AILET

# Landmark Judgements (Indian and Foreign) For CLAT

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This article is the compilation of all the landmark cases of the Supreme Court of India and the landmark cases of US and UK Supreme Court.

“The law reigns supreme.” In a land like India, this statement is surely a well-acknowledged truth. As prospective lawyers, you must build awareness about the cases which have helped to shape the Indian judicial system. Knowledge of foreign cases will further increase your familiarity with the laws of the world and multiply your chances of cracking CLAT or any other law entrance exams that you might attempt.

Here is a list of important legal cases which will help you in your preparation. As always, use this list as a starting point but do not limit your preparation to this list alone!

## Indian Judgements

1. Mohori Bibee v Dharmodas Ghose (1903)

*Significance:* Held that any contract entered into by a minor is void *ab intio.*

1. M. Nanavati v State of Maharashtra (1959)

*Significance:* Lead to the end of jury trials in India.

1. State of Rajasthan v Vidhyawati (1962)

*Significance:* Laid down that *“Act done in the course of employment but not in connection with sovereign powers of the State, State like any other employer is vicariously liable.”*

1. State of Gujarat v Haji Memon (1967)

*Significance:* Laid down that if any property (moveable) is seized by the police/custom officials or any other department of the government, they are under the same responsibility as a bailee to take care of the goods as an ordinary man would take care of his own goods under similar circumstances.

1. Golaknath v State of Punjab (1967)

*Significance:* Laid down that “in future Parliament will have no power to amend Part III of the Constitution to take away or abridge the fundamental rights”.

1. Kesavananda Bharati v State of Kerala (1973)

*Significance:* Laid down the basic structure doctrine.

1. State of Uttar Pradesh v Raj Narain (1975)

*Significance:* Lead to confirmation of electoral malpractices by Indira Gandhi in the 1971 General Elections. (Allahabad High Court) It invalidated Indira Gandhi’s win. (It was overturned by the Supreme Court later). It is considered to be the trigger point of the 1975-1977 National Emergency.

1. D.M. Jabalpur v S. Shukla (1976) Significance: The Supreme Court declared the right to move court under Articles 14, 21 and 22 would remain suspended during the Emergency.
2. Minerva Mills v Union of India (1980)

*Significance:* Laid down that the power of the Parliament to amend the Constitution is limited. The Parliament cannot amend the Constitution to grant itself an unlimited amount of power. It lay down that social welfare laws could not curb fundamental rights.

1. Olga Tellis v State of Bombay (1985)

*Significance:* Laid down that right to livelihood is a part of the right to life under Article 21 of the Constitution.

1. Ahmed Khan v. Shah Bano Begum(1985 )

*Significance:* Extended Section 125 of the Criminal Procedure Code to provide maintenance to a divorced Muslim woman.

1. C. Mehta v Union of India (1986)

*Significance:* Laid down the principle of absolute liability.

1. Mohini Jain v State of Karnataka (1992)

*Significance:* Laid down that right to education is an integral part of the right to life.

1. Indira Sawhney v Union of India (1992)

*Significance:* Upheld the implementation of the recommendations of the Mandal Commission Report. It defined the “creamy layer” and mentioned that reservations could not exceed 50% of the total available seats.

1. R. Bommai v Union of India (1994)

*Significance:* Laid down guidelines to prevent misuse of Article 356 (related to President’s rule) of the Constitution.

1. Rajgopal v State of Tamil Nadu (1994)

*Significance:* Laid down that the right to privacy is implicit in the right to life and liberty guaranteed to the citizens of this country by Article 21. It mentioned that the right to privacy is a ‘right to be let alone’.

1. Sarla Mudgal v Union of India (1995)

*Significance:* Laid down the principles against the practice of solemnizing second marriage by conversion to Islam, with first marriage not being dissolved. It highlighted the need for a uniform civil code.

1. Vishakha v State of Rajasthan (1997)

*Significance:* Laid down the basic definitions of sexual harassment at the workplace and formulated the Vishakha guidelines to deal with such harassment.

1. Samatha v State of Andhra Pradesh (1997)

*Significance:* Laid down that government land, tribal land, and forest land in scheduled areas could not be leased to non-tribals or private companies for mining or industrial operations.

1. Chairman, Railway Board v. Chandrima Das (2000)

*Significance:* Laid down that right to life is also available to non-citizens of India who visit India for tourism or otherwise.

1. A. InamdarVs State of Maharashtra (2005) Significance: The Supreme Court stated that “neither the policy of reservation can be enforced by the state nor any quota of admissions is carved out in private educational institutions”.
2. Om Prakash v Dil Bahar (2005)

*Significance:* Held that a rape accused could be convicted on the sole evidence of the victim, even if medical evidence did not prove rape.

1. Trimex International Ltd v Vedanta Aluminium Ltd (2010)

*Significance:* Held that once a contract is concluded orally or in writing, the mere fact that a formal contract has not been prepared by the parties doesn't affect either the acceptance of the contract so entered into or implementation thereof.

1. Aruna Ramchandra Shanbaug v Union of India (2011)

*Significance:* Issued guidelines for allowing passive euthanasia.

1. Lily Thomas v Union of India (2013)

*Significance:* Ruled that any Member of Parliament, Member of the Legislative Assembly or Member of a Legislative Council, convicted of a crime with more than two-year sentence will be disqualified as an elected representative on the date of conviction.

1. People's Union for Civil Liberties v Union of India (2013)

*Significance:* Directed the Election commission to introduce 'None of the above' options on EVMs and ballot papers so that people could choose to register a negative vote too in the election.

1. NALSA v Union of India (2014)

*Significance:* Lead to the recognition of transgender individuals as belonging to a third gender.

