

<b>b) ADM, Jabalpur vs Shivkant Shukla (1976)</b>	<ul style="list-style-type: none"> <li>○ Power of the High Court to issue a writ of habeas corpus.</li> <li>● <b>Judgment:</b> SC said that <b>no person has any locus standi to move any writ petition under Article 226 before a High Court for habeas corpus</b> or any other writ or order or direction to challenge the legality of an, order of detention on the ground that the order is not under or in compliance with the Act or is illegal or is vitiated by malafide factual or legal or is based on extraneous consideration. The Supreme Court also <b>upheld the constitutional validity of Section 16 A (9) of the Maintenance of Internal Security Act.</b></li> <li>● The Supreme Court in <b>Remdeo Chauhan vs Bani Kant Das (2010)</b> case officially admitted its mistake in the ADM, Jabalpur judgment. It <b>read Article 21 in a restrictive manner and denied thousands of Emergency détentés the right of habeas corpus.</b></li> </ul>
<b>c) Public interest Litigation (PIL)</b>	<ul style="list-style-type: none"> <li>● <b>Mumbai Kamagar Sabha vs. Abdul Thai (1976):</b> The seeds of the concept of public interest litigation were initially sown in India by Justice Krishna Iyer.</li> <li>● The 1<sup>st</sup> reported case of PIL was <b>Hussainara Khatoon vs. State of Bihar (1979)</b>- it was focused on the inhuman conditions of prisons and under trial prisoners.</li> <li>● <b>Right to speedy justice</b> emerged as basic fundamental right which had been denied to these prisoners.</li> <li>● <b>S.P. Gupta vs. Union of India:</b> SC held that any member of the public/ social action group acting bonafide can invoke the Writ Jurisdiction of the High Courts (Article 226) and the SC (Article 32) seeking redressal against violation of legal or constitutional rights of persons who due to social or economic or any other disability cannot approach the Court.</li> <li>● The Supreme Court in <b>Indian Banks Association, Bombay &amp; Ors. vs. M/s Devkala Consultancy Service and Ors</b> held that In an appropriate case, where the petitioner might have moved a court in her private interest and for redressal of the personal grievance, the court in furtherance of Public Interest may treat it a necessity to enquire into the state of affairs of the subject of litigation in the interest of justice. <b>Thus, a private interest case can also be treated as public interest case.</b></li> </ul>

#### Asiad Workers Case 1982:

- Supreme Court said that when a person provides labour of service to another for **remuneration which is less than the minimum wage**, the labour or service provided by him clearly falls within the scope and ambit of the words **"forced labour" under Article 23** (of the Constitution of India)."

