



CrPC S. 378 – While considering a judgment of acquittal was discussed and it was observed that unless the appellate court comes to the conclusion that the judgment of the acquittal was perverse, it could not set aside the same.

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CPC O. 21 R. 102 clarifies that Rule 98 and Rule 100 do not apply in cases where resistance or obstruction in the execution of a decree is offered by a transferee pendente-lite. [2022 SCeJ 1409, 2022 PLRonline 1410504]

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[Tenancy and Rent Act](#)

Rent Act – East Punjab Urban Rent Restriction Act, 1949 – S. 13 – Bone fide need – Landlord has every right to start his own business in his own premises as per his desire – It is his moral duty to settle down his grown up sons during his lifetime.

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[SC] Hindu Marriage Act, 1955, S. 13(1)(ia) and (ib) – Divorce – Cruelty and desertion – Intention on the part of the respondent to resume cohabitation is not established – An inference can be drawn that there was animus deserendi on the part of the wife – Has not pleaded and established any reasonable cause for remaining away from her matrimonial

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[Contempt of Courts Act – Mere delay in complying with the order, unless there is a deliberate or wilful act on the part of the alleged contemnors would not attract the provisions of Contempt of Courts Act. \(2024-1\)213 PLR 082 \(SC\)](#)

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[\[SC\] SARFAESI Act – Constitution of India, Art. 226 – A writ petition against the private financial institution – ARC – appellant herein under Article 226 of the Constitution of India against the proposed action/actions under Section 13\(4\) of the SARFAESI Act can be said to be not maintainable](#)

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Cr.P.C. S. 482 – Cr.P.C. , Section 482 – A petition under Section 482 Cr.P.C. will lie to the High Court even when there is a bar under Section 397 or some other provisions of the Cr.P.C. – Conditions.

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[SC] Motor Vehicles Act, – Composite negligence – Head on collision – Only 50% amount awarded to the claimant by the tribunal as the other vehicle was not impleaded – High Court granted liberty to the appellants to file a separate claim for payment of the remaining amount – Set aside – Insurer liable to pay full amount and recover. [PLRonline 417503]

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CPC O. 6 R. 17 read with O. 1 R. 10 – Application seeking impleadment of subsequent purchaser, as well as incorporating the necessary averments in the plaint – May not be a necessary party but cannot be said that the presence of the purchaser in the suit proceedings would be improper also. (PLRonline ID 46513)

Suit property, the subject matter of the agreement to sell has been transferred in favour of a third party -...

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Proprietorship – Proprietary concern – A proprietary concern and the proprietor are one and the same and that they cannot be treated as separate juristic entities – The proprietary concern derives its identity and individuality from the proprietor and subsumes itself in the

proprietor – Segregation of the two is incomprehensible in law. [PLRonline ID 40614]

Haryana Real Estate Regulation and Development Rules, 2017 Rule 9, 10 - Registration of Real Estate Agents - Registration Fee...

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Sole proprietorship – Is one that is run by a natural person – There is no legal distinction between the owner and the business entity – It is the owner who is in control of all the elements of the proprietorship. [PLRonline]

Status of an individual vis-a-visa 'sole proprietorship'. "10 Legal position in this regard is settled. The phrase Sole Proprietorship is...

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Streedhan – Whether the wife receives gold ornaments from her parents or her in-laws, the gold ornaments received in marriage by wife becomes her streedhan – Husband has mortgaged the wife’s streedhan for raising loans – Directed to clear the loan. (ID#444601)

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Tenancy and Rent Act – Mesne profits – Contractual rent comes to an end when eviction order is passed. The Court should balance the competing claims between mesne profits at market rate and reasonable compensation for landlord. (ID #321901)

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Hire purchase – Repossession – Purchaser remains merely a trustee/bailee on behalf of the financier/financial institution and ownership remains with the latter – Thus, in case the vehicle is seized by the financier, no criminal action can be taken against him as he is re-possessing the goods owned by him. [PLRonline #1324501]

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Due to the fault of counsel, litigant should not be made to suffer. [PLRonline 1319103]

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CPC O. 18 R. 17A – Additional evidence – Fixed for rebuttal evidence and arguments – Main plea of the petitioner was that the suit property was ancestral yet he has been thoroughly negligent in pursuing his cause – At this belated stage, in the absence of any issue regarding the nature of the suit property, the petitioner cannot be permitted to lead additional evidence. [PLRonline 318402]

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Court dismissed appeal in limine with words ‘No merit. Dismissed.’ – Dismissal of appeal in limine would amount to merger .[PLRonline 1214701]

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IBC S. 97- 100 – Personal Insolvency

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[Hindu Succession Act](#)

Hindu Succession Act S. 6, 8 – Coparcenary property – Once the property had been acquired by way of succession, it would lose its ancestral character . (2023-4)212 PLR 596]

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[Specific Relief Act](#)

Suit for specific performance of agreement to sell – Parties having close but strained relationship – No evidence to show source of funds , or receipts in writing – It is unbelievable that a person would pay a huge amount and yet not insist on the execution of the sale deed – Suit rightly dismissed [PLR online 414686]

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Negotiable Instruments Act

NIA S. 118(a) – When the pronote and receipt have been proved – Plaintiff is not further required to prove his capacity to make the said payment. (ID# 214001)

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