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Krishna Shorthand Institute

कृष्णा आशुलिपिक संस्थान

(English Only) By. A.V. Kushwaha

(For Govt. Jobs, SSC (Group D & C), Supreme Court, High Court, District Courts, ASRB, CRPF, Railway, CBSC & all other departments requiring "English Stenographer/Personal Assistant/Private Secretary")

(87, Sulem Sarai, Prayagraj, Uttar Pradesh)

(Contact No. 7355504435)

Note: You will get following:

- 1. Passage (in two parts, approximately 600 each for better comprehension)**
- 2. Important Outlines**
- 3. Important Vocabulary**
- 4. Accuracy Building Tips etc.**

NOTE: Very important latest created passage for Supreme Court/High Court/District Court/Tribunal etc. related skill tests apart from speed building.

Topic: Arbitration and Conciliation

Volume 1: Dictation No. 19, Part 1

Note: Outlines of all highlighted words/phrases are given at the end of the passage. Adopt all better outlines than yours.

Before proceeding to adjudicate the application for condonation of delay in filing the present appeal, it is pertinent to notice the growing trend of impleading the Civil Courts and/or Tribunals as respondents in appeals or writs, wherein the orders passed by such Civil Courts or Tribunals are impugned. Although this issue appears to have been settled more than 25 years ago by the Hon'ble Apex Court, the recent spurt in arraying Civil Courts or Tribunals, as the case may be, through their Presiding Officers, casts upon this Court the bounden duty to reiterate the settled legal position. It must be clearly understood that Courts and Tribunals in this country, when acting in judicial capacity, enjoy a degree of immunity from being prosecuted or sued as Courts in their individual or

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personal capacity, except in cases where allegations of mala fides, partiality, bias or other misconduct are levelled against the particular Presiding Officer, which allegations must satisfy a very high threshold before they can be entertained. These Civil Courts or Tribunals cannot be made parties in proceedings where they have already adjudicated upon the matter, as their decisions are subject to correction by appellate or revisional Courts in judicial proceedings. This position finds authoritative support in the judgment of the Hon'ble Apex Court rendered in Savitri Devi v. District Judge, Gorakhpur and others, AIR 1999 SC 976, which continues to hold the field.

Before parting with this case, it is necessary to advert to one aspect of the matter which is rather disturbing. In the writ petition filed before the High Court as well as in the Special Leave Petition filed before this Court, the District Judge, Gorakhpur and the 4th Additional Civil Judge (Junior Division), Gorakhpur were impleaded as respondents and, in the Special Leave Petition, they were even described as contesting respondents. There was no necessity for impleading the judicial officers who had disposed of the matter in civil proceedings when the writ petition was filed before the High Court, nor was there any justification for arraying them as parties in the Special Leave Petition and describing them as contesting respondents. This Court strongly disapproves of the course adopted by the petitioner,

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as such a practice causes unnecessary disturbance to the functioning of the concerned judicial officers. Judicial officers cannot be equated with government officials for the purpose of being impleaded as parties to litigation. It is high time that the practice of impleading judicial officers, who dispose of civil proceedings, as parties to writ petitions under Article 226 of the Constitution of India or to Special Leave Petitions under Article 136 of the Constitution of India, is completely stopped. Such a practice is deprecated in the strongest terms.

It must therefore be understood that neither a Court nor a Tribunal, nor the Presiding Officer thereof, is required to defend its order before a superior Court. If the High Court, while exercising its appellate or revisional jurisdiction, calls for the records, such records can always be summoned without impleading the concerned Court or its Presiding Officer as a party. Courts and Tribunals merely adjudicate disputes between parties; they have no personal stake in the outcome and no concern with the issues raised or adjudicated, once their judgment has been pronounced. Hence, they are not required to defend their orders in any manner. Since there is no requirement of their defending the orders, no useful purpose is served in impleading them before appellate or revisional forums. On the contrary, such impleadment, far from serving any legitimate purpose, leads to

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embarrassment, dejection, and creates unwarranted hurdles in the independence of the Judiciary.

