

Article 142

May 12, 2020

Why is it in the news?

- The SC set aside Allahabad HC verdict which had partitioned the Ayodhya property where one-third each had been granted to the deity, the Nirmohi Akhara and the Sunni Central Waqf Board. SC claimed that the **HC had exceeded its powers** by partitioning the property even though no such prayer had been made by any party either in the suits. While doing so it held that **only the Supreme Court had powers under Article 142** of the Constitution of India to grant extraordinary relief and the high court did not have any such constitutional power.

What is Article 142 of the constitution?

- According to Art 142(1), the Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for **doing complete justice** in any cause or matter pending before it, and any decree so passed or orders so made shall be **enforceable throughout the territory of India** in such manner as may be prescribed by or under any law made by Parliament and, until provision in that behalf is so made, in such manner as the President may by order prescribe.
- Famous judgements involving Art 142
- The Supreme Court had used Article 142 in 1989 to provide relief to the thousands of victims affected by the Bhopal gas tragedy.
- Banning the sale of alcohol within a distance of 500 metres on national and state highways across the country to curb accidents due to drunken driving.
- The recent case where bureaucrats from the state of

Punjab, Delhi and Uttar Pradesh were hauled up for not controlling stubble burning and a slew of directions were passed by SC which would otherwise have been in the domain of the executive.