THE DISSENTING JUDGEMENTS IN INDIAN JUDICIARY: AN EXAMINATION OF THEIR ROLES IN THE PERSPECTIVE OF ANEKĀNTAVĀDA

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Abstract

This research paper delves into the crucial role of dissenting judgments in the Indian judiciary by employing the Jain philosophy of *anekāntavāda* as a framework. It investigates how *anekāntavāda* can promote independent thinking and diverse opinions within the judiciary. The paper outlines the key tenets of *anekāntavāda*, examines a range of judicial dissents from the Indian courts, and identifies instances where the principles of *anekāntavāda* appear to be reflected in landmark cases such as the *Sabarimala Temple case, the Aadhaar verdict, ADM Jabalpur case* etc. The dissenting opinions of prominent judges are also scrutinized in light of the principles of *anekāntavāda*. The paper also assesses the impact of *anekāntavāda* on the evolution of Indian Jurisprudence and explores its potential applications in the future. The paper argues that *anekāntavāda* serves as a valuable tool for promoting open-mindedness, inclusivity, non-absolutism, and diversity in legal decision-making processes. It helps the judges appreciate multiple dimensions of truth. In short, this research paper provides a comprehensive analysis of the role of dissenting judgments in the Indian judiciary, sheds light on the philosophy of *anekāntavāda*, and highlights its significance in promoting a more inclusive and diverse legal system.

Anekāntavāda

Anekāntavāda is one of the foundational philosophies of Jainism. It suggests that the truth is multifaceted, with every entity possessing countless attributes and modes of existence that can only be partially perceived and comprehended from our individual perspectives. It advocates for the acknowledgment and acceptance of multiple, and seemingly contradictory viewpoints to approach a more nuanced and holistic understanding of reality, emphasizing that no single perspective holds the monopoly on truth.[1]

Anekāntavāda encompasses two significant components, namely *syādvāda* and *nayavāda. Syādvāda* provides a methodology for the expression of reality, underlining that every viewpoint is a relative truth and is conditional to time, space, and substance.[2] *Syādvāda* incorporates *saptabhaṅgī* or the seven-fold mode of predication to portray the multifaceted nature of truth, each predication representing a possible perspective and is true in its specific

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1 *ekatra sapratipakṣānekadharmasvarūpanirūpaṇo yuktyāgamābhyāmaviruddhaḥ samyaganekāntaḥ* (Tattvārthavārtika Vol 1, 1.6.7)

2 *syādasti ca nāstīti ca nityamanityaṁ tvanekamekaṁ ca |*
tadatacceti catuṣṭayayugmairiva gumphitaṁ vastu ||
atha tadyathā yadasti hi tadeva nāstīti taccatuṣkaṁ ca |
dravyeṇa kṣetreṇa ca kālena tathāthavā'pi bhāvena || (Pañcādhyāyī 262-63)

context.[3] *Nayavāda* is the theory of partial viewpoints or partial negation, which emphasizes that each standpoint is a partial expression of the truth.[4] *Nayavāda* categorizes standpoints into various *nayas* or standpoints, allowing a detailed examination of the multifaceted reality. Together, *syādvāda* and *nayavāda* illuminate the principle that every standpoint is a partial truth, allowing a multifaceted examination of truth and reality through *anekāntavāda*, leading to a more thorough, nuanced, and balanced understanding. According to Acharya Mahapragya, the co-existence, relativity, tolerance, equanimity, reconciliation, and interdependence are the outcomes of the theory of *anekānta* to lead a life of peaceful co-existence if applied in day-to-day life (Mahaprajna ix).