Total Words: 601

**Outlines of all highlighted words and phrases.
Note: Adopt only those outlines which are better than yours.**

proceeding

adjudicate

application

condonation

delay

pertinent

trend

impleading

Civil Courts

Tribunals

respondents

writs,

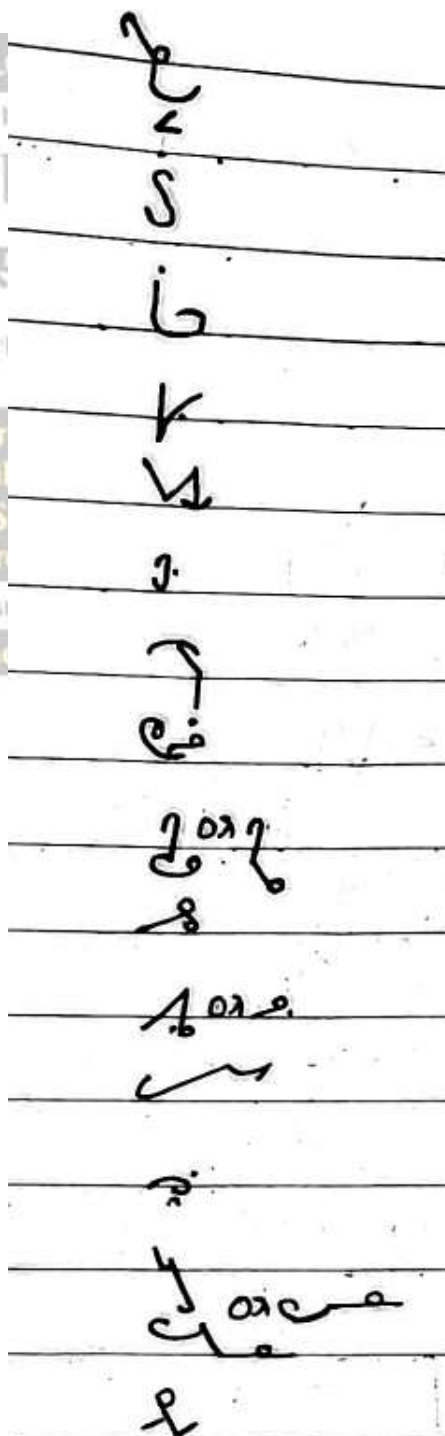
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to have been

