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Last Minute Revision for CLAT PG: Important Judgements for the Month of October- Part I

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Preparing for CLAT 2025 and looking for comprehensive resources? Read this post to go through Part I of the important judgements of October.

'Industrial alcohol' comes within the meaning of 'intoxicating liquor' under the State List of the Constitution, and hence, states can regulate and tax the same: Supreme Court

- Case: State of Uttar Pradesh and Ors v. Lalta Prasad Vaish
- A petition was filed before the Supreme Court by the state government. In October 2007, the Supreme Court in State of UP v. Lalta Prasad Vaish noted that the 1990 decision in the Synthetic & Chemicals case had ignored a 1956 five-judge bench decision in Ch. Tika Ramji v State of Uttar Pradesh.
- The matter was, thus, referred to a nine-judge Constitution Bench on December 8, 2010. The States argued that the power to tax industrial alcohol is vital in the post-GST indirect tax regime and to monitor public health.
- The issue was raised before the Supreme Court: whether states could regulate industrial alcohol/denatured spirits by way of Entry 8, which confers powers on the state to deal with intoxicating liquors? The Supreme also noted that Entry 52 of the Union List empowers the central government to regulate those industries that have been declared by parliament to be of public interest.
- The Supreme Court said that intoxicating liquor under Entry 8 cannot be restricted to potable alcohol. It also overruled a 1990 judgement in Synthetics & Chemicals Ltd. v. State of Uttar Pradesh, which had said that "intoxicating liquor" refers only to potable alcohol and that states cannot tax industrial alcohol.

- The Supreme Court bench of CJI DY Chandrachud with Justices Hrishikesh Roy, Abhay S Oka, BV Nagarathna, JB Pardiwala, Manoj Misra, Ujjal Bhuyan, Satish Chandra Sharma, and Augustine George Masih ruled that the meaning of intoxicating liquor under Entry 8 of the State List is beyond the narrow definition of alcoholic beverages or potable alcohol and includes all kinds of alcohol that can adversely affect public health.

All states must ensure that orders of rejection are communicated to concerned convicts: Supreme Court

- Case:In Re: Policy Strategy for Grant of Bail
- A suo motu public interest litigation petition was initiated by the Supreme Court on the grant of bail in cases where appeals filed by prisoners against their criminal conviction have remained pending for long.
- The Supreme Court said that “all states must ensure that orders of rejection are communicated to concerned convicts. We make it clear that the state must ensure that rejection orders are communicated within one week from the date of the decision. If rejection orders do not contain reasons, reasons recorded by the review board must be communicated to convicts.”
- The Supreme Court added that rejection orders must be forwarded to the concerned legal services authority, which can thereafter ensure that convicts are told about their remedy to challenge the said rejection. The remission earlier granted to convicts cannot be automatically cancelled.
- The Supreme Court further said that “the state must not impose stereotypical conditions while granting remission to convicts. Each condition must be in line with the facts of that particular case.”
- The Supreme Court directed that “copies of the existing policy governing grant of remission shall be made available in each prison of state, and a copy with its English translation shall be uploaded on the website of the government. A direction to be issued to jail superintendents to furnish the copies to convicts who are eligible. We also direct that whenever there are modifications in the policy, it is updated in line with this directive.”

Pledging a wife’s gold ornaments without her consent constitutes a criminal breach of trust: Kerala High Court

- Case:Surendra Kumar vs. State of Kerala
- A criminal revision petition was filed by the accused before the High Court against the order of conviction by the lower courts. A complaint was filed by Surendra Kumar’s estranged wife (referred to as PW1), who alleged that her husband misused 50 sovereigns of gold ornaments given to her by her mother at the time of their marriage in 2009.
- The complainant further alleged that Surendra Kumar had promised to keep the gold safely in a bank locker. However, contrary to this commitment, he allegedly pledged the gold at Muthoot Fincorp without informing the complainant, thereby violating the trust. The accused was charged under Sections 406, 465 (forgery), 468, 471 (using forged documents as genuine), and 420 of the IPC. He was sentenced to six months of simple imprisonment under Sec. 406 only.
- The High Court observed that “entrustment of property, especially stridhana, imposes a duty of utmost good faith. Any act of misappropriation without consent, particularly by a spouse, amounts to a grave violation of trust and is punishable under Section 406 IPC.”
- The Kerala High Court, while rejecting the plea, said that “financial distress does not justify the breach of trust, especially when it involves stridhana, which holds not just economic but sentimental value for the wife. Unauthorised pledging amounts to a clear criminal act as defined under the IPC.”
- The High Court concluded that the conviction for criminal breach of trust was warranted and further confirmed the original sentence of six months’ imprisonment and the compensation order of ₹5 lakh.