Dissenting Judgments

Dissenting judgments in the Indian judiciary represent the divergence of opinion among the sitting judges in a bench. These judgments are crucial as they reflect the independent and diverse thoughts of the judiciary on legal and constitutional matters, showcasing the richness and multifaceted nature of legal interpretation. Dissenting opinions offer alternative perspectives, insights, and interpretations on legal provisions and constitutional values and can play a pivotal role in the future development and evolution of legal principles and jurisprudence. Dissenting judgments refer to the opinions written by one or more judges expressing disagreement with the majority opinion of the court. They occur when a judge or judges do not concur with the verdict reached by the majority of the bench, and thus, they articulate their distinct legal interpretations, reasoning, and conclusions. Rory K. Little justifies dissents by dividing them into three distinct components, two of which are directly traceable to freedom of speech, as follows:

> Judicial dissent can be broken into three distinct components: expressing disagreement to one's colleagues privately; having one's disagreement with the majority's opinion publicly noted; and issuing a written dissenting opinion in company with the majority's. (Little 688)

Dissenting judgments contribute significantly to the evolution of law and jurisprudence. They act as catalysts for legislative change and are often indicative of evolving judicial philosophies and societal values, ensuring that the legal system remains dynamic, responsive, and reflective of multifaceted societal norms and principles.

The Intersectionality between Anekāntavāda and Dissenting Judgments

The intersectionality between *anekāntavāda* and dissenting judgments is a relatively unexplored area, presenting a unique opportunity for interdisciplinary exploration and synthesis. Preliminary inquiries and speculative discussions in this realm have touched upon the parallels between the multiplicity of perspectives inherent in *anekāntavāda* and the plurality of legal interpretations manifested in dissenting opinions. These initial explorations have hinted

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[3] *ekatra vastūnyekaikadharmaparyanuyogavaśādavirodhena vyastayoḥ samastayośca vidhiniṣedhayoḥ kalpanayā syātkārāṅkitaḥ saptadhā vākprayogaḥ saptabhaṅgī* (Jaina Tarka Bhāṣā 162)

[4] *davvāṇa savvabhāvā savvappamāṇehiṁ jassa uvaladdhā |*
savvāhi nayavihīhi, yavitthārarui tti nāyavvo || (Uttarādhyayanasūtra 28.24)

at the potential synergies and integrations between philosophical wisdom and legal reasoning, underscoring the possibilities for enriched legal discourse and judgment. While substantial work has been done separately in the areas of *anekāntavāda* and dissenting judgments, the confluence of these two domains lacks comprehensive, systematic exploration and analysis. The present research aims to bridge this gap by examining the reflections and applications of *anekāntavāda* principles within dissenting judgments, offering new insights into the interplay between philosophical doctrines and legal interpretations.

In our judicial system, in which lies the core of human dignity in society, the greatest contribution to the cause of justice is the concept of natural justice, which is based on two fundamental principles: (i) No one would be his own judge for his own cause, and that a judgment should be unbiased and impartial, (ii) Both sides of the case should be heard and that no one should be condemned unheard. On close analysis, both these principles implicitly refer to the pluralistic attitude or *anekānta*. Further, if he hears only one party and leaves the other party unheard, his approach would be one-sided or *ekāntika*. Again thus, *anekānta* is the essence of both the principles. A person accused of murder could be hanged, or given a life sentence and could also be acquitted, this underlines *anekāntika* approach (Mehta 154). In courts of law, the Judges are required to decide the matters in the context of the law, situation, and purpose or motive for doing a particular act. *Anekāntavāda* also requires that a particular say is not to be straight away accepted or rejected. The truth is to be culled out by looking at the subject from all angles. The subject is required to be deeply studied and all the arguments in favour or against are required to be logically dealt with. The same thing is required to be done by a Judge in deciding the matters. Without following the principles of *syādvāda,* the legal system for doing justice in any form cannot survive. For sifting the truth from untruth, the philosophy of *syādvāda* is to be followed and is an integral part of the judicial system (Mehta 157).

