



COURSE MANUAL

Name of the Elective Course: Litigation & the Indian Supreme Court

Course Code: L-EL-1179

Name of the responsible Faculty Instructor:
Prof. Nikhil Parikshith

**Fall 2026
(AY2026-27)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, Litigation & the Indian Supreme Court, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: Litigation & the Indian Supreme Court

Course Code: **L-EL-1179**

Course Duration: One Semester (14 Weeks)

No. of Credit Units: 4 Credits

Level: Both

Medium of Instruction: English

Pre-requisites (Preferable but not essential): Constitutional Law, Administrative Law, Code of Civil Procedure, 1908 & Code of Criminal Procedure 1973 / BNSS 2023;

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators

This course has been ideated with the support and encouragement of the Office of Executive Dean, JGLS.

2. Course Description

The Supreme Court of India is a public institution that has a pervasive influence in our society. Its decisions have shaped the rights of billions including persons living on the fringes of society. As an institution of public accountability it is imbued with the authority to speak truth to power. The Supreme Court has neither the “power of the purse” nor the “power of the sword”, and yet it is an institution which commands the maximum respect within the Indian polity. The rich jurisprudence of the Supreme Court has been shaped by its Justices but also in equal measure by Advocates through their advocacy, intellect and industry. To be a practitioner before the Supreme Court is a matter of immense pride and responsibility. For some it is the pinnacle of a legal career. While the institution has a public character, the functioning of the Court is shrouded in mystery. Navigating the hallowed corridors of the Supreme Court can be daunting particularly for a new practitioner, let alone for a law student. The object of this course is to make the Supreme Court more accessible by shining light on its jurisdiction, procedures and day to day functioning. This course is especially relevant for students who wish to practice in the Supreme Court. For any new Supreme Court practitioner, the learning gap (especially in matters relating to practice and procedure) can be steep and fraught with challenges. The modest endeavor of this course is to reduce that learning gap.

3. Course Aims

- Familiarize students with the practice and procedure of the Supreme Court;
- Cover the different jurisdictions of the Supreme Court and its contours with appropriate case laws;
- Equip students with the foundational knowledge for drafting and filing pleadings in the Supreme Court;
- Critically examine contemporary issues pertaining to the practice and procedure of the Supreme Court;

4. Teaching Methodology

- Lectures
- Classroom Discussions
- Review of actual Pleadings filed in the Supreme Court
- Drafting of Supreme Court Pleadings: hypothetical problem based

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
<ul style="list-style-type: none"> Understand the contours of the different jurisdictions of the Supreme Court 	40%	<ul style="list-style-type: none"> Reading of case law and theoretical material Reading pleadings filed before the Supreme Court 	<p>Student's ability to grasp and critically evaluate the topics/issues discussed in the syllabus will be tested in the following ways:</p> <p>(i) End-semester examination (30%)</p> <p>(ii) Internal Assessment (70%)</p> <p>Course instructor will inform the students separately about the methods by which the students will be assessed internally.</p>
<ul style="list-style-type: none"> Understand the practice and procedure of the Supreme Court 	40%	<ul style="list-style-type: none"> In-class, drafting exercises. Students will acquire knowledge of the perspectives pertaining to the topics to be covered in the syllabus. 	
<ul style="list-style-type: none"> Acquire the ability to read and analyze pleadings filed in the Supreme Court 	10%	<ul style="list-style-type: none"> Students will be expected to debate the topics in light of the readings. This will give them a perspective as to the readings and will also allow them to develop their analytical, critical and creative skills 	
<ul style="list-style-type: none"> Acquire foundational knowledge necessary for drafting pleadings before the Supreme Court 	10%		

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “I” grade. If an "I" grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Type of Assessment	15 Marks	Research Question
Type of Assessment	25 Marks	SLP Drafting
Type of Assessment	30 Marks	Mid-Term Examination
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Course/Class Policies

- Students are requested to review the relevant readings prior to attending the lectures;
- Students are encouraged to participate in class and engage in meaningful discussions;
- Students are requested to maintain attendance, be punctual and assemble in class in an orderly manner;
- Students are requested to adhere and respect the prescribed timelines for internal assessments;

Cell Phones, Laptops and Similar Gadgets

Such devices are not accessible to students during mid-term examination.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and

intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus

Supreme Court of India–Practice & Procedure–Jurisdiction–Appellate–Original–Extraordinary–Advisory–Constitution of Benches–Supreme Court Rules, 2013

Course Design and Overview (Weekly Plan)

