

CASE LAW UPDATES

Top 4 Supreme Court Judgments of 2021

Hanspal Bakul · 12 Sep 2026

A close reading of the top landmark judgments of 2021 helps CLAT PG aspirants grasp how the Supreme Court addressed reservation limits, digital surveillance, press freedom, and judicial accountability during one of the most consequential years in India's constitutional history.

1. [Jaishri Laxmanrao Patil v. Chief Minister, Maharashtra, \(2021\) 8 SCC 1](https://indiankanoon.org/doc/189806642/)

Facts

The Maharashtra government enacted the *Socially and Educationally Backward Classes Act, 2018*, granting reservation to the Maratha community in public education and employment, exceeding the 50 percent ceiling when combined with existing reservations.

The Bombay High Court upheld the reservation with modified percentages, and the matter reached the Supreme Court through multiple appeals challenging its constitutional validity.

Issues

- Whether the Maratha reservation **breached the 50 percent ceiling laid down in [Indra Sawhney v. Union of India](https://indiankanoon.org/doc/1363234/)**
- Whether **any exceptional circumstances justified crossing that limit.**

- Whether the [102nd Constitutional Amendment](https://www.dosje.gov.in/documents/the-constitution-102nd-amendment-act2018/) stripped states of their power to identify socially and educationally backward classes for their own reservation lists.

Judgment

The Supreme Court struck down the Maratha reservation as unconstitutional, holding that the Gaikwad Commission's report failed to establish extraordinary circumstances necessary to breach the 50 percent ceiling set in Indra Sawhney.

It also held that after the 102nd Amendment, only the President, acting on the National Commission for Backward Classes' recommendation, can identify socially and educationally backward classes for state lists, curtailing the states' independent power in this domain.

This ruling reaffirmed Indra Sawhney's ceiling as a firm constitutional limit rather than a flexible guideline.

2. [Manohar Lal Sharma v. Union of India, \(2021\) SCC OnLine SC 985 \(Pegasus Snoopgate Case\)](https://indiankanoon.org/doc/39021018/)

Facts

Media reports alleged that the Indian government used Israeli-made Pegasus spyware to surveil journalists, activists, opposition politicians, and constitutional functionaries by infiltrating their mobile phones.

Multiple petitioners approached the Supreme Court seeking an independent investigation, while the government refused to file a detailed affidavit, citing national security concerns.

Issues

- Whether the alleged use of spyware for surveillance violated citizens' fundamental **right to privacy** under [Article 21](https://indiankanoon.org/doc/1199182/), as recognised in [K.S. Puttaswamy v. Union of India](https://indiankanoon.org/doc/127517806/).
- Whether the government's blanket refusal to disclose information, on the mere plea of national security, could shield the allegations from independent judicial scrutiny.

Judgment

The Supreme Court held that the ***right to privacy and freedom of speech, including of the press, stand threatened whenever the state uses surveillance technology without proper legal safeguards, and that national security cannot become a magic wand to avoid judicial scrutiny altogether.***

It constituted an *independent technical committee, supervised by a retired judge, to investigate the allegations and determine whether the government or its agencies deployed Pegasus unlawfully*. The Court held that mere invocation of national security does not automatically exempt the state from accountability before constitutional courts.

3. [**Vinod Dua v. Union of India, 2021 SCC OnLine SC 414**](https://indiankanoon.org/doc/50969306/)

Facts

A local political leader in Himachal Pradesh filed an FIR against senior journalist Vinod Dua, alleging sedition and related offences over remarks made on his YouTube show criticising the government's handling of the COVID-19 lockdown. Dua approached the Supreme Court directly under [Article 32](#), seeking quashing of the FIR and protection from prosecution.

Issues

- Whether Dua's remarks, criticising governmental handling of the pandemic, amounted to sedition under [Section 124A of the Indian Penal Code.](https://indiankanoon.org/doc/1641007/)
- What is the scope of protection available to journalists under the settled interpretation of sedition laid down in [Kedar Nath Singh v. State of Bihar.](https://indiankanoon.org/doc/111867/)

Judgment

The Supreme Court *quashed the FIR, holding that Dua's statements amounted to nothing more than criticism of government functioning and did not incite violence or public disorder, falling squarely outside the narrow scope of sedition defined in Kedar Nath Singh.*

It clarified that every journalist is entitled to the same protection that Kedar Nath Singh extends to citizens commenting on government policy. The Court declined Dua's separate request to create a special screening mechanism before registering sedition cases against journalists with substantial experience, leaving that policy question to the legislature.

