

SEPTEMBER 2020. ISSUE 02  
11-SEP-2020



+91 75400 75411



mail@wallcliffs.com



www.wallcliffslawfirm.com

# LATEST NEWS

## Coimbatore Office

#49, West Club Road, Near  
Vilvam Apartments, Race Course,  
Coimbatore - 641 018.

## High Court Office

#103, I - Floor,  
Armenian Street,  
Parrys, Chennai - 600 001.

## Tiruppur Office

# 544, Room No.2, I-Floor,  
Opp. to TKT Motors, Palladam  
Main Road, Tiruppur - 641 604

**Hon'ble Supreme Court** held that Bangalore Club one of the oldest Club in Bangalore is not liable to pay Wealth Tax under the Wealth Tax Act. The Bangalore Club must be regarded to be an association of person for the purpose of tax evasion provision in the Wealth tax as opposed to a charging provision in the Income Tax Act.

***M/s Bangalore Club V. The Commissioner of Wealth Tax, Civil Appeal No. 3064-71 of 2007.***

.....

**Hon'ble Supreme Court** held that in Motor Accident Compensation Claims, consortium can be awarded to children and parents also. The award of compensation under the conventional head loss of love and affection is set aside. The Motor Accident Claim Tribunal shall recompute the amount payable and take further steps.

***The New Assurance Company Limited V. Somwati & Others, 2020 SCC OnLine SC 720.***

.....

**Hon'ble Supreme Court** issued notice to the State of Uttar Pradesh in a plea challenging Government orders which amended the state law regarding appointment of teaching staff in minority aided institutions.

***Committee of Management Hafiz Mohammed Siddique Islamia Inter College & Anr V. State of U.P & Ors., W.A.No. 5315 of 2019.***

.....

**Hon'ble Supreme Court** quashed a prosecution for alleged violation of Rule 32(e) of the Prevention of Food Adulteration Rules, 1955 after noting that the relevant information about batch of the product was available in the barcode affixed to it.

***Raghav Gupta V. State (NCT of Delhi) & Anr., 2020 SCC OnLine 713.***

.....



**Hon'ble Supreme Court** says that a serving Judicial Officer cannot invoke Art.217 Explanation (a) of the Constitution of India to club with their judicial service, the experience that they had at the bar before joining judicial service, to claim eligibility for considering them for elevation as High Court judges.

***R. Poornima & ors V. Union of India & Ors., 2020 SCC Online SC 714.***

.....

**Hon'ble Supreme Court** held that a private complaint under Sec. 190 of the code of criminal procedure cannot be filed alleging offences under Sec. 191 and 192 of the IPC, even if false evidence is created outside the court premises.

***M/s Bandekar Brothers Pvt. Ltd. & Anr V. Prasad Vassudev Keni, 2020 SCC Online SC 707.***

.....

**Punjab and Haryana High Court** held that in absence of sufficient reasons recorded in writing dispensing with the requirement of holding inquiry in the alleged misconduct of employer by the authority, order of dismissal or removal from service of employee, passed in exercise of the powers under Art.311(2) (b) of the 2nd provision is not sustainable.

***Sarabjit Singh V. State of Punjab & Another, W.P. No. 10423 of 2020.***

.....

**Kerala High Court** held that in matrimonial dispute while considering transfer petition, the convenience of the wife has to be preferred over the convenience of the husband.

***Reshmi Radhakrishna V. Shiju Alex Varghese, Tr.P (C). No. 296 of 2020.***

.....



**Karnataka High Court** refuses to entertain Public Interest Litigation challenging Bar Council of India's Direction to Bar Association to supply details of practising Advocates. The aggrieved parties in this case are not helpless and they are not prevented by any disability from espousing their cause.

**Dr. K.B Vijayakumar V. Bar Council of India, Writ Petition No. 9590 of 2020.**

.....

**Madras High Court** held that the discretionary power has been consciously and continuously misused by the offenders and the enforcers as well in an organised manner, the anticipatory bail cannot be extended to persons indulging in illegal sand mining, smuggling and theft of sand and minerals.

**Bala @ Balasubramaniam V. State, Crl.O.P No. 13334 of 2020.**

.....

#### DISCLAIMER

*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.*



#### Coimbatore Office

#49, West Club Road, Near  
Vilvam Apartments, Race  
Course, Coimbatore - 641 018.



#### High Court Office

#103, I - Floor, Armenian Street,  
Parrys, Chennai - 600 001.



#### Tiruppur Office

# 544, Room No.2, I-Floor, Opp.  
to TKT Motors, Palladam Main  
Road, Tiruppur - 641604.



+91 75400 75411



mail@wallcliffs.com



www.wallcliffslawfirm.com