Hon'ble Apex Court,

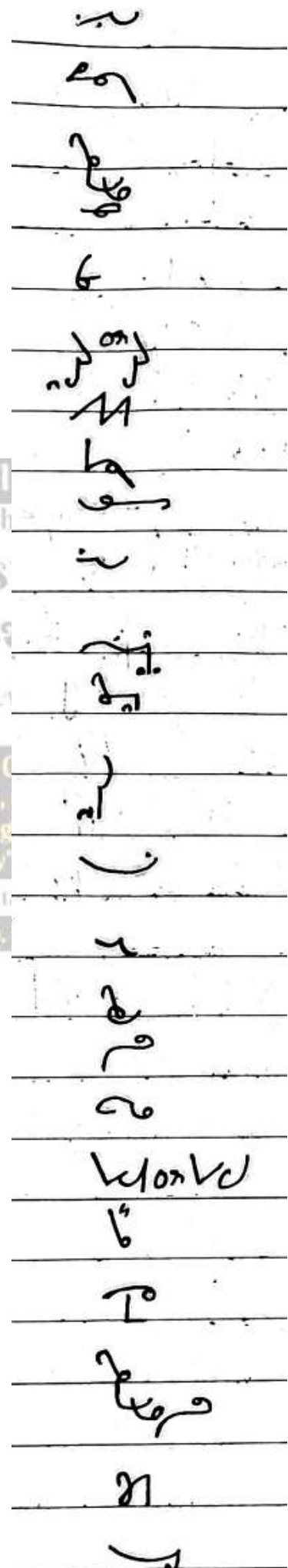
spurt



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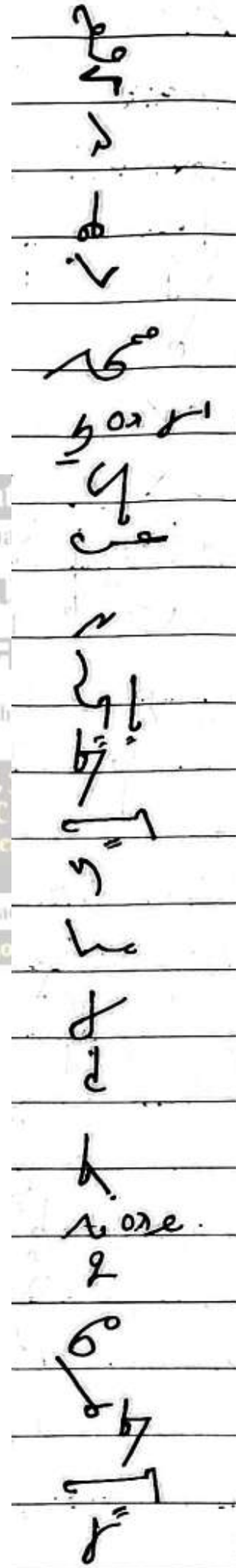
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as the case may be
Presiding Officers
casts
this Court
bounden
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it must be
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acting
immunity
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in their
individual
personal
allegations
mala fides
partiality,
bias
misconduct
Presiding Officer,
allegations
threshold
entertained



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proceedings
adjudicated
upon the
decisions
appellate
revisional Courts
judicial proceedings.
authoritative
Hon'ble Apex Court
rendered
Savitri Devi
District Judge,
Gorakhpur
AIR
parting with
it is necessary
advert
disturbing
writ petition
High Court
as well as
before this Court
District Judge
Gorakhpur
Additional



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Civil Judge

Junior Division

impleaded

necessity

impleading

judicial officers

disposed of

civil proceedings

justification

arraying

describing

disapproves

as such

unnecessary

functioning

equated

for the purpose

litigation

high time

under Article

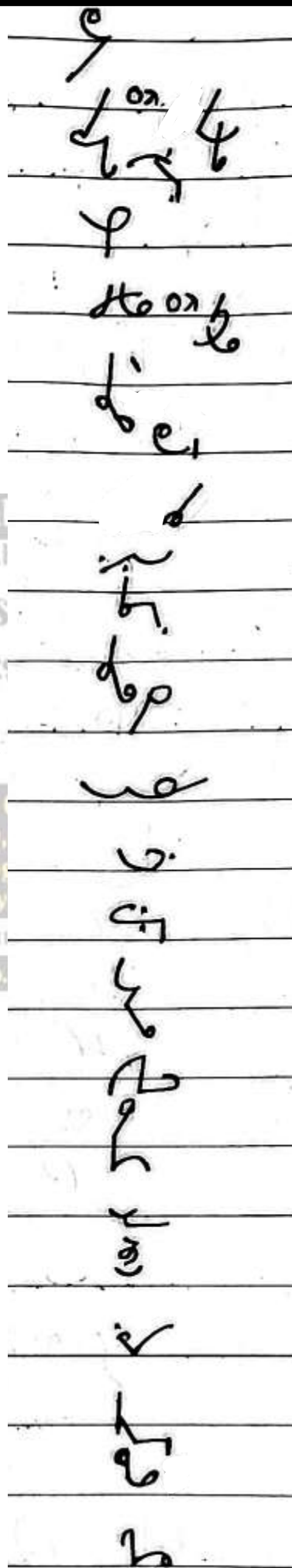
of the Constitution of India

completely

deprecated

strongest

terms



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it must therefore
defend
superior Court
revisional
jurisdiction,
calls for the
summoned
adjudicate
between parties
stake
outcome
in any manner
they are not
useful purpose
on the contrary
impleadment
legitimate purpose
embarrassment,
dejection,
unwarranted
hurdles
independence
Judiciary.