Week	Topics
1.	MODULE 1: OVERVIEW ON THE SUPREME COURT OF INDIA & THE COURT'S JURISDICTION
2.	MODULE 1: CONTD.
3.	MODULE 2: APPELLATE JURISDICTION OF THE SUPREME COURT
4.	MODULE 2: APPELLATE JURISDICTION OF THE SUPREME COURT [Contd.]
5.	MODULE 3: DRAFTING AND FILING A SPECIAL LEAVE PETITION
6.	MODULE 4: DRAFTING AND FILING A COUNTER AFFIDAVIT
7.	MODULE 5: ORIGINAL JURISDICTION OF THE SUPREME COURT
8.	MODULE 6: EXTRA-ORDINARY ORIGINAL JURISDICTION OF THE SUPREME COURT
9.	MODULE 7: SUPREME COURT'S JURISDICTION TO TRANSFER CASES
10.	MODULE 8: REVIEW & CURATIVE JURISDICTION OF THE SUPREME COURT
11.	MODULE 9: ADVISORY JURISDICTION OF THE SUPREME COURT
12.	MODULE 10: CONTEMPT JURISDICTION OF THE SUPREME COURT
13.	MODULE 11: PREPARATION, FILING AND LISTING OF CASES IN THE SUPREME COURT
13.	MODULE 12: MISCELLANEOUS APPLICATIONS FILED IN THE SUPREME COURT
14.	<p style="text-align: center;">REVISION WEEK</p> <p>[NOTE: There shall be teaching classes scheduled during the fifteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.]</p>

Module Descriptions: See Part V

Week 1&2:

MODULE 1: OVERVIEW ON THE SUPREME COURT OF INDIA & THE COURT'S JURISDICTION

- **BRIEF HISTORY OF THE SUPREME COURT OF INDIA**
- **ARTICLE 141 OF THE CONSTITUTION: LAW DECLARED BY THE SUPREME COURT TO BE BINDING ON ALL COURTS: DOCTRINE OF PRECEDENT & STARE DECISIS, RATIO DECIDENDI & OBITER DICTA & PER-INCURIAM & SUB-SILENTIO**
- **DOCTRINE OF PROSPECTIVE OVERRULING**
- **SUPREME COURT'S POWER TO DO COMPLETE JUSTICE UNDER ARTICLE 142 OF THE CONSTITUTION**
- **CIVIL AND JUDICIAL AUTHORITIES TO ACT IN AID OF THE SUPREME COURT UNDER ARTICLE 144 OF THE CONSTITUTION**
- **SUPREME COURT BEING A SUPERIOR COURT OF RECORD**
- **CONSTITUTION AND JURISDICTION OF BENCHES AND ROSTER OF BENCHES**
 - Chief Justice of India as “Master of the Roster”
 - Roster of Benches
 - Single Bench - Division Bench - Constitution Bench - **Reference to Larger Bench (under what circumstances)** – Constitution of benches for hearing Review Petition (s) & Curative Petition (s);
 - Powers, Duties and Functions of the Judge in Chambers and the Registrar

Essential Readings:

1. Rosenberg GN, Krishnaswamy S, Bail S, eds. A Qualified Hope: The Indian Supreme Court and Progressive Social Change. Cambridge University Press; 2019. (Ch.1, pp.23-30)
2. Supreme Court of India: History: <https://www.sci.gov.in/about-department/history/>
3. Constitution of India 1950, Articles 124, 141, 142, 144& 145.
4. Supreme Court Rules 2013, Order V&VI
5. SUPREME COURT OF INDIA HANDBOOK ON PRACTICE AND PROCEDURE AND OFFICE PROCEDURE (2017)., Ch. IV,V,VI&XI
6. Shanti Bhushan v Supreme Court of India through its Registrar., 2018 INSC 589 [Master of Roster]
7. Dr. Shah Faesal and Ors. v Union of India and Anr., [2020] 3 S.C.R. 1115 [Per Incuriam & Reference]
8. Pradip Chandra Parija v Pramod Chandra Patnaik., (2002) 1 SCC 1 [Reference to Larger Benches – Process]
9. State Of U.P. And Anr v M/S. Synthetics And Chemicals Ltd. and Anr., [1991] 3 S.C.R. 64 [Per Incuriam & Sub-Silentio Doctrine]
10. Kantaru Rajeevaru v Indian Young Lawyers Association., Review Petition (Civil) no. 3358 of 2018 in Writ Petition (Civil) no. 373 of 2006 dated 11 May 2020 [Reference of QoL to Larger Bench in Review Jurisdiction]
11. Aligarh Muslim University v Naresh Agarwal and Ors., 2024 INSC 856 [Surya Kant, J. dissent] [requisite parameters of reference to a larger Bench] read with Central Board of

¹ Only selected portions of the precedents (mentioned in the readings) shall be covered i.e., those which are relevant to the subject matter of the module in question. Effort has been made to ensure the 35 page cap on the weekly readings is maintained.

