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# JUDGEMENTOPEDIA

*(Learning Judgements For A Living)*

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# **Supreme Court rules that the conservation of the Great Indian Bustard (GIB), an endangered species must be balanced with, with India's commitment to the Paris Climate Treaty in the context of installing power lines for transmitting renewable energy**

**CONTEXT:** A writ petition was filed to protect the Great Indian Bustard(GIB) and Lesser Florican, both on the verge of extinction, seeking directions for conservation efforts, including restrictions on overhead transmission lines in critical habitats. An earlier Supreme Court order dated 19th April 2021 imposed restrictions on setting up overhead transmission lines in a large area. This order was challenged by the respondents, who argued it had adverse implications for the power sector and India's renewable energy commitments.

1 The Supreme Court has recalled its earlier blanket direction for undergrounding high voltage and low voltage power lines.

2 It has appointed an Expert Committee to determine the feasibility and scope of overhead and underground electric lines in priority areas, balancing GIB conservation with India's international commitments to renewable energy as per the Paris Climate Treaty.

3 The SC has further assured that the project clearances granted based on the recommendations of the earlier committee will not be affected by this judgment.

**M K RANJITSINH AND  
OTHERS V. UNION OF  
INDIA AND OTHERS  
[2024 SCC ONLINE SC  
570]**

**ARTICLE 21, 48A,  
51A(g) OF THE  
CONSTITUTION**

**WILD LIFE  
(PROTECTION) ACT,  
1972**

**ENVIRONMENT  
(PROTECTION) ACT,  
1986**

**THE ENERGY  
CONSERVATION ACT,  
2001**

**UN CLIMATE CHANGE  
CONFERENCE (COP21)**

## **TRAI's authority under RTI Act: addressing telecom subscriber complaints**

**CONTEXT:** Mr. Akshay Kumar Malhotra filed RTI applications seeking information about his complaints against Vodafone regarding unsolicited communications. The Central Information Commission (CIC) directed TRAI to get this information from Vodafone and provide it to Mr. Malhotra. TRAI challenged this directive, arguing it exceeds TRAI's statutory powers under the TRAI Act.

① The petition was allowed, and the CIC's order was set aside.

TRAI's authority to request information from TSPs is limited to its regulatory functions under the TRAI Act and the Telecom Commercial Communications Customer Preference Regulations (TCCCPR) 2010, and does not extend to addressing individual grievances or accessing customer-specific information solely for dissemination under the RTI framework.

③ The appropriate forum for grievances against TRAI lies with the Telecom Disputes Settlement and Appellate Tribunal (TDSAT), not the Consumer Disputes Redressal Forum.

**TELECOM**  
**REGULATORY**  
**AUTHORITY OF INDIA**  
**V. AKSHAY KUMAR**  
**MALHOTRA**  
**[2025 SCC ONLINE**  
**DEL 10]**

**SECTION 2(f), 8, 11,  
12(1) OF THE RTI ACT,  
2005**

**SECTION 12(1), 14 OF  
THE TRAI ACT, 1997**



# Is the Uttar Pradesh Board of Madarsa Education Act, 2004 unconstitutional and does it align with constitutional principles and legislative competence?

**ANJUM KADARI &  
ANR. VERSUS UNION  
OF INDIA & ORS.  
[2024 INSC 831]**

**CONTEXT:** This case involves a challenge to the constitutional validity of the Uttar Pradesh Board of Madarsa Education Act, 2004 (Madarsa Act). The High Court of Judicature at Allahabad declared the entire Madarsa Act unconstitutional, citing violations of secularism, Articles 14 and 21A of the Constitution, and Section 22 of the UGC Act.

The Supreme Court set aside the High Court's judgment, upholding the Madarsa Act's constitutionality in general, except for the provisions regulating higher education degrees (Fazil and Kamil), which are declared unconstitutional due to conflict with the University Grants Commission Act, 1956.

**ARTICLE 14, 15, 16  
21 OF THE INDIAN  
CONSTITUTION**

**UTTAR PRADESH  
BOARD OF MADARSA  
EDUCATION ACT,  
2004**



## Landmark ruling on mental health compensation: court recognizes nervous shock as bodily injury in accident claim

**CONTEXT:** Mrs. H.I. Halligua, a Cochin Jew, had sued a Madras taxi owner (Defendant 1) for damages of Rs. 15,090-6-9 for injuries she had sustained in a collision between the taxi she was traveling in and a tram car on March 10, 1947. Defendant 1 had brought in the Kaiser Hind Insurance Company Ltd. (Defendant 2) as a third party, claiming they were liable under the insurance policy. The defendants had repudiated liability, arguing that there had been no negligence on the part of the taxi driver. The insurance company had sought to limit their liability to Rs. 2000 based on their policy.

1 The court held that the taxi driver was negligent, making both the taxi owner and the insurance company liable for damages.

2 It awarded Rs. 5,000 in total compensation to the plaintiff, with Rs. 4,000 payable by Kaiser-I-Hind Insurance Company Ltd. and Rs. 1,000 by Mohanasundaram (the taxi owner).

3 The court rejected the insurance company's attempt to limit liability to Rs. 2,000, ruling that the policy must cover up to Rs. 4,000 as required under the Motor Vehicles Act.

4 It also recognized mental health damages, stating that severe nervous shock impairing normal bodily functions qualifies as bodily injury, and that the plaintiff's prolonged suffering and psychological trauma were directly caused by the accident.

5 Despite differing medical opinions, the court acknowledged her mental distress as a valid claim for compensation, marking an important legal precedent.

**MRS. H.I. HALLIGUA V.**  
**MOHANASUNDARAM**  
**AND ANOTHER**  
**[1951 SCC ONLINE MAD**  
**101]**

**SECTION 95(2)(b) OF**  
**THE MOTOR VEHICLES**  
**ACT, 1988**



## **Bail granted to accused in human sacrifice and conspiracy case**

**CONTEXT:** The applicant no. 2 - Mohansingh Sitaram Naik, sought regular bail in connection with a case where he allegedly conspired with co-accused to murder the complainant's daughter as a human sacrifice. The case was registered at Dhebewadi Police Station, District Satara. He was accused of offences punishable under Sections 302, 201, 120-B, and 34 of the Indian Penal Code, 1860 (IPC), along with Section 3 of the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil, and Aghori Practices and Black Magic Act, 2013.

The application was allowed. The applicant was

① granted bail upon executing a P.R. Bond of Rs. 50,000/- with one or two sureties.

② He was directed to:

1. Inform the Investigating Officer of his residence and mobile details and update any changes.
2. Avoid tampering with evidence or influencing the complainant, witnesses, or others.
3. Refrain from entering Satara District.

**PHOOLSINGH SHEVU  
RATHOD & ANR. V.  
THE STATE OF  
MAHARASHTRA  
[BAIL APPLICATION  
NO. 723 OF 2023]**

**SECTIONS 302, 201,  
120-B AND 34 OF THE  
INDIAN PENAL CODE,  
1860**

**SECTION 3 OF THE  
MAHARASHTRA  
PREVENTION AND  
ERADICATION OF  
HUMAN SACRIFICE  
AND OTHER  
INHUMAN, EVIL AND  
AGHORI PRACTISES  
AND BLACK MAGIC  
ACT, 2013**