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(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

Legal/General Matter (Legal Vocabulary Building)

1. **adjudicate:** (verb) to make an official decision about who is right in a dispute निर्णय देना/न्यायाधीश का फैसला करना
2. **condonation:** (noun) the act of forgiving or overlooking a fault or offense क्षमा करना/माफ करना
3. **delay:** (noun/verb) lateness in time; to postpone देरी/विलंब
4. **pertinent:** (adjective) relevant and appropriate to a particular matter संगत/प्रासंगिक
5. **trend:** (noun) a general direction of change प्रवृत्ति/रुझान
6. **impleading:** (verb) (gerund) the act of joining a party to legal proceedings पक्षकार बनाना

- 7. Tribunals:** (noun) (plural) specialized courts for particular areas न्यायाधिकरण
- 8. respondents:** (noun) (plural) parties who respond to a legal petition प्रत्यर्थी/उत्तरदाता
- 9. writs:** (noun) (plural) formal written orders issued by courts रिट/लेख
- 10. wherein:** (adverb) in which जिसमें
- 11. impugned:** (verb) (past participle) challenged or disputed चुनौती दी गई/आपत्ति की गई
- 12. Hon'ble Apex Court:** (noun phrase) respectful reference to Supreme Court माननीय सर्वोच्च न्यायालय
- 13. spurt:** (noun) a sudden increase अचानक वृद्धि/तेजी
- 14. arraying:** (verb) (gerund) arranging or organizing in order व्यवस्थित करना/सजाना
- 15. as the case may be:** (phrase) depending on circumstances जैसी स्थिति हो/यथास्थिति

16.Presiding Officers: (noun phrase) (plural)
judges or officials who lead proceedings
पीठासीन अधिकारी

17.casts: (verb) (third person singular) places or
imposes डालना/थोपना

Accuracy Mantra: Don't confuse with word
costs otherwise you will end up committing one
full error.

18.bounden duty: (noun phrase) moral or legal
obligation बाध्यकारी कर्तव्य

19.reiterate: (verb) to say again for emphasis
दोहराना/पुनः कहना

20.immunity: (noun) protection from legal action
न्यायिक उन्मुक्ति

21.prosecuted: (verb) (past participle) charged
with a crime अभियोजित/मुकदमा चलाया गया

22.sued: (verb) (past participle) taken to court
for legal action मुकदमा किया गया

23.individual: (adjective/noun) single person or
relating to one person व्यक्तिगत/एकल

24. personal: (adjective) relating to a particular person निजी/व्यक्तिगत

Accuracy Mantra: Don't confuse with word 'personnel' otherwise you will end up committing one full error. Personnel (noun) (plural) means staff or employees कर्मचारी/स्टाफ

25. allegations: (noun) (plural) claims without proof आरोप/अभियोग

26. mala fide: (noun) (Latin legal term) bad faith; correct spelling is "mala fide" (not "malafide") दुर्भावना/बुरा इरादा but in legal matters, you will fine both. Prefer mala fide while transcribing the matter.

