

NOVEMBER 2020. ISSUE 02
13-NOV-2020



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LATEST NEWS

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Hon'ble Supreme Court directed that any action in connection with the opening of commercial coal mining in Jharkhand and the coal block auction would be provisional in the sense that the same would be subject to any further orders by the court. **The State of Jharkhand V. Union of India, Writ Petition (S) (Civil) No(s). 585/2020.**

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Hon'ble Supreme Court held that a magistrate exercising power under Sec.14 of the SARFAESI Act is not required to seek permission from the Company Judge before directing hand over of possession of a property. **Asset Reconstruction Company (India) Ltd V. Sagi Narayanan Raju, Civil Appeal No.3644 of 2020.**

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Hon'ble Supreme Court held that a power to transfer the petitioner under Sec.21-A of the Hindu Marriage Act can be invoked only when the subsequent petitioner is either a petition seeking judicial separation under Sec.10 or a petition seeking divorce under Sec.13. The Apex Court also says that the section 21-A of the Hindu Marriage Act does not divest the Supreme Court of the power available under Sec.25(1) of the Code of Civil Procedure. **Shruti Kaushal Bisht V. Kaushal R. Bisht, 2020 SCC Online SC 913.**

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Hon'ble Supreme Court says that the objective of granting interim/permanent alimony/ maintenance is to ensure that the deponent spouse is not reduced to destitution or vagrancy on account of the failure of the marriage, and not as a punishment to other spouse. **Rajnish V. Neha, 2020 SCC Online SC 903.**

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Hon'ble Supreme Court has set aside an indefinite blacklisting order issued in the year 2009 against VERINDIA pharmaceutical limited. An order of blacklisting operated to the prejudice of a commercial person not in present but also puts taint which attaches for beyond and may well spell the death knell of the organization/institution for all times to come describe as a civil death. **VETINDIA Pharmaceutical Limited V. State of Uttar Pradesh, 2020 SCC OnLine SC 912.**

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Kerala High Court held that bail cannot be refused on ground that it will encourage vigilantism or send wrong message to society. **Bagyalakshmi V. State of Kerala, Bail Appl.No. 6686 of 2020.**

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Telangana High Court says that the official s belonging to the GST Intelligence Department cannot resort to physical violence while against persons they suspect of being guilty of tax evasion. **M/s Agarwal Foundries Private Limited V. Union of India, Writ Petition No.28268 of 2019.**

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Allahabad High Court held that in case of contravention of any obligation cast upon the promoters under Real Estate (Regulation and Development) Act, 2016, the Authority while exercising jurisdiction under Sec.38(1) is fully empowered to award interest on the amount paid by allottees. **Paramount Prop Build Pvt. Ltd. V. State of Uttar Pradesh & Ors., 2020 SCC Online SC 1336.**

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Kerala High Court says that no court shall take cognizance of any offence committed by a notary public in exercise or purported exercise of his functions under the Act except upon a complaint in writing by a officer authorized by the Central Government or a State Government by a general or special order in that behalf. **V.P. Jyolsha V. State of Kerala, Crl.M.C. No.4518 of 2014.**

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The Competition Commission of India has ordered investigation against Google Pay for alleged abuse of dominant position. **In Re XYZ V. Alphapet Inc & Ors., Case No.07 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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