1. Shreya Singhal v Union of India (2015)

*Significance:* Struck down Section 66A of the Information Technology Act as unconstitutional.

1. Supreme Court Advocates on Record v Union of India (2015)

*Significance:* Struck down National Judicial Appointment Commission Act and 99th Constitutional Amendment as unconstitutional and void.

### United Kingdom

1. Adams v Lindsell (1818)

*Significance:* Lead to the creation of the postal rule of acceptance in contract law.

1. Hadley v Baxendale (1854)

*Significance:* Established the extent to which a party in breach of contract is liable for the damages.

1. Rylands v Fletcher (1868)

*Significance:* Established the doctrine of strict liability.

1. Felthouse v Bindley (1862)

*Significance:* Held that acceptance of an offer cannot be assumed if there is no notification of acceptance or implied acceptance through the conduct of the offeree.

1. The Moorcock case (1889)

*Significance:* Established the concept of implied terms in contracts.

1. Carlill v Carbolic Smoke Ball Company (1893)

*Significance:* Established the test for formation of a contract.

1. Dunlop Pneumatic Tyre v Selfridge and Co. Ltd (1915)

*Significance:* Confirmed the existence of privity of contract under which only a party to a contract can be sued on it.

1. Balfour v Balfour (1919)

*Significance:* Laid down the requirement of legal intention for the creation of contractual relations.

1. Donoghue v Stevenson (1932)

*Significance:* Established the neighbor principle in the tort of negligence.

1. Central London Property Trust Ltd v High Trees House Ltd (1947)

*Significance:* Established the doctrine of promissory estoppel.

1. Entores Ltd v Miles Far East Corporation (1955)

*Significance:* Held that for instantaneous communications, such as by fax, there is acceptance at the place where the offeror receives the acceptance of the offer.

1. Chappell & Co v Nestle (1959)

*Significance:* Held that consideration in a contract must be sufficient but need not be adequate.

1. Hedley Byrne v Heller (1963)

*Significance:* Established liability for pure economic loss, absent any contract, arising from a negligent statement.

1. Nettleship v Weston (1971)

*Significance:* Held that a learner driver is expected to meet the same standard as a reasonable qualified competent driver.

1. British Airways v Williams (2010)

*Significance:* Held that variable components in pay, such as bonuses, must be included in the amount of pay people receive while they are on holiday.

1. Prest v Petrodel Resources Ltd (2013)

*Significance:* Suggested that piercing the corporate veil was usually the last resort and that remedies outside of "piercing" the veil, particularly in equity, or the law of tort, could achieve appropriate results on the facts of each case.

1. Bunge SA v Nidera BV (2015)

*Significance:* Provided guidance on the assessment of damages arising out of a wrongful repudiation of a contract for the sale of goods.

### United States of America

1. Marbury v Madison (1803)

*Significance:* Held that "a law repugnant to the Constitution is void".

1. Gibbons v Odgen (1824)

*Significance:* Held that in a conflict between state and federal law, the federal law shall prevail.

1. Munn v Illinois (1877)

*Significance:* Held that businesses that serve the public interest are subject to regulation by the state government.

1. Schenck v United States (1919)

*Significance:* Held that speech that presents a “clear and present danger” to the security of the United States is in violation of the principle of free speech as protected by the First Amendment to the Constitution.

1. Near v Minnesota (1931)

*Significance:* Held that “The liberty of the press … is safeguarded from invasion by state action.”

1. Brown v Board of Education (1954)

*Significance:* Held that “In the field of public education, the doctrine of ‘separate but equal’ has no place.”

1. Mapp v Ohio (1961)

*Significance:* Held that evidence that is illegally obtained by the state may not be used against a defendant in court.

1. Gideon v Wainwright (1963)

*Significance:* Held that the government must provide free counsel to accused criminals who cannot pay for it themselves in all cases where the penalty is of six months or longer.

1. New York Times Co v Sullivan (1964)

*Significance:* Held that to win a libel case, public figures must prove actual malice on the part of the writer.

1. Mirands v Arizona (1966)

*Significance:* Held that the police must advise criminal suspects of their rights under the Constitution to remain silent, to consult with a lawyer, and to have one appointed to them if they are indigent. Also held police interrogation must stop if the suspect states that he or she wishes to remain silent.

1. O’Connor v Donaldson (1975)

*Significance:* Held that the states cannot involuntarily commit individuals if they are not a danger to themselves or others and are capable of living by themselves or with the aid of responsible family members or friends.

1. Heath v Alabama (1985)

*Significance:* Held that the Double Jeopardy Clause of the Fifth Amendment does not prohibit two different states from separately prosecuting and convicting the same individual for the same illegal act.

1. Clinton v Jones (1997)

*Significance:* Held that the President has no immunity that could require civil law litigation against him or her involving a dispute unrelated to the office of President to be stayed until the end of his or her term. Such a delay would deprive the parties to the suit of the right to a speedy trial that is guaranteed by the Sixth Amendment.

1. Atkins v Virginia (2002)

*Significance:* Held that a death sentence may not be imposed on mentally retarded offenders, but the states can define what it means to be mentally retarded.

1. Salinas v Texas (2013)

The Fifth Amendment's protection against self-incrimination does not protect an individual's refusal to answer questions asked by law enforcement before he or she has been arrested or given the Miranda warning. A witness cannot invoke the privilege by simply standing mute; he or she must expressly invoke it.

1. Riley v California (2014)

*Significance:* Held that the police must obtain a warrant to search digital information on a cell phone seized from an individual who has been arrested.

1. Obergefell v Hodges (2015)

*Significance:* Held that the fundamental right to marry is available to same-sex couples.

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