BLOGS

Landmark Constitutional Law Judgements for CLAT PG

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Here's a post comprising landmark judgments on Constitutional Law to help you prepare well for CLAT 2023.

Judgments on Features of the Indian Constitution

- SR Bommai v. Union of India: In this case, the SC also expressed that the Indian Constitution is federal.
- Aruna Roy v. Union of India: SC held that secularism has a positive meaning and it means to develop understanding and respect towards different religion.
- L. Chandra Kumar v. Union of India: Judicial Review is a basic structure of the Constitution and it can never be excluded.
- Minerva Mills Ltd. v. Union of India: The power of judicial review is an integral part of our constitutional system the power of judicial review is unquestionably a part of the basic structure of the Constitution.
- Ram Jawaya Kapur v. State of Punjab: The Indian Constitution has not recognised the doctrine of separation of powers in its absolute rigidity
- State of West Bengal v. Union of India: The Constitution of India is not truly Federal in character.
- Kuldip Nayar v. Union of India: Though federal principle is dominant and a basic feature of the Indian Constitution, its's equally true that federalism leans in favor of a strong unitary power.

Judgements on Doctrines of Eclipse, Severability

- Bhikaji v. State Of Madhya Pradesh : Doctrine of eclipse was formulated in this judgement.
- Keshavan Madhava Menon v. State of Bombay: SC observed that pre-Constitutional laws exists for all past transactions and for enforcing all rights and liabilities accrued before the date of the Constitution.

- R.M.D.C. v. Union of India: The doctrine of severability was discussed at length in this case. SC held that in case the valid and non-valid parts of a particular statute are inseparable then it will invariably result in the invalidity of the entire statute.
- Kihoto Hollohan v. Zachillu : In this case, the Supreme Court upheld the validity of the Tenth Schedule without paragraph 7 as the remaining parts were complete and workable in themselves.
- AK Gopalan v State of Madras: Section 14 of the Preventive Detention Act was challenged in this case which stated that any person detained under this Act couldn't disclose grounds of detention in court. Doctrine of Severability was applied and only Section 14 of the Act was held violative of the fundamental rights and therefore, held invalid.
- State of Gujarat v Ambika Mills: This case determined the question whether a law that is declared void is non-existent with respect to non-citizens as well. SC held that if a law violative of the fundamental rights is introduced, it is void with respect to citizens but it applies to non-citizens.Found this useful? You can also revise for CLAT with our notes on Contract law!