- Dawoodi Bohra Community and another v. State of Maharashtra and another., (2005) 2 SCC 673, para 12.
12. Legal Notes by Arvind Datar: Per Incuriam and Article 141: <https://www.barandbench.com/columns/legal-notes-by-arvind-datar-per-incuriam-and-article-141>
 13. Mineral Area Development Authority & Anr v M/s Steel Authority of India & Anr etc., 2024 INSC 607
 14. Legal Notes by Arvind Datar: Doctrine of 'prospective' prospective overruling: <https://www.barandbench.com/columns/legal-notes-by-arvind-datar-doctrine-of-prospective-prospective-overruling>

Suggested Readings (Optional):

1. Supreme Court of India the beginnings by Gadbois, George H (Oxford University Press 2017) (Ch.1-3)

Week 3-4:

MODULE 2: APPELLATE JURISDICTION OF THE SUPREME COURT

- **Extra-ordinary Appellate Jurisdiction:** Petitions for special leave to appeal (SLP) under Article 136 of the Constitution.
- **Appellate Jurisdiction:** (i). Appeals under Articles 132, 133 & 134 of the Constitution read with Article 134A of the Constitution (ii). Appeals arising out of Statutes or any other law for the time being in force.
- **Enlarged Appellate Jurisdiction of the Supreme Court in Criminal Matters:** Petitions under Article 134 (2) of the Constitution.
- Judicial meaning of Substantial Question of Law of “general importance” and “as to the interpretation of the Constitution”.
- Precedential value of an Order of the Supreme Court dismissing a SLP including leading cases on the same.

Essential Readings:

1. Constitution of India 1950, Articles 132-134A & 136
2. Supreme Court Rules, 2013., Orders IX, XX, XXI & XXII
3. Mathai @ Joby v George & Anr., (2010) 4 SCC 358
4. V. Vasanthakumar v H.C. Bhatia & Ors., (2016) 7 SCC 686
5. Union of India v Ibrahim Uddin & Anr., (2012) 8 SCC 148
6. State of J&K v Thakur Ganga Singh., 1959 SCC OnLine SC 116
7. Kishore Singh v State of M.P., (1977) 4 SCC 524
8. Kunhayammed v State of Kerala., (2000) 6 SCC 359
9. Bussa Overseas & Properties (P) Ltd v Union of India., (2016) 4 SCC 696
10. Khoday Distilleries Ltd. v Shri Mahadeshwara Sahakara Sakkare Karkhane Ltd., [2019] 3 S.C.R. 411
11. Vinod Kapoor v State of Goa., (2012) 7 SCC 701 dated 03.10.2012
12. Sandhya Educational Society v Union of India., (2014) 7 SCC 701 dated 02.04.2013
13. S. Narahari and Ors. v S.R. Kumar and Ors.,(2023) 7 SCC 740 dated 01.09.2025
14. T.K. David v Kuruppampady Service Cooperative Bank Limited & Ors., (2020) 9 SCC 92
15. Vasantalata Kom Vimalan and Mirjankar Rep. by G.P.A. Holder v Deepa Mavinkurve & Ors., Special Leave Petition (Civil) Diary No(s). 36933/2025 dated 01.09.2025
16. Legal Notes by Arvind Datar: The need to reconsider Kunhayammed: <https://www.barandbench.com/columns/the-need-to-reconsider-kunhayammed>

17. Legal Notes by Arvind Datar: The need to resurrect Articles 132-134A:
<https://www.barandbench.com/columns/the-need-to-resurrect-articles-132-134a>

Week 5:

MODULE 3: DRAFTING AND FILING A SPECIAL LEAVE PETITION

Essential Readings:

1. Supreme Court Rules 2013, Order XXI & XXII
2. SUPREME COURT OF INDIA HANDBOOK ON PRACTICE AND PROCEDURE AND OFFICE PROCEDURE (2017)
3. Templates of Special Leave Petitions
4. | Justice Abhay S. Oka : How to Draft a Case? |: Part I & Part II:
<https://www.youtube.com/watch?v=LJIawdFcC6Y>
<https://www.youtube.com/watch?v=3DQDq2Jt9jo>

