



**RAMA
UNIVERSITY**

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FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. 1st Semester

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Lecture-7



SUPREME COURT

The Supreme Court of India is the country's highest judicial court. It is the final court of appeal in the country. It is hence, an extremely important topic in the UPSC exam polity and governance sections. In this article, you can read all about the Supreme Court of India for the IAS exam.

Supreme Court History

- The Federal Court of India was created as per Government of India Act 1935.
- This court settled disputes between provinces and federal states and heard appeals against judgements of the high courts.
- After independence, the Federal Court and the Judicial Committee of the Privy Council were replaced by the Supreme Court of India, which came into being in January 1950.

The Constitution of 1950 envisaged a Supreme Court with one Chief Justice and 7 puisne Judges.

- The number of SC judges was increased by the Parliament and currently, there are 34 judges including the Chief Justice of India (CJI).

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Supreme Court of India – Functions

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It takes up appeals against the verdicts of the High Courts, other courts and tribunals.

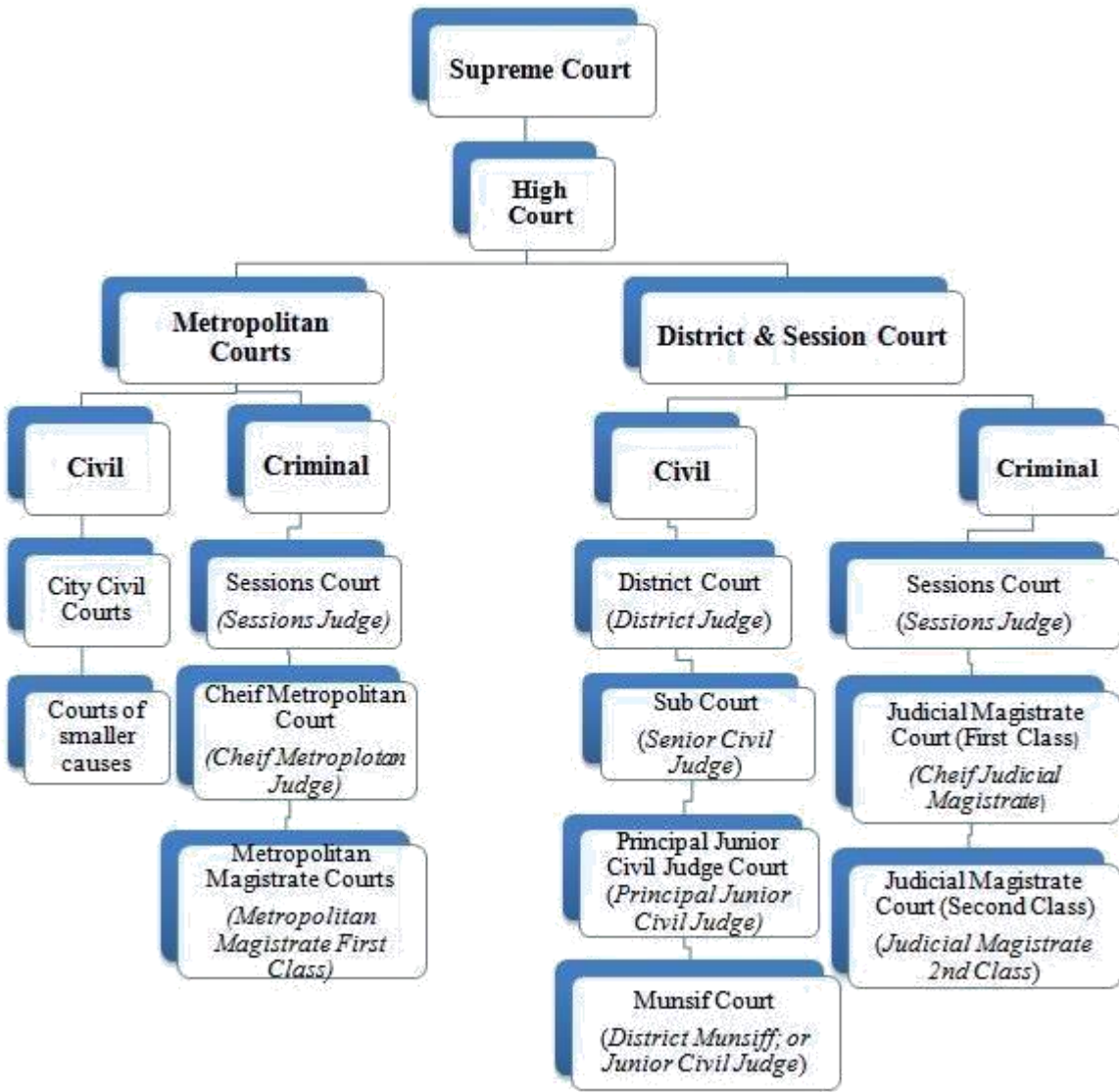
It settles disputes between various government authorities, between state governments, and between the centre and any state government.

