

# Gujarat State Judicial Academy



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SUBJECTS DISCUSSED IN  
LEGAL WORKSHOPS  
HELD AT  
VARIOUS DISTRICTS BY THE  
GUJARAT STATE JUDICIAL ACADEMY  
FROM 1995.

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**SUBJECTS DISCUSSED IN LEGAL WORKSHOPS HELD AT  
VARIOUS DISTRICTS IN GUJARAT STATE**

1. The Concept of "Bail & Not Jail" is outdated.
2. Civil Manual.
3. Whether grant of Ex-parte injunction is a Rule or an Exception.
4. Ways & Means to avoid delay in disposal with special reference to Order 10 of the Civil Procedure Code.
5. Introduction of Forensic Science. (Lecture delivered by the expert from Forensic Science Laboratory).
6. Discussion on various judgment considered by the Division Bench of High Court of Gujarat (Coram: B.N.Kripal, CJ and R.K.Abichandani, J) in Special Civil Application No.1880/94 and others and ratio laid down in the said decisions considering the fact in each. A copy of this Order (Judgment) is already circulated to all the Courts in the State.
7. (A) Bail - as discussed by the Supreme Court in the case of Kartarsingh v/s. State of Punjab reported in (1994) 3 SCC 569.  
  
(B) Grant of Anticipatory Bail.
8. How to dispose of the Money Suits in context and otherwise of Order 37 of CPC at the earliest.
9. Method of disposing of Criminal cases under Indian Penal Code and other serious Offence at the earliest.
10. Discussion on Forensic Science or Handwriting Science or N.D.P.S. Act. (Lecture on Forensic Science was delivered by the expert from Forensic Science Laboratory).
11. Framing of Issues.
12. How to write precise judgment.
13. Meaning & differences of common intention, common object, abetment and unlawful assembly.
14. Human anatomy - muscle and bones and useful medical terminology.
15. Section 125 of Criminal Procedure Code and various judgments on the subjects.
16. How to expedite execution proceedings considering the provision of Order 21 of the Code of Civil Procedure?
17. Provisions relating to manner and method of examination of witnesses, as provided in Sections 135 to 165 of the Indian Evidence Act, keeping in mind exclusion of oral evidence by documentary evidence. (Section 91 to 100 of the Indian Evidence Act).

18. (A) The Provision relating to form of charges and joinder of charges (Section 211 to 224 of the Code of Criminal Procedure, 1973). Discuss in the light of leading decisions.  
 (B) The Provision relating to Admission, Confession and Discovery in the Code of Criminal Procedure, 1973 and Indian Evidence Act and precautions required.
19. The doctrines of -  
 (i) Res judicata (Sec.11 of CPC).  
 (ii) Estoppel (Sections 115, 116 of Evidence Act) and  
 (iii) Issue estoppel. (Sec.300 of Cr.P.C.)
- Discuss in the light of leading decisions.
20. Discussion on Law relating to dying declarations.  
 (a) State of Assam v/s. Mafizuddin; AIR 1983 SC 274;  
 (b) Kusa v/s. State of Bihar; AIR 1980 SC 559.
21. Discussion on the right of the landlord to claim possession on the ground of his bonafide and reasonable requirement of the rented premises.  
 (a) Bapubhai v/s. Mahila Sahkar Udyog Mandir; AIR 1975 SC 2128;  
 (b) Mukundlal v/s. Bhagvantsinh; (1993) 34 (1) GLR 423.
22. Discussion on the provisions relating to the Order of attachment before judgment and appointment of Receiver.  
 (a) Premraj v/s. Maneck; AIR 1951 Calcutta 156;  
 (b) Bharat Tobacco Co. v/s. Maula Saheb (1981) 22 GLR 343; AIR 1980 Guj.202.
- Appointment of Receiver -  
 (a) Krishnaswamy v/s. Thangavelu; AIR 1955 Madras 430.
23. Discussion on the law relating to Appreciation of Evidence of Child Witness, Interested Witness, Chance Witness, Trap Witness, Accomplice, Hostile Witness, Police Witness and Prosecutrix in a rape case.  
 -AIR 1994 SC 1068, JT 1995 (7) SC 117.  
 - AIR 1994 (2) SC 441, JT 1995 (4) 34.  
 - JT 1995 (3) SC 367 AIR 1980 SC 873.  
 - JT 1995 (7) SC 561, AIR 1976 SC 2032 (10).  
 - AIR 1983 SC 680, AIR 1998 (22).
24. Discussion on the Provision of law relating to Suits by or against minors and persons of unsound mind and circumstances under which such Suits may be compromised or withdrawn.
25. Discussion on the theory of Benefit of Doubt to the accused in a Criminal Trial.  
 (a) Mohd. Ramzani vs. State of Delhi, AIR 1980 SC 1314.  
 (b) Sharad Birdhichand Sarda vs. State of Maharashtra, AIR 1984 SC 1622.

