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Hon'ble Supreme Court held that for proceeding against a director of a company for contravention of provisions of Foreign Exchange Regulation Act, 1973, the necessary ingredient for proceeding shall be at the time of offence committed the director was in charge and was responsible to the company for the conduct of the business of the company. **Shailendra Swarup V. The Deputy Director Enforcement Directorate, 2020 SCC OnLine SC 600.**

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Hon'ble Supreme Court held that once a plausible version has put forth by the defence at the examination stage of Sec.313 of the CRPC, it is the prosecution to negate such a defense plea. **Parminder Kaur @ P.P Kaur Soni V. State of Punjab, CRIMINAL APPEAL No. 283 of 2011.**

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Hon'ble Supreme Court held that its project office in Mumbai cannot be termed as a permanent establishment for the purpose of taxation under Double Taxation Theory. The burden of proving the fact that a foreign assessee has a permanent establishment in India is initially on the Revenue and not on the Assessee. **Director of Income Tax (International Taxation)-II V. M/s Samsung Heavy Industries Co. Ltd., 2020 SCC OnLine SC 590.**

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Hon'ble Supreme Court held that while applying the multiplier method of computing Motor Vehicle Accident compensation, future prospects on advancement in life and career are also to be taken into consideration. **Erudhaya Priya V. State Express Transport Corporation Ltd., 2020 SCC OnLine SC 601.**



Rajasthan High Court has issued guidelines that a right is conferred on the victim or his dependents to participate in the proceedings initiated under the scheduled caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as enumerated under Sec.15-A and the Special courts trying with the offence under the SC/ST Act shall direct the District Legal Service Authority to provide an advocate on behalf of the victim or dependents. **Shreepal Singh & Ors V. State, Crl Appeal No. 542/2020.**

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Madhya Pradesh High Court held that for settling the civil disputes of the parties, the writ of Habeas Corpus cannot be entertained and it is a clear misuse of lawful authority of this court. The Petition in the nature of Habeas Corpus should be filed in those cases where the corpus is in illegal confinement or custody of the respondent. **Neerandra Singh Rana V. State of Madhya Pradesh, W.P No. 10212/2020.**

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Allahabad High Court direct petitioners to approach registrar general for use of A4 sheets with Double-Sided printing in official as well as judicial functioning in all the courts across the state of Uttar Pradesh. It is noted that the Supreme Court and the High Court of Calcutta and Tripura has already permitted the use of A4 size papers, with print both the sides in a bid to minimize paper consumption. **Saumitra Anand and Ors V. Registrar General High Court, Ors., PIL No. 665 of 2020.**

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Delhi High Court held that the High Court cannot entertain the petition in its extraordinary power under Sec.482 CrPc when there is the clear remedy of appeal under Sec.29 of the Protection of Women against Domestic Violence Act. **Sirisha Dinavahi Banshal V. Rajiv Bansal, 2020 SCC OnLine Del 764.**



Delhi High Court directed the internet service providers to block a list of 118 rogue websites which are illegally streaming Disney cartoons. The rogue websites are restrained from in any manner hosting, streaming, reproducing, distributing making available to the public or communicating to the public or facilitating the same or their websites through the internet in any cinematography works, content programme and show in what the plaintiff has copyright. DoT shall issue directions and call upon ISPS to block access to the websites. **Disney Enterprises Inc V. KIMCARTOON, CS (COMM) 275/2020.**

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Madras High Court has clarified that the district authorities such as Block Development Officer, District Collector cannot bypass the local administration i.e. panchayat or the rules governing the local administration. **Ramu V. Secretary, Municipal Administration Water Supply Department and Ors., WP (MD) NO. 7444/2020.**

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This write up has been sent to you for information purposes only and is intended merely to highlight recent case laws. The information and/or observations contained in this issue do not constitute legal advice and should not be acted upon in any specific situation without appropriate legal advice. The views expressed in this issue do not necessarily constitute the final opinion of M/s.Wallcliffs Law Firm and should you have any queries in relation to any of the issues set out herein or on other areas of law, please feel free to contact us on mail@wallcliffs.com.



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