27. partiality: (noun) unfair bias towards one side पक्षपात

28. bias: (noun) prejudice for or against पूर्वाग्रह/पक्षपात

29. misconduct: (noun) improper behavior दुराचार/गलत आचरण

30.threshold: (noun) minimum level required
सीमा/दहलीज

31.entertained (petition): (verb phrase) (past participle) accepted for consideration स्वीकार किया गया

32.proceedings: (noun) (plural) legal process or actions कार्यवाही

33.adjudicated upon: (verb phrase) (past participle) decided judicially निर्णय दिया गया

34.judicial proceedings: (noun phrase) court processes न्यायिक कार्यवाही

35.authoritative: (adjective) having official power or influence प्राधिकारिक/आधिकारिक

36.rendered: (verb) (past participle) given or delivered दिया गया/सुनाया गया

37.AIR: (noun) (abbreviation) All India Reporter
ऑल इंडिया रिपोर्टर

Accuracy Note: Both forms i.e. A.I.R. or AIR are correct.

38. parting with: (verb phrase) leaving behind
छोड़ना/अलग होना

39. advert: (verb) to refer to or mention संदर्भ
देना/उल्लेख करना

40. as well as: (conjunction) and also तथा/के साथ-
साथ

41. Additional Civil Judge: (noun phrase) junior
level civil court judge अपर सिविल जज

42. impleaded: (verb) (past participle) joined as a
party to proceedings पक्षकार बनाया गया

43. disposed of: (verb phrase) (past participle)
settled or decided निपटाया गया

44. civil proceedings: (noun phrase) non-criminal
court cases दीवानी कार्यवाही

45. justification: (noun) valid reason or
explanation औचित्य/न्यायसंगतता

46. disapproves: (verb) (third person singular)
expresses disapproval अस्वीकार करता है

47. as such: (phrase) therefore इसलिए/अतः

48.equated: (verb) (past participle) considered
equal समान माना गया

49.it is high time: (phrase) it is urgently
necessary अब समय आ गया है

50.under Article: (prepositional phrase)
according to constitutional provision अनुच्छेद के
अंतर्गत

Accuracy Mantra: Always capitalize "Article"
when referring to constitutional provisions
(e.g., "Article" 14, "Article" 21). For general
references to articles, written pieces, or other
non-constitutional contexts, use lowercase
letters (e.g., article in a newspaper, transcribed
articles).

51.completely: (adverb) entirely पूर्णतः/संपूर्ण रूप
से

52.deprecated: (verb) (past participle) strongly
disapproved निंदा की गई

53.strongest terms: (noun phrase) most
emphatic language कड़े शब्दों में

- 54.superior:** (adjective) higher in rank or authority उच्च/वरिष्ठ
- 55.jurisdiction:** (noun) legal authority क्षेत्राधिकार
- 56.calls for:** (verb phrase) requires or demands मांगता है/आवश्यकता है
- 57.summoned:** (verb) (past participle) officially called तलब किया गया
- 58.stake:** (noun) interest or involvement हिस्सेदारी/स्वार्थ
- 59.outcome:** (noun) result or consequence परिणाम/नतीजा
- 60.in any manner:** (prepositional phrase) in any way किसी भी तरीके से
- 61.on the contrary:** (phrase) opposite to what was said इसके विपरीत
- 62.impleadment:** (noun) the act of joining as a party पक्षकार बनाना
- 63.legitimate purpose:** (noun phrase) valid or lawful reason वैध उद्देश्य

64.embarrassment: (noun) shame or awkward situation शर्मिंदगी/असहजता

65.dejection: (noun) sadness or low spirits निराशा/उदासी

66.unwarranted: (adjective) unjustified or unnecessary अनावश्यक/अनुचित

67.hurdles: (noun) (plural) obstacles or barriers बाधाएं/रुकावटें

68.independence: (noun) freedom from outside control स्वतंत्रता

69.Judiciary: (noun) the judicial system न्यायपालिका

By Sir AV Kushwaha,

Principal,

Krishna Shorthand Institute,

via online Telegram Class through

7355504435

Accuracy Builder: following words occurred in the dictation is to be capitalized;

