BLOGS

Landmark Judgements on Constitutional Law for CLAT- II

Ruchika Mohapatra · 12 Dec 2022

Here's another post on landmark judgments on Constitutional Law to help you prepare for CLAT PG.

- A. K Gopalan v. State of Madras: Personal liberty in Art.21 means the liberty of the physical body and nothing else. Procedure established by law doesn't mean due process of law.
- Maneka Gandhi v. UoI: The procedure established by law should be just, fair and reasonable.
- Justice K.S. Puttaswamy v. UoI: SC held that right to privacy is a fundamental right and is protected under Art. 21. In this case, the SC also upheld the validity of Aadhar after striking down a few provisions.
- Joseph Shine v. UoI: Section 499 of the IPC was held to be unconstitutional as it violated Art.21 by violating women's right to dignity.
- Navtej Singh Johar v. UoI: SC declared Section 377 of the IPC (criminalized homosexual acts) unconstitutional.
- People's Union for Democratic Rights v. UoI: Non-payment of minimum wages is a violation of Article 21.
- Olga Tellis v. Bombay Municipal Corporation: SC held that right to life includes right to livelihood as well.
- Paramanand Katara v. UoI: SC held that all doctors are obliged to extend medical assistance immediately without asking for any legal formalities.
- Re-Ramlila Maidan Incident v. Home Secretary, UoI: SC held that the right to sleep is a fundamental right.
- Gian Kaur v. State of Punjab: SC held that the 'right to life' does not include the 'right to die'.
- Aruna Ramchandra Shanbaug v. UoI: In this case, the SC held that in certain cases passive euthanasia is allowed.

- National Legal Service Authority v. UoI: SC held that self-determination of gender is a part of personal liberty guaranteed under Art. 21.
- Bachpan Bachaao Andolan v. UoI: SC held that sexual, physical and emotional abuse of children detained in circus is violation of Art. 21.
- M.H Hoskot v. State of Maharashtra: SC held that right to free legal aid is part and parcel of right to life and liberty.
- Hussainara Khatoon v. State of Bihar: SC held that the right to speedy trial is a fundamental right and it is implicit in Art. 21.
- Kishore Singh v. State of Rajasthan: SC held that the use of 'third degree' methods by police is violative of Art. 21 of the Indian Constitution.
- Murli S. Deora v. UoI: In this case, the SC directed Government to issue orders to ban smoking in public places.
- Nilabati Behera v. State of Odisha: SC dealt with custodial torture and death in this case and awarded compensation to the family of the deceased who died in police custody.
- D.K. Basu v. State of W.B.: In this case, the SC laid down guidelines to be followed by investigating agencies in cases of arrest and detention.

You can find more landmark cases on Constitutional Law here.