Week 6:

MODULE 4: DRAFTING AND FILING A COUNTER AFFIDAVIT

Essential Readings:

1. Supreme Court Rules 2013., Order IX
2. SUPREME COURT OF INDIA HANDBOOK ON PRACTICE AND PROCEDURE AND OFFICE PROCEDURE (2017)
3. Templates of Counter Affidavits

Week 7:

MODULE 5: ORIGINAL JURISDICTION OF THE SUPREME COURT

- Original suits under Article 131 of the Constitution. The Supreme Court has original jurisdiction in any dispute between Government of India and one or more States or between two or more States.
- Petition relating to doubts and disputes in relation to the election of a President or Vice-President;
- Petition under Section 11(5) of the Arbitration and Conciliation Act, 1996, read with Appointment of Arbitrators by the Chief Justice of India Scheme, 1996 relating to appointment of an Arbitrator.

Essential Readings:

1. Constitution of India 1950, Articles 131 & 262
2. Supreme Court Rules, 2013., Part - III(A) Orders XXV to XXXVII
3. State of Bihar v Union of India., (1970) 1 SCC 67
4. State of Rajasthan & Ors v Union of India & Ors., (1977) 3 SCC 592 : 1977 INSC 143
5. State of Haryana v State of Punjab., (2004) 12 SCC 673
6. State of West Bengal v Union of India., 2024 INSC 502
7. Part III of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952) read with Article 71 of the Constitution and Order XLVI of the Supreme Court Rules., 2013
8. Section 11(5) of the Arbitration and Conciliation Act, 1996, read with Appointment of Arbitrators by the Chief Justice of India Scheme, 1996 relating to appointment of an Arbitrator

Week 8:

MODULE 6: EXTRA-ORDINARY ORIGINAL JURISDICTION OF THE SUPREME COURT

- Petitions under Article 32 of the Constitution for issue of directions or orders or writs, including the writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari for enforcement of the fundamental rights.
- Petitions under Article 32 of the Constitution in the nature of public interest litigation (PIL) seeking redressal of public injury, enforcement of a public duty or vindicating interest of public nature.

Essential Readings:

1. Constitution of India 1950, Article 32
2. Supreme Court Rules, 2013., Order XXXVIII
3. People's Union for Democratic Rights v Union of India., (1982) 3 SCC 235
4. State of Uttaranchal v Balwant Singh Chaufal., (2010) 3 SCC 402

Week 9:

MODULE 7: SUPREME COURT'S JURISDICTION TO TRANSFER CASES

Essential Readings:

1. Constitution of India 1950, Article 32 & Article 139A read with Order XLI of the Supreme Court Rules, 2013
2. Section 25 of the Code of Civil Procedure, 1908 read with Order XLI of the Supreme Court Rules, 2013
3. Section 406 of the Code of Criminal Procedure, 1973 (Section 446 of BNSS) read with Order XXXIX of the Supreme Court Rules, 2013
4. Supreme Court's authority to transfer investigation in criminal cases
5. Supreme Court's Power to consolidate multiple FIRs
6. Shri Sendhur Agro and Oil Industries v Kotak Mahindra Bank., 2025 INSC 328 [paras 28-54]: available @ <https://www.scoobserver.in/supreme-court-observer-law-reports-scolr/transfer-of-criminal-cases-must-emphasise-fair-trial-not-inconvenience-shri-senthur-agro-and-oil-industries-v-kotak-mahindra-bank/>
7. D.A.V. BOYS SR. SEC. School etc. etc. v. DAV College Managing Committee., [2010] 8 S.C.R. 952 [Read HNs] [S. 25 CPC]
8. State of West Bengal & Ors v The Committee for Protection of Democratic Rights, West Bengal & Ors., [2010] 2 S.C.R. 979 [Read HNs] [SCs power to transfer investigation]
9. Sakiri Vasu v State of UP And Ors., [2007] 12 S.C.R. 1100 [Read HNs] [SCs power to transfer investigation]
10. Ravinder Singh Sidhu v State of Punjab., 2025 INSC 727

Week 10:

MODULE 8: REVIEW & CURATIVE JURISDICTION OF THE SUPREME COURT

Essential Readings:

1. Constitution of India 1950, Article 137
2. Supreme Court Rules, 2013., Order XLVII & XLVIII
3. Lily Thomas v Union of India., (2000) 6 SCC 224 [Review Jurisdiction]
4. Kamlesh Verma v Mayawati., (2013) 8 SCC 320 [Review Jurisdiction]

