

Split verdict

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About Split verdict:

- A split verdict is passed when the Bench cannot decide one way or the other in a case, either by an unanimous decision or by a majority verdict.
- **Split verdicts can only happen when the Bench has an even number of judges.** This is why judges usually sit in Benches of odd numbers (three, five, seven, etc.) for important cases, even though two-judge Benches — known as Division Benches — are not uncommon.
- In case of a split verdict, the **case is heard by a larger Bench.** The larger Bench to which a split verdict goes **can be a three-judge Bench of the High Court, or an appeal can be preferred before the Supreme Court.** In the case of the hijab verdict, the CJI, who is the 'master of the roster', will constitute a new, larger Bench to hear the matter.

Earlier cases with a split verdict

- A two-judge Bench of the Delhi High Court delivered a split verdict in petitions challenging the exception provided to marital rape in the Indian Penal Code (IPC).
- Madras High Court Division Bench order on the challenge to the disqualification of AIADMK MLAs owing allegiance to TTV Dinakaran (2018).

Source : Indian Express

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