Judgments Reflecting Express and Implied Anekāntavāda

In some cases, the Indian Courts have explicitly referred to the principle of *anekāntavāda.* Further, the Judgments of Indian Courts also implicitly reflect *anekāntavāda* in its dissents:

a. In **Internet and Mobile Association of India Vs. Reserve Bank of India**, the Supreme Court expressly states in Paragraph No. 6.85:

> Thus (i) depending upon the text of the statute involved in the case and (ii) depending upon the context, various courts in different jurisdictions have identified virtual currencies to belong to different categories ranging from property to commodity to non-traditional currency to payment instrument to money to funds. While each of these descriptions is true, none of these constitute the whole truth. Every court which attempted to fix the identity of virtual currencies, merely acted as the 4 blind men in the *anekāntavāda* philosophy of Jainism, (theory of non-absolutism that encourages acceptance of relativism and pluralism) who attempt to describe an elephant, but end up describing only one physical feature of the elephant. (Internet and Mobile Association of India vs Reserve Bank Of India 6.85)

b. In **State of Rajasthan and Ors. Vs. Vijay Shanti Educational Trust,** Rajasthan High Court observes:

> If we adopt that ideal, we will get another consequence of it which is framed in the Jain doctrine of *anekāntavāda*. The Jains tell us that the absolute truth or *kevala-jñāna* is our ideal. But so far as we are concerned, we know only part of the truth. *Vastu* is *anekadharmātmakam*; it has got many sides of it; it is complex, it has many qualities. People begin to realize this side of it or that side of it, but their views are partial, tentative, hypothetical. The complete truth is not to be found in these views. It is only realizable by the souls who have overcome their own passions. This fosters the spirit which makes us believe that what we think right may not after all be right. It makes us aware of the uncertainties of human hypotheses. It makes us believe that our deepest convictions may be changeable and passing. The Jains use the fable of the six blind men dealing with the elephant. One takes hold of the ears and says it is a winnowing fan. Another embraces it and says it is a pillar. But each of them gives us only one partial aspect of the ultimate truth. The aspects are not to be regarded as opposed to each other. They are not related to each other as light is related to darkness; they are related to each other as the different colours of the spectrum are related to one another. They are not to be regarded as contradicters, they are to be taken merely as contraries. They are alternative of…. reality. (State of Rajasthan and Ors. Vs. Vijay Shanti Educational Trust 37)

Justice M. R. Calla further observes that:

> Individual freedom and social justice are both essential for human welfare. We may exaggerate the one or underestimate the other. But he who follows the Jain concept of *anekāntavāda*, *saptabhaṅgī-naya*, or *syādvāda*, will not adopt that kind of cultural regimentation. He will have the spirit to discriminate between the right and the wrong in his own and in the opposite views and try to work for a greater synthesis. So, the necessity for self-control, the practice of *ahiṁsā*, and also tolerance and appreciation of others' points of view – these are some of the lessons which we can acquire from the great life of Mahāvīra. (State of Rajasthan and Ors. Vs. Vijay Shanti Educational Trust 37)

c. In **I. C. Golakhnath & Ors vs. State of Punjab and Anrs,** the issue before the Hon'ble Supreme Court was whether the parliament has the absolute power to amend the fundamental rights under the constitution. The majority of Judges held that the Parliament is empowered to amend any part of the Constitution as per Article 368. It was also upheld that Article 13 only applies to ordinary legislation and not to constitutional amendments. Justice Hidayatullah has given a dissenting judgment and observed that fundamental rights were not within Parliament's giving or taking. They were secured to the people by Articles 12, 13, 32, 136, 141, 144 and 226. Parliament is not the same as the Constituent Assembly but only a constituted body that should bear allegiance to the Constitution. It is not within the scope of the power of Parliament to change the fundamental parts of the Constitution. Only amendments made by Parliament that do not abridge or take away fundamental rights were valid. (I. C. Golakhnath & Ors vs State of Punjab and Anrs)