Where direct evidence is lacking, a conclusive chain of circumstances can suffice to establish guilt: Supreme Court

- Case:Uma & Anr. vs. State
- An appeal was filed before the Supreme Court by the accused against the order of conviction of the High Court. Rajalakshmi was married to Ravi (Accused No. 2) on February 10, 2008. Her death occurred under suspicious circumstances on August 23, 2008, barely six months

after her wedding. Initially reported as a suicide by paint ingestion, an autopsy revealed signs of strangulation, indicating a homicidal death.

- The deceased's adoptive father, Chandrakasan (PW-1), had reported to the police that Rajalakshmi faced consistent harassment from her husband and his aunt, Uma (Accused No. 1). He also alleged that Ravi had an illicit relationship with Uma, which fuelled tensions between him and Rajalakshmi. Further allegations suggested that the accused poured kerosene and paint into Rajalakshmi's mouth to disguise the murder as a suicide.
- The Supreme Court observed that in cases where direct evidence is lacking, a conclusive chain of circumstances can suffice to establish guilt. The Supreme Court referred to the case of Trimukh Maroti Kirkan v. State of Maharashtra, in which it was stated that "When an offence takes place within the privacy of a house, the burden of explaining the incident shifts to the accused." In this case, the accused failed to offer a satisfactory explanation, making the prosecution's case robust.
- The Supreme Court, while rejecting the plea, said the prosecution had presented a consistent chain of evidence that left no reasonable doubt regarding the culpability of the accused.

State authorities have a duty to ensure that persons with disabilities have access to digital platforms, not just physical spaces: Kerala High Court

- Case:Kerala Public Service Commission & Sabeena KS
- A visually impaired candidate applied for a teaching position but was rejected by the Kerala Public Service Commission (PSC) due to not uploading her KTET certificate within the prescribed deadline.
- The candidate challenged the rejection before the Kerala Administrative Tribunal (KAT), which ruled in her favor, urging the PSC to include her in the selection process.
- The PSC claimed no laws were violated, while the candidate's counsel argued her visual disability warranted special consideration.
- The High Court noted that requiring visually impaired individuals to rely on third parties diminished their autonomy, adding unnecessary challenges not faced by sighted candidates.

- The Kerala High Court stated that it is the duty of the PSC and State to provide inclusive digital access for visually challenged applicants and to establish service centers for such individuals. The court expressed hope that these measures would be implemented.

The Bombay High Court declared the trademark “Girnar,” a popular tea brand, a ‘well-known mark’ in India under the Trademarks Act

- Case: Girnar Food & Beverages Pvt. Ltd. v. TNI Plastics
- Girnar Food & Beverages filed a suit seeking a permanent injunction against TNI Plastics from using its trademark, alleging potential consumer confusion and harm to brand reputation.
- The High Court had granted ex-parte ad-interim reliefs against TNI Plastics on August 27, 2024, while the case was under consideration.
- The petitioner emphasised Girnar’s longstanding reputation, stating that the brand, established in 1928, is known for tea, coffee, spices, and snacks.
- The High Court acknowledged Girnar’s significant reputation and efforts in safeguarding its trademark rights, noting that the brand is now associated with a wide range of products, not just its original goods.
- The Bombay High Court recognised the Girnar trademark as a “well-known mark,” thereby providing it with heightened legal protection.

Contractual employees are also entitled to maternity leave and all benefits under the Maternity Benefit Act, 1961: Madras High Court

- Case: MRB Nurses Empowerment Association vs. the Principal Secretary, Department of Health and Family Welfare, and Ors
- A writ petition was filed by an association of nurses employed by the state government under the National Rural Health Mission (NHRM), seeking 270 days of paid maternity leave as per the 1961 Act.

- The State opposed the claim, arguing that maternity benefits were denied to NHRM nurses as they were contractual employees, eligible only for limited casual leave and a single day off each month.
- The High Court referred to Section 27 of the Maternity Benefit Act, emphasizing that the act's provisions supersede any inconsistent laws.
- The Madras High Court has ruled that contractual employees are eligible for maternity leave and other benefits under the Maternity Benefit Act, 1961. The court directed the state government to review pending and new applications for maternity benefits from NHRM nurses as per the Act's provisions.