- (c) Himachal Pradesh Administration vs. Om Prakash AIR 1972 SC 975.  
 (d) Mohan Singh vs. State of Punjab, AIR 1975 SC 2161.
26. Discussion on the theory of Binding precedents.  
 (a) Ballabhdas Mathuradas Lakhani & others vs. Municipal Committee, Malkapur AIR 1970 SC 1002.  
 (b) Mohmadkhan Jamiyatkhan vs. Dadamiyah Mohmadmiya (1970) 11 GLR 595.  
 (c) Rajnagar Club Parimal Society, Ahmedabad, through Indravadan Trikamlal & Ors. vs. The Parimal Co-Operative Housing Society Ltd., 1995 (1) GLH 848.  
 (d) Dahyabhai Ranabhai Vaghela vs. Bloom Dekor Ltd., and others 1995 (1) GLH 865.  
 (e) Jayantilal Ambalal Parmar vs. The Gujarat State Road Transport Corporation & Another, 1995 (1) GLH 65.  
 (f) Anupam Rekadi Cabin Association vs. Jamnagar Municipal Corporation 1995 (1) GLH 586.
27. Discretion in Criminal Justice System.
28. Suits by or against Government including Section 80 of CPC.
29. Discussion on the provisions relating to Protection of the tenant's possession under Section 12 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and his eviction on the ground of arrears of rent.
30. Discussion on the law relating to maintenance in the light of Section 125 of the Code of Criminal Procedure, 1973 and the statutory provisions contained in the personal laws.
31. Gender awareness by Judges to gender issue in Indian Legal System.
32. Art of writing judgment in Civil and Criminal matters.
33. The provisions relating to common intention, common object, common knowledge, abetment and principle of minimum liability.
34. Judicial discretion when to be used in sending the complaint for investigation under section 156 (3) of Criminal Procedure Code.
35. 1. Requirements to be followed by the Police Officers in all cases of arrest and detention.  
 2. Protection to workingwomen from sexual harassment.  
 3. Dismissal, Removal, Suspension, Transfer and Compulsory Retirement.
36. 1. Legal Services Authority Act.  
 2. Human Rights & Lower Courts.
37. 1. The Prevention of Food Adulteration.  
 2. Delays in Execution Proceedings.
38. 1. Natural Justice in Lower Courts.  
 2. How to Improve Judicial Performance.
39. 1. The Code of Civil Procedure (Amendment) Acts, No.46/1999 & 22 Of 2002

How will it expedite early disposal of Civil Proceedings?

2. Involvement of Para Legals in making the Legal Services More effective and efficient.
40.
    1. Common Cause I 1997(2) GLR page 1297
    2. Common Cause II 1997(2) GLR page 1302
    3. Raj Deo Sharma I 1999(1) GLR page 709
    4. Raj Deo Sharma II 2000(1) GLR page 605
    5. P Ramchandra Rao vs. State of Karnataka 2002 SCC (Cri) 830
  41. Gujarat High Court Order in Special Civil Application No.844 of 2001 in the Public Interest Litigation [PIL] on Earth Quake Relief & Rehabilitation. 2001 (2) GLR 1394.
  42. Legal Services is a Human Right.
  43. Judicial Reforms: CPC Amendments, ADR S. 89, Case Management, Court Management, Classification of Cases.
  44.
    1. Advisability of urgent action at the stage of notice Under Section 80 of the Code of Civil Procedure by the Government including sending matter in the pre litigation Lokadalats.
    2. Need to simplify the Civil Procedure to punish a party making false verification/affidavit/deposition for eradicating menace of false pleadings and perjury in Civil Cases.
  45.
    1. Plea Bargaining
    2. Statement of the Accused u/s. 313 Cr.P.C. – Importance of – do you suggest any change keeping in mind the need of speedy trials?
  46.
    1. Feasibility of introducing punishment as an additional measure for executing civil decrees and orders
    2. Feasibility of amending criminal laws for making provision to give interrogatories to the accused to enable him to admit as many allegations as he wishes, in order to shorten the trail by leading evidence only qua the non admitted allegations.
  47.
    1. How are you to attain judicial excellence?
    2. Victimology, a new concept of Criminal Jurisprudence.
  48.
    1. Concept of “Plea Bargaining” as amended in the Code of Criminal Procedure.
    2. Mediation, Conciliation, arbitration and negotiated settlement of disputes.
  49.
    1. Reflection on Domestic Violence Act and role of Judiciary
    2. Role of Subordinate Judiciary to implement PC & PNDDT (prohibition of Sex Selection) Act, 1994.