d. In **ADM Jabalpur Vs. Shivkant Shukla**, also known as the Habeas Corpus case, the issue before the Hon'ble Supreme Court was that whether during a state of Emergency, a person's

right to life and personal liberty under Article 21 of the Constitution could be suspended (Additional District Magistrate, Jabalpur vs S. S. Shukla Etc. Etc). The majority of judges consisting of Chief Justice A.N. Ray, Justice Hameedullah Beg, Justice Y.V. Chandrachud, and Justice P.N. Bhagwati held that during an Emergency, the right to life and personal liberty of individuals could be suspended and that the courts could not interfere with the detention of individuals under preventive detention laws. Justice Hans Raj Khanna wrote a dissenting judgment and held that the right to life and personal liberty could not be suspended even during an Emergency and that the courts had a duty to protect the fundamental rights of the citizens. In this celebrated dissent in the history of the Supreme Court of India, delivered at the height of an emergency that then seemed to be everlasting, Justice Khanna held that Article 21 was not the sole repository of the human right to life and liberty, nor were the courts barred from issuing habeas corpus writs under Article 226 of the Constitution of India. Of all the dissenting judgments that have been referred to here, this judgment is perhaps the most courageous and shows the *anekāntic* approach. Justice Khanna was in line to become the Chief Justice of India, and would obviously have known that a government headed by Smt. Indira Gandhi, who had, on an earlier occasion, already superseded three judges who espoused views on the Constitution of India antithetical to her own, would very likely supersede him as well. This turned out to be true, for, before the Janata government came to power, Justice Beg, was made chief justice-superseding Justice Khanna-who resigned as a result. Nani Palkhivala paid tribute to Justice Khanna for this courageous dissent, saying, "To the stature of such a man, the Chief Justiceship of India can add nothing" (Justice K.S.Puttaswamy(Retd) And Anr. vs Union Of India And Ors).

e. In **Indian Young Lawyers' Association Vs. State of Kerala,** the issue before the Hon'ble Supreme Court was whether this restriction imposed by the temple authorities on entry of women in the temple violates Articles 15, 25, and 26 of the Indian Constitution, whether this restriction violates the provisions of Kerala Hindu Place of Public Worship Act, 1965 and whether the Sabarimala Temple has a denominational character? The majority of judges consisting of Justices Dipak Misra, A.M. Khanwilkar, Rohinton Fali Nariman, Dr. D.Y. Chandrachud held that the restrictions upon the entry of women between the ages of 10-50 into the Sabrimala shrine were unconstitutional and struck down Rule 3(b) of the Kerala Hindu Places of Public Worship (KHPW) Rules Act, 1965. The majority held that the devotees of Lord Ayyappa did not constitute a separate religious denomination but were part of the Hindu fold and that in the absence of any scriptural or textual evidence justifying the same, the exclusion of women could not be considered to be an essential religious practice. The Court further declared that Rule 3(b) of the KHPW Rules was unconstitutional for being violative of Part III of the Constitution of India. Justice D.Y. Chandrachud further observed that the social exclusion of women, based on physiological attributes like menstrual status, was comparable to a form of untouchability, following notions of "purity and pollution", which served to stigmatize individuals and could not be justified in the scheme of constitutional morality, besides being explicitly prohibited under Article 17. Justice Indu Malhotra vehemently opposed the judgment and observed that the Sabarimala Temple satisfies the requirements for being considered a separate religious denomination is protected under Article 26(b) to manage its internal affairs and is not subject to the social

reform mandate under Article 25(2)(b), which applies only to Hindu denominations. She stated that the State must respect the freedom of various individuals and sects to practice their faith. She dismissed the argument that the Sabarimala custom violates Article 17 of the Constitution as Article 17 pertains to untouchability and prohibits discrimination on the basis of impurity. She stated that, in the context of the Article and the Constitution in general, untouchability refers to caste and does not extend to discrimination on the basis of gender. She said that the Court must respect a religious denomination's right to manage its internal affairs, regardless of whether its practices are rational or logical. (Indian Young Lawyers Association vs The State of Kerala). Here it is pertinent to note that the majority as well as the dissenting minority used and interpreted the principle of constitutional morality from their own perspectives which squarely is *anekāntavāda*.