5. Ritu Chhabaria v Union of India., 2023 INSC 436 read with Directorate of Enforcement v Manpreet Singh Talwar., SLP (Crl)(Diary)No.18272/2023 [Order dated 01.05.2023] [Power of Recall]
6. <https://indconlawphil.wordpress.com/2023/05/01/default-bail-personal-liberty-and-the-master-of-the-roster/>
7. X v Union of India., [2023] 15 S.C.R. 443 [Power of Recall]
8. Supertech Limited v Emerald Court Owner Resident Welfare Association., [2010] 10 S.C.R. 569 [Power to Modify]
9. Rupa Ashok Hurra v Ashok Hurra., (2002) 4 SCC 388 [Curative Jurisdiction]
10. Yakub Abdul Razak Menon v State of Maharashtra., [2015] 12 S.C.R. 661 [Curative Jurisdiction]
11. In Re: Interplay between Arbitration Agreements under the Arbitration and Conciliation Act, 1996 and the Indian Stamp Act, 1899., 2023 INSC 1066 [Curative Jurisdiction & Reference of QoL to a larger bench in Curative Jurisdiction]
12. Delhi Metro Rail Corporation Limited v Delhi Airport Metro Express Private Limited., 2024 INSC 292 [Curative Jurisdiction]

Week 11:

MODULE 9: ADVISORY JURISDICTION OF THE SUPREME COURT

- Article 143 deals with the power of the President of India. Article 143 authorizes the President of India to refer a question of law or fact of public importance to the Supreme Court and obtain its opinion. We will also examine the precedential value of the advisory opinion of the Supreme Court under Article 143.

Essential Readings:

1. Constitution of India 1950, Article 143
2. Supreme Court Rules, 2013., Order XLII - XLV
3. In re, Cauvery Water Disputes Tribunal., [1991] SUPP. 2. S.C.R. 497
4. In re, Special Reference No. 1 of 2012, Natural Resources Allocation., [2012] 9 S.C.R. 311
5. IN RE: ASSENT, WITHHOLDING OR RESERVATION OF BILLS BY THE GOVERNOR AND THE PRESIDENT OF INDIA (SPL.REF. No. 1/2025), 2025 INSC 1333

Week 12:

MODULE 10: CONTEMPT JURISDICTION OF THE SUPREME COURT

Essential Readings:

1. Constitution of India 1950, Article 129 and 142 (2)
2. Supreme Court Rules, 2013., Order XLII - XLV
3. The Rules To Regulate Proceedings For Contempt Of The Supreme Court, 1975
4. The Contempt of Courts Act, 1971
5. In RE: Prashant Bhushan., Suo Motu (CRL.) No.1 of 2020 – Read on Judgment on Merits + Judgment on Sentencing;
6. Reliance Communication Ltd. v State Bank of India., [2019] 4 S.C.R. 64

Suggested Readings (Optional):

1. See **Rajeev Dhawan, Sr. Advocate's Written Submissions on behalf of Prashant Bhushan filed in Suo Motu (CRL.) No.1 of 2020:**
https://www.scobserver.in/wp-content/uploads/2021/10/Written_Statement_PB_240820.pdf

Week 13:

MODULE 11: PREPARATION, FILING AND LISTING OF CASES IN THE SUPREME COURT

- REGISTRY OF THE COURT
- Preparation for Filing of Cases
- Filing and Processing of Cases (including clearing of defects)
- Limitation
- Listing of Cases including procedure for urgent listing of cases
- Mentioning of Cases: Practice and Procedure
- Categorization of Cases
- Procedure After Listing
- Cause List of the Supreme Court
- Advocate-on-Record: Duties, Powers and Functions

Essential Readings:

1. Supreme Court Rules 2013
2. SUPREME COURT OF INDIA HANDBOOK ON PRACTICE AND PROCEDURE AND OFFICE PROCEDURE (2017)

Week 13:

MODULE 12: MISCELLANEOUS APPLICATIONS FILED IN THE SUPREME COURT

[EG. FOR DIRECTIONS, MODIFICATION, CLARIFICATIONS, INTERIM BAIL, VACATION OF INTERIM ORDER, ADDITIONAL DOCUMENTS, EXEMPTION APPLICATIONS]

Essential Readings:

1. Supreme Court Rules 2013
2. SUPREME COURT OF INDIA HANDBOOK ON PRACTICE AND PROCEDURE AND OFFICE PROCEDURE (2017)

Week 14:

Revision Week