- It also hears matters which the President refers to it, in its advisory role.
- The SC can also take up cases suo moto (on its own).
- The law that SC declares is binding on all the courts in India and on the Union as well as the state governments.

Supreme Court Jurisdiction

The jurisdiction of the SC is of three types:

1. Original
2. Appellate
3. Advisory



What Is a Civil Court?

A civil court is a court of law that handles various civil cases, as opposed to criminal cases. Civil lawsuits involve one person (the plaintiff) filing a complaint against another person or party whom they feel has injured them in some way or has caused them property damages. The plaintiff is usually requesting for damages (monetary payment) or an injunction (a court order instructing the defendant to take some action). For instance, in a car accident case, a person might file in a civil court of law under personal injury laws. They may be seeking compensation for bodily injuries, damage to their car, lost work wages, and other costs. What Types of Claims and Disputes Do Civil Courts Review?

Civil courts commonly hear legal issues in many major areas of law such as:

- Personal injury disputes
- Family law issues
- Property and real estate issues
- Contracts, business, and intellectual property disputes

How Are Civil Courts Different from a Criminal Court?

Criminal courts are different from civil courts in that criminal cases are filed by the state for violations of criminal laws (such as criminal murder laws, theft cases, etc.). In comparison, civil lawsuits involve disputes between two private parties.

Also, there are differences between the two with regards to:

- Burden of proof: the burden of proof in a criminal case (beyond a reasonable doubt) is usually higher than in a civil case ("preponderance of evidence" in most instances).
- Legal consequences: Civil cases usually result in damages or an injunction; criminal cases generally involve jail time plus some fines.

Lastly, there may be various constitutional protections that apply to criminal defendants which are not always applicable in a civil court of law (such as the right to a lawyer). Some types of violations can be tried as under criminal laws, civil laws, or both. For instance, there are criminal assault laws in addition to civil assault laws.

MCQ

1. Which among the following is the correct age of retirement of Judge of Supreme Court?

[A] 58 years

[B] 60 years

[C] 62 years

[D] 65 years

Show Answer

2. The age for retirement of judges from supreme courts and high courts are respectively ?

[A] 65 & 62 [B] 65 & 60

[C] 65 for both [D] 65 & 63 Show Answer

3. An appeal can be made in the Supreme Court of India in which of the following matters?

[A] Civil & Criminal Matters

[B] Criminal & Constitutional Matters [C] Civil , Criminal & Constitutional Matters

[D] Constitutional and Criminal Matters

4. On which date, Supreme Court of India started operations in Independent India?

[A] 25 January, 1950 [B] 28 January, 1950

[C] 4 June, 1951

[D] 27 October, 1949 Show Answer

5. Who can be appointed as ad hoc judges of Supreme Court?

[A] Only Retired Judges of Supreme Court

[B] Only those qualified for appointed as judge of Supreme Court

[C] Only Retired Judges of High Courts

[D] District judges