f. In Justice **K.S. Puttaswamy (Retd) and Anr. Vs. Union of India (UOI) & Ors.,** the issues before the Hon'ble Supreme Court were whether the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits, and Services) Act, 2016 violates the Right to Privacy and is unconstitutional based on this ground and whether the Aadhaar Act can be treated as a "Money Bill" within the meaning of Article 110 of the Indian Constitution. The majority of judges consisting of Justices D. Misra, A. Bhushan, A.M. Khanwilkar, A. Sikri on the question of whether the Act violated the right to privacy, the Court referred to the 2017 decision in Puttaswamy, where privacy was declared to be a fundamental right. In the opinion of the Court, the Aadhaar Act coupled with the aim of delivery of welfare benefits passed the three prongs of the test laid down in Puttuswamy is, for invasion of the right to be justifiable. The Court stated that the third requirement of proportionality had also been met as the purpose of the Aadhaar Act was to accurately identify the beneficiaries of State welfare schemes and that it achieved the balancing of two fundamental rights with privacy on one hand, and the right to food, shelter, and employment on the other. On the question of whether the Aadhaar Act could be passed as a Money Bill within the meaning of Article 110 of the Constitution, the Court stated that considering the fact that the aim of the Act was to create a unique identification so that deserving beneficiaries were able to access subsidies or services, the expenditure of which was drawn from the Consolidated Fund of India, the Aadhaar Act was validly passed as a Money Bill. However, certain sections of the Aadhaar Act were struck down as unconstitutional. Justice D.Y. Chandrachud gave a dissenting judgment and held that the legislative passage of the Aadhaar Act as a Money Bill was unconstitutional. In his opinion, the State had failed to satisfy the Court that the targeted delivery of subsidies that bolstered the right to life entailed a necessary sacrifice of the right to an individual's privacy when both these rights were protected by the Constitution. He further held that Aadhaar violated the principles of informational privacy, self-determination, and data protection. He reiterated that Aadhaar bore the risk of creating a surveillance state and also held that in the absence of an independent regulatory and monitoring framework that provided robust safeguards for data protection, the Aadhaar Act was violative of Article 14. Such dissent is exemplary of a pluralistic approach. (Justice K.S.Puttaswamy(Retd) vs Union Of India)

g. In the case of **Shayara Bano Vs. Union of India,** the issues before the Hon'ble Supreme Court were whether the practice of talaq-e-biddat (instantaneous triple talaq), an alleged essential practice in Muslim Personal Law (Shariat) and protected under Article 25 of the Indian Constitution, and whether the triple talaq infringes on the fundamental rights guaranteed under the Constitution and is unconstitutional. The majority of judgement was given by Justices Kurian Joseph, U.U. Lalit, and R.F. Nariman. The majority determined that the talaq-e-biddat custom was "manifestly arbitrary" and unlawful. Triple Talaq was declared unconstitutional under Article 14 r/w Article 13(1) of the Indian Constitution. The Court determined that the Muslim Personal Law (Shariat) Application Act, 1937 had penalized the practice as a matter of personal law. The punishment for committing this crime is imprisonment for up to 3 years. The Court clarified that “an arbitrary action must include negation of equality” and found that the triple Talaq's provision that “the marital tie can be broken capriciously with no attempt at reconciliation to preserve it” constitutes an arbitrary act that violates Article 14 of the Indian Constitution. The Supreme Court also found that the practice of Triple Talaq or Talaq-e-biddat is not protected by the exception outlined in Article 25 since it is not an essential practice of Islam. But Justice Nazeer and Chief Justice Khehar wrote dissenting judgment and held that the Right to Religion protects talaq-e-biddat and that Parliament should have drafted legislation to control the practice. Justice Khehar opined that the personal law of Muslims is not enacted by the State and that only State-enacted laws are subject to fundamental rights and can be challenged on the grounds that it violates them. It was observed that triple talaq is a “law in force” and that the word “talaq” mentioned in Section 2 of the Shariat Act 1937 makes it a general authority. It is also mentioned in the Dissolution of Muslim Marriage Act, 1939, and thus, automatically comes under the supervision of State laws and can be challenged in Court on the grounds of fundamental rights. The multiple perspectives are evident in the judgment. (Shayara Bano vs Union Of India And Ors.)