4. [***Chief Election Commissioner of India v. M.R. Vijayabhaskar, \(2021\) 12 SCC 806***](https://indiankanoon.org/doc/188051462/)

Facts

While hearing a plea concerning COVID-19 safety arrangements during vote counting for the Tamil Nadu assembly elections, the Madras High Court *orally remarked that the Election Commission should probably face murder charges for permitting political rallies during the pandemic's second wave.*

Widespread media coverage of this oral observation prompted the Election Commission to approach the Supreme Court, seeking to expunge the remarks and restrain media reporting of oral courtroom exchanges.

Issues

- Whether oral remarks made by judges during the course of a hearing, as distinct from the final written order, can be expunged or restrained from media reporting.
- What is the the balance between open-court reporting under freedom of the press and protecting constitutional institutions from being unfairly characterised on the basis of preliminary oral observations.

Judgment

The Supreme Court **declined to expunge the High Court's remarks or restrain their reporting, holding that open-court proceedings and fair reporting of judicial dialogue form an essential part of transparency in the justice system.**

It clarified that oral observations made during arguments do not form part of the operative judgment, and *courts should therefore exercise caution before treating such remarks as final conclusions on merits.*

The Court nonetheless emphasised that judges must exercise restraint while making oral observations, since harsh or intemperate remarks can *cause unwarranted institutional damage even when never reduced to writing.*

Top Landmark Judgments of 2021

1 Jaishri Laxmanrao Patil v. Chief Minister, Maharashtra (2021) 8 SCC 1

Facts

- Maharashtra enacted the Socially & Educationally Backward Classes Act, 2018, giving reservation to the Maratha community, exceeding the 50% ceiling.
- Bombay HC upheld it (with modifications); matter reached SC through multiple appeals.

Issues

- Whether the Maratha reservation breached the 50% ceiling (Indra Sawhney).
- Whether exceptional circumstances justified crossing the limit.
- Whether the 102nd Amendment stripped states of power to identify backward classes for their own lists.

Judgment

SC struck down the Maratha reservation, holding that the Gaikwad Commission failed to show extraordinary circumstances to breach the 50% ceiling. It also held that after the 102nd Amendment, only the President (on NC BC's recommendation) can identify backward classes for state lists, curtailing states' independent power. Reaffirmed 50% as a firm constitutional limit.



2 Manohar Lal Sharma v. Union of India (2021) SCC OnLine SC 985 (Pegasus Snoopgate Case)

Facts

- Media reports alleged use of Israeli-made Pegasus spyware to surveil journalists, activists, opposition leaders & others.
- Petitioners sought an independent investigation; govt. refused to file a detailed affidavit, citing national security.

Issues

- Whether surveillance violated the right to privacy under Article 21 (Puttaswamy).
- Whether blanket refusal to disclose information could shield the govt. from judicial scrutiny.

Judgment

SC held that the right to privacy and freedom of speech (including the press) are threatened when the state uses surveillance without legal safeguards. It set up an independent technical committee (under a retired judge) to investigate the Pegasus allegations. National security cannot be a magic wand to avoid accountability.



3 Vinod Dua v. Union of India (2021) SCC Online SC 414

Facts

- A political leader in Himachal Pradesh filed an FIR against journalist Vinod Dua for sedition over remarks on his YouTube show criticising the govt's COVID-19 handling.
- Dua approached SC under Article 32, seeking quashing of the FIR and protection from prosecution.

Issues

- Whether the remarks amounted to sedition under Section 124A IPC.
- What is the scope of protection for journalists under Kedar Nath Singh.

Judgment

SC quashed the FIR, holding that Dua's remarks were mere criticism of government and did not incite violence or public disorder. Every journalist is entitled to the same protection as citizens under Kedar Nath Singh. The Court declined to create a special screening mechanism, leaving the policy question to the legislature.



4 Chief Election Commissioner of India v. M.R. Vijayabhaskar (2021) 12 SCC 806

Facts

- During vote counting for TN assembly elections (amid COVID-19), the Madras HC made an oral remark that the Election Commission should face murder charges for permitting rallies.
- The EC approached SC to expunge the remarks and restrain media reporting of oral exchanges.

Issues

- Whether oral remarks by judges can be expunged or restrained from media reporting.
- Balancing open-court reporting with protecting constitutional institutions.

Judgment

SC declined to expunge the remarks or restrain their reporting, holding that open-court proceedings and fair reporting are essential for transparency. Oral observations do not form part of the final judgment; courts should exercise caution before treating them as final conclusions. Judges must also avoid harsh or intemperate remarks, as they can cause institutional damage.

