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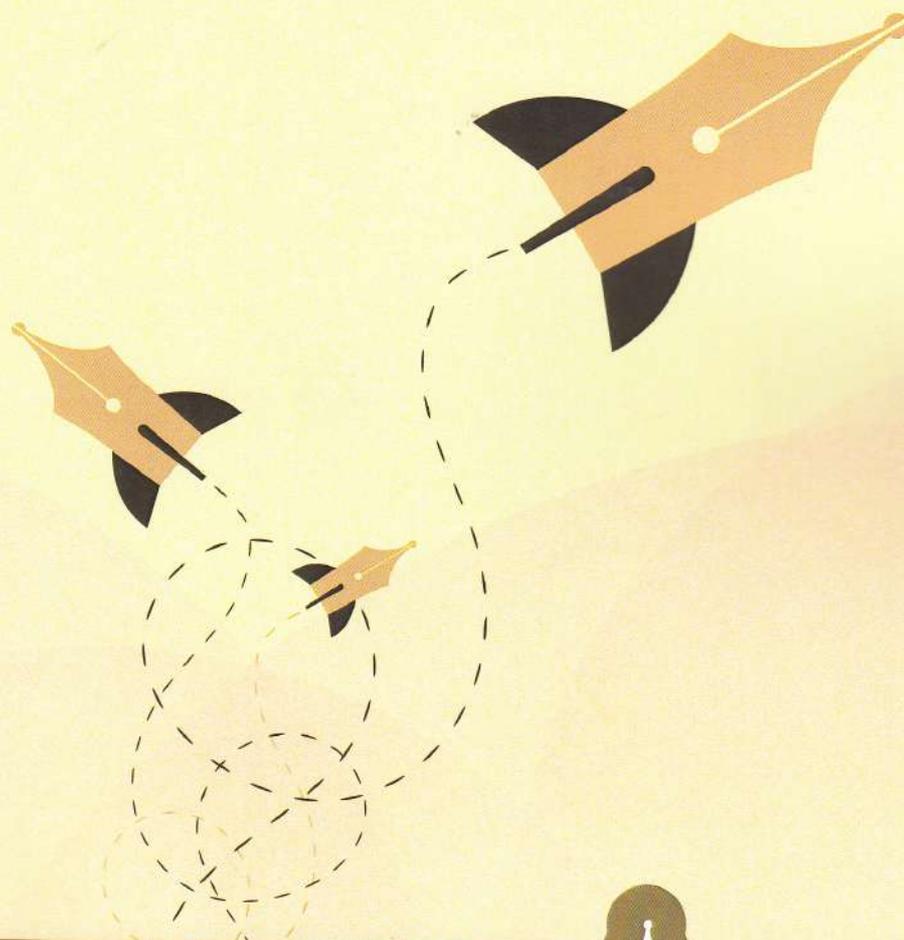
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## JUDICIAL RESPONSE TO INDIAN POLITY: A STUDY OF GANDHIAN SPRIT

□ Dr. Surender Singh\*

### ABSTRACT

*Mahatma Gandhi was a great Indian philosopher and freedom fighter, whom contribution to Indian society is beyond doubts. He had a versatile personality. His aim in life was to achieve illumination by serving his nation, society and mankind. As an India citizen he was of the view that it was his first duty to serve India. He did it through his thoughts, different movements, organisations and creative actions. His creative activities have covered all aspects of life mainly social, economic, political, educational, religious and medical fields. Many forms of his activities were related to social and economic welfare of society. He was very clear that all round development, self-sufficiency for an individual and for a nation is inevitable. This led him to think about and study various problems of the country and devise action plans for solving them. This was the root of his thinking and his work, discussions or writings therefore, were not educational fancy, but were the need of the hour. He knew this fact that the major part of human life is busy to fulfill their basic needs. In this situation all human related activities can never be without ethics and non-violence. Gandhi's ideals about social, economic, educational development, much like everything else in his life, were governed by ethical and moral considerations. That is why he stressed upon rural economy and emphasis on a simple life, coupled with his concern for universal well-being formed the foundation of his unique views about mankind. Gandhi's models of development were based largely on his understanding of the Indian situation. While, studying the Gandhian thoughts, it should be remembered that Gandhi's ideas are particularly humanitarian in nature and for him no models of development is worth implementation unless it aims towards the general well-being of the common people. Thus, his ideas were not only vital as his time, but still very relevant in this violent and discriminatory society. In many decision Indian Supreme Court has also justified the relevance of his ideas. In this paper, an attempt has been made to analyze some recent judgments of the Supreme Court in the context of 'Gandhian Spirit'. So as to know the Judicial trends regarding its constitutional obligations as though Judges are supposed to be objective, yet every human being (including Judges also) is subjective, influenced by philosophy of great men of the world and ground realities of the polity.*

**Keywords:** Constituent Assembly, Supreme Court, Gandhian Spirit, Trusteeship, Non-violence, Satyagarh.

### Introduction

“The ambition of the greatest man of our generation has been to wipe every tear from eye”, Jawahar Lal Nehru, referring Mahatma Gandhi, set the future agenda of Independent

India on 14 August 1947 in the Constituent Assembly. However, Mahatma Gandhi, himself, was not the member of the Constituent Assembly, yet his ideology and philosophy influenced the minds of our constitution makers. While proposing the Objective

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