h. In **Romila Thapar and Ors. Vs. Union of India,** the issue before the Hon'ble Supreme Court was whether the court would permit establishing a Special Investigation Team (SIT). Can the behest of the next friend of the accused entertain the same prayer and can the accused persons be released after the impression of being trapped? The majority of Judges consisting, CJI Dipak Misra and Justice A.M. Khanwilkar dismissed the petition for the establishment of an SIT. The Supreme Court extended the period of house arrest for the activists by four weeks from the date of the judgment, allowing them to seek bail in lower courts. The court also rejected the petition and granted the investigating officer the authority to take necessary actions in accordance with the law. Justice D.Y. Chandrachud dissented from the majority view and had an extremely disagreeing view as he raised concerns about the impartiality of the Maharashtra Police, stating that there were sufficient doubts in this regard. He noted that the remedies sought by the petitioner were not related to the remedies available under criminal procedure. He expressed the belief that an SIT was necessary in this case to ensure a fair and impartial investigation. He also argued that the court should monitor the investigation itself. A different perspective in the scenario can be seen. (Romila Thapar vs Union Of India)

i. In **Union of India Vs. H.S. Dhillon**, a scholarly treatise on the subject can even dispute the correctness of both majority and minority views, and arrive at a third view, which, in the author's opinion, ought to be the view of the court (Union Of India vs H. S. Dhillon). Here it is interesting to mention what Oliver Cromwell said to the General Assembly of the Church of Scotland in 1650: "Brethren by the bowels of Christ I beseech you, bethink you that you may be mistaken" (Tribe 103).

All the above cases reflect a non-absolute and multi-dimensional approach of the Indian Courts with either express or an implicit application of *anekāntavāda.*

Conclusion

Each of us has a point of view. It may be true to our specific situation, but it may not hold for another. This is the same as saying one man's meat is another man's poison. This is also the secret to understanding the spirit of tolerance. *Anekānta* is, thus, like a lotus, although its petals are laid out in many layers, they form a single flower. It embodies different concepts complete with their partners in opposites. *Anekāntavāda* helps us cultivate the attitude of tolerance towards the views of our adversaries. It does not stop there but takes us a step forward by making us investigate as to how and why they hold a different view and how the seeming contradictories can be reconciled to evolve harmony.

This research explored the intricate interplay between the Jain philosophy of *anekāntavāda* and the institution of dissenting judgments within the legal system, focusing on Indian jurisprudence. The exploration revealed that *anekāntavāda*, with its emphasis on the relativity of truth and acceptance of multiple perspectives, resonates profoundly with the ethos of dissenting judgments. The selected cases showcased the manifestation of *anekāntavāda* principles, highlighting how dissenting opinions contribute to a richer, more nuanced understanding of legal truths and facilitate the continual evolution and refinement of legal principles and interpretations.

The confluence of *anekāntavāda* and legal philosophy offers profound insights and possibilities for enriching legal thought, practice, and adjudication. It serves as a reminder of the inherent complexities, uncertainties, and pluralities of our world and invites us to approach legal and moral dilemmas with humility, compassion, and a willingness to understand and embrace multiple truths. By integrating *anekāntavāda's* wisdom, the judicial system can evolve to become a beacon of inclusivity, diversity, and harmonious coexistence, contributing to the realization of a more just, humane, and enlightened society.