1. Proper Nouns - Institutional Names:

- **Civil Courts** - Capitalized when referring to specific judicial institutions or government bodies
- **Tribunals** - Capitalized as specific government bodies/judicial institutions
- **Court** (when referring to specific court) - Capitalized when referring to the specific court where litigation is occurring or the highest court in jurisdiction
- **High Court** - Proper noun referring to a specific judicial institution
- **Special Leave Petition** - Specific legal document type
- **Constitution of India** - Proper noun, official document name
- **District Judge, Gorakhpur** - Official title with specific location, referring to specific person/office
- **Additional Civil Judge (Junior Division), Gorakhpur** - Specific official title and position

2. Honorific Titles:

- **Hon'ble** - Abbreviated form of "Honourable," a respectful title
- **Apex Court** - Respectful reference to Supreme Court
- **Presiding Officer** - Official title referring to specific judicial position

3. Legal/Constitutional References:

- **Article 226** - Specific constitutional provision, proper noun
- **Article 136** - Specific constitutional provision, proper noun
- **AIR** - Acronym for "All India Reporter" (legal publication)

4. Case Law Citation:

- **Savitri Devi v. District Judge, Gorakhpur and others** - Legal case names are treated as proper nouns and capitalized

5. Abstract Concepts (Legal Usage):

- **Courts** - When referring to the judicial system as an institution

- **Judiciary** - Capitalized as it refers to the entire judicial branch of government

Accuracy Builder: Analysis from the passage dictated today.

COMMA USAGE

1. Series/List Commas:

"mala fides, partiality, bias or other misconduct"

- **Reason:** Separates items in a series of allegations
- **Rule:** Commas separate elements in a list (note: "or" replaces the final comma)

"embarrassment, dejection, and creates unwarranted hurdles"

- **Reason:** Separates parallel consequences in a series
- **Rule:** Oxford comma before "and" in final item

2. Appositive/Non-restrictive Commas:

"Civil Courts and/or Tribunals, as the case may be, through their Presiding Officers"

- **Reason:** Sets off the phrase "as the case may be" as non-essential explanatory information
- **Rule:** Parenthetical expressions are enclosed in commas

"the Hon'ble Apex Court rendered in Savitri Devi v. District Judge, Gorakhpur and others, AIR 1999 SC 976"

- **Reason:** Sets off the case citation as additional identifying information
- **Rule:** Appositives providing extra details are comma-separated

3. Conditional/Introductory Clause Commas:

"Before proceeding to adjudicate the application for condonation of delay in filing the present appeal, it is pertinent to notice"

- **Reason:** Separates lengthy introductory prepositional phrase from main clause
- **Rule:** Introductory elements longer than 4 words usually take commas

"Although this issue appears to have been settled more than 25 years ago by the Hon'ble Apex Court, the recent spurt"

- **Reason:** Separates introductory dependent clause from independent clause
- **Rule:** Subordinate clauses beginning sentences require commas

4. Participial/Descriptive Phrase Commas:

"Courts and Tribunals in this country, when acting in judicial capacity, enjoy a degree of immunity"

- **Reason:** Sets off interrupting temporal clause
- **Rule:** Interrupting phrases are enclosed in commas

OTHER PUNCTUATION

1. SEMICOLONS (;):

"prosecuted or sued as Courts in their individual or personal capacity; except in cases where allegations"

- **Reason:** Connects two related independent clauses without conjunction
- **Rule:** Semicolons join closely related complete thoughts

"disputes between parties; they have no personal stake in the outcome"

- **Reason:** Links two independent clauses explaining the same concept
- **Rule:** Alternative to period when thoughts are closely connected

2. PARENTHESES ():

"4th Additional Civil Judge (Junior Division), Gorakhpur"

- **Reason:** Encloses clarifying information about the judge's specific designation
- **Rule:** Parentheses contain supplementary details

4. FORWARD SLASH (/):

"Civil Courts and/or Tribunals"

- **Reason:** Shows inclusive alternative (both options possible)
- **Rule:** Legal writing uses "and/or" to indicate all possibilities

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