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JUDGEMENTOPEDIA

(Learning Judgements For A Living)

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Is disrespect towards a financially vulnerable spouse sufficient to establish mental cruelty?

ANIL KUMAR SONAMNI
VS. SHRADHA TIWARI
(SONMANI)
[2025 SCC ONLINE CHH
8144]

CONTEXT: The marriage between the appellant-husband and his wife was solemnized on 26/12/1996. After the wife obtained a Ph.D. and secured a principal's position with the husband's help, her behavior allegedly changed; she became disrespectful, verbally abusive, made unreasonable demands, taunted the husband for his unemployment during the COVID-19 pandemic, influenced their daughter against him, and abandoned their son. She left the matrimonial home on 02/08/2020, and after a brief return, definitively left again on 16/09/2020, taking her belongings and daughter, and leaving a letter (Exhibit P-02) stating her intention to sever all relations. Despite the husband's attempts to reconcile, she did not return. The Family Court dismissed the husband's petition for divorce, prompting this appeal. The wife remained ex-parte throughout the trial and appeal proceedings.

① The appeal was allowed, setting aside the Family Court's judgment dated 25.10.2023, and a decree of divorce was granted in favor of the appellant-husband.

② The court held that the respondent-wife's behavior, particularly the insults and humiliation during his financial vulnerability, amounted to mental cruelty under ***V. Bhagat v. D. Bhagat (Mrs.)*** [(1994) 1 SCC 337], making cohabitation impossible.

③ The court found that the Family Court failed to appreciate this uncontroverted evidence, especially as the wife remained ex parte, and concluded that both mental cruelty and desertion were established, with the marriage having irretrievably broken down.

SECTIONS 13(1) AND 28
OF THE HINDU
MARRIAGE ACT, 1955

SECTION 19(1) OF THE
FAMILY COURTS ACT,
1984

Whether provisions in various State Prison Manuals/Rules, which sanction caste-based discrimination, segregation, and discriminatory classification of "habitual offenders" including Denotified Tribes, violate the fundamental rights enshrined in Articles 14, 15, 17, 21, and 23 of the Indian Constitution?

CONTEXT: The legal dispute originated from an article by journalist Sukanya Shantha, highlighting pervasive caste-based discrimination within Indian prisons. The petitioner sought the repeal of offending provisions in State prison manuals that perpetuate practices such as the caste-based division of manual labour, segregation of barracks, and discrimination against Denotified Tribes and "habitual offenders".

① The Supreme Court declared the impugned provisions unconstitutional, finding them violative of Articles 14, 15, 17, 21, and 23 of the Constitution.

② The Court held that such provisions perpetuate historical injustices, promote systemic discrimination, and are inconsistent with the constitutional vision of equality and human dignity. Consequently, all States and Union Territories are directed to revise their Prison Manuals/Rules within three months, removing all caste-based references, particularly the "caste" column in registers, and ambiguous definitions of "habitual offenders".

③ The Union government must amend the Model Prison Manual 2016 and the Model Prisons and Correctional Services Act 2023 to address these issues. The Court also took suo motu cognizance of ongoing discrimination in prisons.

SUKANYA SHANTHA VS.
UNION OF INDIA & ORS.
[2024 INSC 753]

**ARTICLES 14, 15, 17, 21,
AND 23 OF THE
CONSTITUTION OF INDIA**

**MODEL PRISON
MANUAL 2016 AND
MODEL PRISONS AND
CORRECTIONAL
SERVICES ACT, 2023**

Whether the Arbitral Award granting a bonus for early completion despite pending works and a Supplementary Agreement was invalid under Section 34 of the Arbitration and Conciliation Act, 1996?

CONTEXT: The National Highways Authority of India (NHAI) challenged an Arbitral Award granting a bonus to Andhra Expressway Ltd. for early completion based on a Provisional Certificate. Due to NHAI's site delays, a Supplementary Agreement dated 12.5.2005 was signed. NHAI argued that Clause 3 (de-linked certain works from COD, barring extra claims for time/bonus) and Clause 7 (barred additional bonus for those items) disentitled the contractor, since major works remained incomplete. The Tribunal, however, interpreted these clauses as foregoing additional bonus due to delays, not the original bonus earned for early completion of the available work.

① The High Court dismissed the petition. The court found no illegality, violation of contractual provisions, or perversity in the Arbitration Tribunal's Award.

