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Hon'ble Supreme Court held that the finding of guilt cannot be based purely on refusal to undergo identification parade while acquitting murder accused who already underwent over 12 years of imprisonment. **Rajesh @ Sarkari V. State of Haryana, Criminal Appeal No.1648 of 2019.**

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Hon'ble Supreme Court held that period for allotment of flat to a homebuyer has to be reckoned from the date of the buyer agreement and not from the date of registration of the project under the Real Estate Regulation and Development Act (RERA Act). **Imperia Structures Ltd V. Anil Patni, 2020 SCC Online SC 894.**

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Hon'ble Supreme Court reiterated that in absence of pleadings any amount of evidence will not help the party in civil suit. **Biraji @ Brijraji V.Surya Pratap, C.A.Nos. 4883 - 4884 of 2017.**

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Hon'ble Supreme Court has reminded the High Court that delay in delivery of judgments in violation of right to life under Art.21 of the constitution of India. **Balaji Baliram Mukade V. State of Maharashtra, Civil Appeal No.3564 of 2020.**

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Hon'ble Supreme Court says that depression does not qualify as 'unsound mind' for the purpose of entitling one of the defences under Sec.84 of IPC. **Praveen Kumar Pal V. Union of India, Civil Appeal No.3524 of 2020.**

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Hon'ble Supreme Court dismissed an appeal against a Delhi High Court order which reinstated on ad-hoc Assistant Professor who had been removed from service by a Delhi University college during her maternity leave and upheld the cost of Rs.50,000/-. The grave reservations against the conduct of the college and stated that maternity leave could not be a ground for termination of services. **Sri Aurobindo College (Evening) & Anr V. Manish Priyadarshini & Anr., Special Leave to Appeal (C) No(S). 7369 of 2020.**

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Hon'ble Supreme Court held that on pertaining to transnational custody of child relied upon Sec.17(3) of the Guardian and wards Act, 1890 which states that the court can consider the preferences of the minor if she/he is old enough to form an intelligent preference. **Smriti Madan Kansagra V. Perry Kansagra, 2020 SCC Online SC 887.**

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Madras High Court says that the Central Government should consider imposing death penalty as a punishment for corrupt practices as done in foreign jurisdictions like in China, North Korea, Indonesia, Thailand and Morocco. It is noted that people are being are compelled to accept corruption as normal. **A.P. Suryakrasam V. State of Tamil Nadu & Ors., WP (MD) No. 14481 of 2020.**

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Allahabad High Court allowed an application for recall of witness moved by an accused under Sec.311 of C.r.P.C while holding that the same is a matter of right when it comes to proper appreciation of the prosecution evidence. **Amarjeet @ Kaluwa V. State of U.P & Another, Application U/S 482 No.8463 of 2020.**

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Kerala High Court held that an employee cannot deny the benefit Gratuity Act to an employee by designating him/her as trainee while extracting regular work from him. A trainee is not excluded from the definition of the term "employee" under the Gratuity Act, but only an 'apprentice' is excluded. **Irel (India) Limited V. P.N.Raghava Panicker, WP(C).No.2254 of 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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