

## **Hons. V- JUDICIAL POWER & JUDICIAL PROCESS**

**Objectives:-**The course is designed to make the students understand the functioning of judicial process in our country & also to equip the students with the knowledge of judicial power to discharge the role of efficient judge in future days to come. To further help the students in interpreting laws diligently & render justice to needy & give speedy & timely disposal of cases. The role of activist Judge is very crucial for development & progress of weaker & oppressed sections of Society. Harmony among Bench & Bar is most essential. Independence of Judiciary by separation of powers as provided under constitution is to be maintained.

Course contents:

### **UNIT – I.**

History of Judicial process in India; Hierarchy of courts & Quasi-Judicial Authorities; Method of appointment of Judges, transfer & removal; Impeachment of Judges; Judges Accountability

### **UNIT - II.**

Judicial Activism; Judicial Restraint; Judicial Review; Independence of Judiciary; Judicial Powers & Functions; Emerging trends in Judicial Activism;

### **UNIT – III.**

Contempt of courts Act; Judges Inquiry Act; Judicial Services authority Act; RTI Act relating to Judicial Activism; Role of Judges in amending process; Bench & Bar relation.

### **UNIT – IV**

Rules of Interpretation- Literal, Golden & mischief; Judge as a Legislator- Judicial Law Making; Precedent-Meaning, Kinds, Merits & Demerits, Stare Decisis, Resjudicata, Ratio Decidendi, Obiter Dicta; Law Declared by Supreme Court binding on all courts; Power of Superintendence over all courts by High Courts.

### **UNIT – V.**

Access to Justice; Separation of powers under Constitution; Judicial powers V. Legislative Powers; Liberty & good Governance; Secularism & Democratization of Judicial process; Judiciary's Role in Delegated Legislation.

### **Prescribed Books:**

- 1) Cardozo- Judicial process
- 2) Laxminath- Judicial Precedents in India
- 3) G.B. Reddy- Judicial Activism

- 4) S.P. Sathe- Judicial Activism
- 5) P.S. Narayana- Judicial Review
- 6) J.N. Pandey- Constitutional Law of India