Polimis v. Wagon Mound case [1961] AC 388 House of Lords

19. Death Sentence for Murder : Rarest of Rare Cases :  
Bachchan Singh v. State of Punjab (AIR 1980 SC 898)

20. Contract with minors : *Void ab initio*  
Case : Mohri Bibee v. Dharamdas Ghosh (1903) 30 IA 114

21. Maneka Gandhi v. Union of India  
Due process of Law under Article 21 of the Constitution.

22. Dharm Dutta & Others vs. Union of India [ (2004) 1 SCC 712 ]  
(No right to strike, but right to Collective Bargaining)

23. State of Gujarat v. Umedbhai M. Patel (AIR 2010 SC 1109)  
(Principles laid down for Compulsory Retirement)

24. Rupan Deol Bajaj v. K. P. S. Gill (AIR 1996 SC 309)  
State of Hariyana v. Bhajan Lal (AIR 1992 SC 604)  
Power of High Court to quash FIR, Criminal Complaints and pending Criminal Proceedings u/s. 482 of the Cr.P.C.

**Note: Each law college will be at liberty to teach the selected Legal Principles from the above suggested List. However, while teaching above legal principles, the colleges may take into consideration and discuss other relevant and relied cases of the Apex Court or foreign courts.**

**Suggested Reading:**

1. All Law Journals
2. Legal Software
3. Comments on the above cases