

LEGAL AID CLINIC CASES FOR THE SESSION 2024-25

1. Consumer-Protection Matter

Date : 2nd August, 2024.

Client: Mrs. Rita Singh, 38-year-old street-vendor from Guwahati.

Facts

- In June 2024 Mrs. Singh paid a Rs 12,000 deposit to "Bright Future Furniture" in Guwahati for a custom-made dining set.
- The company promised delivery within 30 days; the set never arrived and the firm stopped responding to calls.

Legal Issues

- Breach of contract under the Indian Contract Act, 1872.
- Unfair trade practice & deficiency of service under the Consumer Protection Act, 2019.

Clinic Intervention

1. Intake & Documentation – Collected the receipt, bank statement, and a copy of the written agreement.
2. Legal Notice – Drafted a formal notice demanding refund within 15 days; attached all supporting documents.
3. Filing the Complaint – Submitted a complaint to the District Consumer Disputes Redressal Commission (DCDRC) with a prayer for:
 - Full refund of Rs 12,000
 - Compensation for mental distress (Rs 5,000)
 - Litigation costs (Rs 2,000)

Outcome

The DCDRC passed an order within 45 days directing the seller to pay Rs 19,000 (refund + compensation + costs).

The amount was deposited directly into Mrs. Singh's bank account after the seller failed to appeal.

Learning Points for Students

- Importance of preserving all transactional evidence (receipts, emails, WhatsApp messages).
- How to navigate the consumer-court procedure quickly and effectively.
- Drafting persuasive legal notices that can prompt settlement before litigation.

2. Family-Law Assistance

Date: 16th August, 2024.

Client: Ms. Priya Gogoi, 29-year-old mother of two, residing in Amingaon.

Facts

- Ms. Mehta separated from her husband in January 2025.
- The husband stopped providing any financial support, leaving her unable to pay rent or school fees.

Legal Issues

- Claim for interim maintenance under Section 125 of the CrPC/ Section 144 of BNSS
- Potential claim for permanent alimony under the Hindu Marriage Act, 1955.

Clinic Intervention

1. Fact-Finding – Collected marriage certificate, birth certificates of the children, payslips of the husband, and bank statements showing zero deposits.
2. Interim Petition – Filed an application for interim maintenance, citing the husband's monthly salary of Rs 45,000.
3. Mediation – Attended two court-mandated mediation sessions: the husband offered Rs 5,000 per month, which the clinic rejected as insufficient.
4. Court Hearing – Presented income proof, highlighted the children's needs, and argued that the husband's lifestyle (evidenced by credit-card statements) warranted a higher amount.

Outcome

- The magistrate granted interim maintenance of Rs 8,000 per child (total Rs 16,000) effective from the date of filing.
- The order also directed the husband to pay arrears of Rs 48,000 within 30 days.

Learning Points for Students

- The strategic value of mediation versus litigation.
- Drafting concise, fact-based pleadings for family-court matters.

3. Labor-Law Dispute

Date: 13th September, 2024

Client: Mr. A. Ahmed Khan, 34-year-old migrant construction worker from Dhemaji, employed by "Build-Fast Pvt. Ltd." A construction company in Guwahati.

Facts

- Employed since June 2024 on a 12-month contract.
- Terminated on 15 June 2025 without notice or payment of dues (salary for May & June, plus gratuity).

Legal Issues

- Illegal termination under the Industrial Disputes Act, 1947.
- Non-payment of wages & gratuity under the Payment of Wages Act, 1936 and the Payment of Gratuity Act, 1972.

Clinic Intervention

1. Documentation – Obtained the employment contract, wage slips, and a copy of the termination letter (which stated "company restructuring").
2. Notice to Employer – Sent a legal notice demanding immediate clearance of all dues and reinstatement.
3. Filing a Claim – Filed a claim before the Labour Commissioner, Guwahati seeking:
 - Full salary for May & June (Rs 30,000)
 - Gratuity (Rs 15,000)

- Compensation for unlawful termination (Rs 20,000)

4. Negotiation – During the pre-trial conciliation, the employer offered a settlement of Rs 45,000 without reinstatement.

Outcome

- The clinic negotiated an enhanced settlement of Rs 55,000 (including all dues and a modest compensation) and secured a written promise that the employer would not contest future claims.
- The amount was paid within ten days of the agreement.

Learning Points for Students

- The procedural steps under the Industrial Disputes Act (notice, conciliation, adjudication).
- How to quantify damages for wrongful termination.
- Effective negotiation tactics when the employer is willing to settle.

4. Housing-Rights Case

Date : 27th September, 2024.

Client: Mr. Arun Patel, 42-year-old tenant in a rented house in Kahilipara, Guwahati..

Facts

- Rent of Rs18,000 per month, paid via bank transfer every month.
- In July 2025 the landlord served a “notice to vacate” alleging non-payment, despite the tenant having receipts for June and July.

Legal Issues

- Protection against illegal eviction under the Assam Urban Areas Rent Control Act, 1961.
- Right to quiet enjoyment under the Transfer of Property Act, 1882.

Clinic Intervention

1. Evidence Collection– Gathered bank statements, stamped receipts, and a copy of the lease agreement.

2. Reply to Notice – Drafted a detailed reply to the landlord's notice, attaching proof of payment and warning of legal action if the eviction proceeded.
3. Injunction Petition – Filed a petition for an interim injunction in the Civil Court, seeking to restrain the landlord from taking possession.

Outcome

- The court granted an ex-parte interim injunction, halting any eviction until the dispute is resolved.
- The landlord subsequently withdrew the eviction notice after a brief settlement discussion, agreeing to a 3-month rent reduction in exchange for the tenant's continued occupancy.

Learning Points for Students

- How to use documentary evidence to rebut false claims.
- The strategic use of interim injunctions in landlord-tenant disputes.
- Negotiation skills.

5. Criminal-Law Assistance

Date : 15th November, 2024.

Client: Mr. Sanjib Kalita. 22-year-old first-time offender charged with petty theft (value Rs 1,800).

Facts

- Alleged to have taken a wallet from a crowded market on 2nd October 2025.
- No prior criminal record; the only evidence is a CCTV image of a person resembling him.

Legal Issues

- Whether the prosecution can prove "beyond reasonable doubt" given the low evidentiary value.
- Eligibility for discharge under Section 239 of the CrPC.

Clinic Intervention

1. Interview & Statement – Recorded a detailed alibi (client was at a nearby clinic at the time of the incident) and collected a doctor's note.
2. Evidence Review – Obtained the CCTV footage and noted poor resolution; the face was not clearly identifiable.
3. Application for Discharge – Filed a petition under Section 239 CrPC, arguing insufficient evidence and highlighting the alibi.

Outcome

- The magistrate accepted the discharge petition, dismissing the case for lack of evidence.
- The client avoided a criminal record and any potential fine or imprisonment.

Learning Points for Students

- The importance of a thorough client interview to uncover exculpatory facts.
- How to challenge weak visual evidence in criminal proceedings.
- Drafting effective discharge petitions under the CrPC/BNSS.



25/12/25

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