② The interpretation adopted by the Arbitral Tribunal was deemed justified, equitable, and a plausible reading of the Supplementary Agreement clauses, which could not be interfered with under Section 34 of the Arbitration and Conciliation Act, 1996.

③ The court emphasised that NHAI derived commercial benefits from the early operation of the road and should commensurately provide benefits to the contractor for early completion. The petition was dismissed with costs of Rs. 1 lakh.

NATIONAL HIGHWAYS
AUTHORITY OF INDIA
VS. ANDHRA
EXPRESSWAY LIMITED
[OMP NO.56/2010]

SECTION 34 OF THE
ARBITRATION AND
CONCILIATION ACT,
1996

Whether the compensation awarded in cases of 100% permanent disability arising out of motor vehicle accidents is adequate, or requires enhancement under heads such as loss of income and other related compensation?

CONTEXT: The appellant, Parminder Singh, then 21 years old and aspiring to be a veterinary doctor, suffered grievous injuries resulting in 100% permanent quadriplegia due to a motor vehicle accident on 03.06.2014. The Tribunal initially awarded Rs. 8,16,000/-, which the High Court enhanced to Rs. 15,25,600/-. Aggrieved by this amount, the appellant sought further enhancement from the Supreme Court.

The appeal was allowed. The Supreme Court modified the High Court's award, determining that

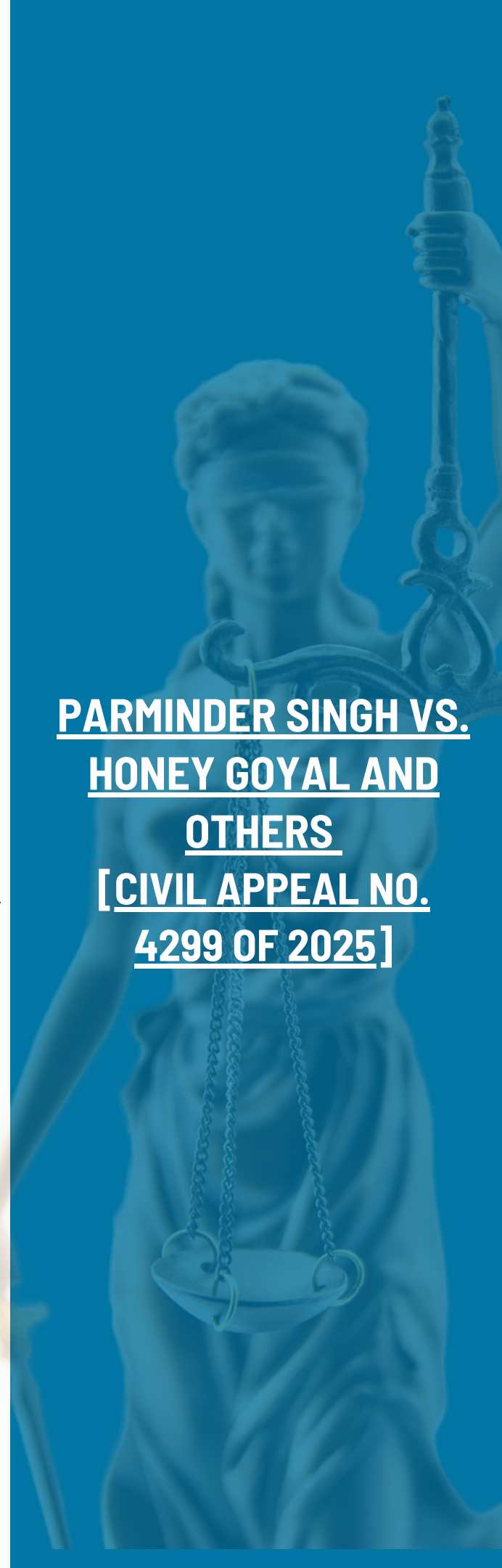
- 1 the appellant was entitled to a total compensation of Rs. 36,84,000/-.

This decision was primarily based on the High Court's failure to adequately consider future prospects

- 2 under 'Loss of Income' (assessed at 40% based on an income of Rs. 7,500/- per month).

Additionally, the Court enhanced or awarded compensation for attendant charges, special diet,

- 3 pain and suffering, future medical expenses, and marriage prospects, leading to the significantly increased total.



PARMINDER SINGH VS.
HONEY GOYAL AND
OTHERS
[CIVIL APPEAL NO.
4299 OF 2025]