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The Power of Words

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**STREET LEGAL****Her choice**

A woman claimed damages from the operating surgeon because she gave birth to a child despite undergoing a sterilisation procedure. The Supreme Court held that getting pregnant after the operation did not automatically entitle her to claim damages. She must establish if there was negligence while performing the operation. Further, it was up to the mother to opt for a medical termination of pregnancy once she came to know of it. If she opted to bear the child, the child ceased to be unwanted and hence compensation could not be claimed (*State of Punjab vs Shiv Ram*).

**Ground for divorce**

The husband filed a divorce petition on grounds of cruelty. He alleged that the wife used to torture him and often threatened to commit suicide. The trial court held that the grounds were not adequate for granting a divorce. Acting on an appeal by the husband, the Andhra Pradesh High Court held that merely the filing of a criminal case might not be a ground for divorce, but if cruelty was established, divorce ought to be granted. It further said that the fact that the wife had also filed a maintenance case and was living apart for 13 years proved that she didn't wish to lead a happy married life (*Gajjala Shankar vs Mrs Anuradha*).

**The dead don't talk**

The husband was convicted under Section 498A when his wife killed herself. The conviction was based on the evidence submitted by his wife's mother and sister, who said that she had told them how her husband harassed her and demanded dowry. The husband filed a revision against the order. The Andhra Pradesh High Court held that in this case, it was impossible to cross-examine what had been communicated to the witnesses. The husband was, therefore, acquitted. (*S. Narasimulu vs State of UP*)

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