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IMPORTANT DECISIONS IN THIS ISSUE

- ⇒ **Indian Contract Act, 1872 – Forfeiture of Security Deposit – Security Deposit can only be forfeited when there is a breach of contract by one party and the said breach has resulted in causing legal injury or loss or damage to other party – Party forfeiting security deposit has to establish that legal injury/loss has been caused due to breach of the contract – Law does not presume that legal injury/loss exist on account of breach of contract.561**
- ⇒ **Constitution of India, 1950 – Art. 13(1) & Art. 13 (2), Art. 14, Art. 245 and Art. 246 – Constitutionality of law – As long as the legislature has the necessary competence to frame a law which is not violative of fundamental rights or any of the constitutional provision, the Court would not strike down the statute merely on the perception that the same is harsh or unjust – Manifest arbitrariness must be something done by the legislature capriciously, irrationally or without adequately determining the principle.642**
- ⇒ **FAMILY LAW – MAINTENANCE – Date from which it is to be awarded – Maintenance in all cases will be awarded from the date of filing the application for maintenance – The rational granting of maintenance from the date of application finds its roots in the object of enacting maintenance legislations so as to enable the wife to overcome the financial crunch which occurs on separation from the husband.(S.C.)....727**

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