Within infinite myths lies the eternal truth,
Who sees it all?
Varuṇa has but a thousand eyes
Indra a hundred
And I, only two.

References

Additional District Magistrate, Jabalpur vs S. S. Shukla Etc. Etc. No. 1976 AIR 1207, 1976 SCR 172. Supreme Court of India. 28 April 1976.

Akalaṅkadeva. *Tattvārthavārtika [Rājavārtika]*. Ed. Mahendra Kumar Jain. Trans. Mahendra Kumar Jain. Vol. I. New Delhi: Bharatiya Jnanpith, 2001.

I. C. Golakhnath & Ors vs State of Punjab and Anrs. No. 1967 AIR 1643, 1967 SCR (2) 762. Supreme Court of India. 27 february 1967.

Indian Young Lawyers Association vs The State of Kerala. No. Aironline 2018 SC 243. Supreme Court of India. 28 September 2018.

Internet and Mobile Association of India vs Reserve Bank Of India. No. 0528. Supreme Court of India. 4 March 2020.

Justice K.S.Puttaswamy (Retd) And Anr. vs Union Of India And Ors. No. AIR 2017 SUPREME COURT 4161. Supreme Court of India. 24 August 2017.

Justice K.S.Puttaswamy (Retd) vs Union Of India. No. AIR 2018 SC (SUPP) 1841. Supreme Court of India. 26 September 2018.

Little, Rory K. "Reading Justice Brennan: Is There a 'Right' to Dissent?" *Hastings Law Journal* 50.4 (1999): 683-704.

Mahaprajna, Acharya. "Preface." Mahaprajna, Acharya. *Anekant: The Third Eye*. Trans. Sudhamahi Regunathan. Ladnun: Jain Vishva Bharati Institute, 2002.

Mehta, T.U. "Syädvāda and Judicial Process." *Multi-Dimensional Application of Anekāntavāda*. Ed. Sagarmal Jain and Shripakash Pandey. Varansi and Ahmedabad: Parshwanath Vidyapeeth and Navin Institute of Self-development, 1999. 150-58.

Muni, Madhukar, ed. *Uttarādhyayanasūtra*. Trans. Rajendra Muni. Beawar: Shri Agam Prakashan Samiti, 2012.

Nariman, Rohinton F. *Discordant Notes The Voice of Dissent in the Court of Last Resort*. Vol. 1. Gurugram: Penguin Random House India, 2021.

Pattnaik, Devdutt. *Myth=Mythya, A Handbook of Hindu Mythology* . Penguin Books India, 2006.

Rajamalla, Pande. *Pañcādhyāyī*. Ed. Abhaykumar Jain. Trans. Abhaykumar Jain. Karanja: Mahavira Gyanopasana Samiti, 2023.

Regunathan, Sudhamahi. *The Colours of Desire on the Canvas of Restraint- The Jain Way*. HarperCollins, 2015.

Romila Thapar vs Union Of India. No. AIR 2018 SUPREME COURT 4683. Supreme Court of India. 28 September 2018.

Shayara Bano vs Union Of India And Ors. No. AIR 2017 SUPREME COURT 4609. Supreme Court of Indi. 22 August 2017.

State of Rajasthan and Ors. Vs. Vijay Shanti Educational Trust. No. 2684/2000. Rajasthan Hight Court. 21 September 2001.

Tribe, Laurence H. *God Save This Honourable Court: How the Choice of Supreme Court Justice Shapes Our History* . New York: Random House, 1985.

Union Of India vs H. S. Dhillon. No. 1972 AIR 1061. Supreme Court of India. 21 October 1971.

Yaśovijaya. *Jaina Tarka Bhāṣā*. Ahmednagar: Shri Trilok Ratna Sthanakvasi Jain Dharmik Pariksha Board, 1964.

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