

Henderson Doctrine

Posted at: 17/12/2024

Henderson Doctrine

Context:

In a recent case, the **Supreme Court** elaborated on the **Henderson Doctrine**, which is a natural extension of the Indian doctrine of **constructive res judicata**.

About the Henderson Doctrine:

The **Henderson Doctrine** originates from the English case of **Henderson vs. Henderson (1843)**. It establishes the principle that **all issues arising from the same subject matter** in a litigation must be addressed in a **single suit**.

Key points of the doctrine include:

1. **Bar on Relitigation:** It prohibits parties from **relitigating issues** that **could or should have been raised** in earlier proceedings.
 2. **Requirement to Present Entire Case:**
 - If a matter has been litigated and adjudicated by a **court of competent jurisdiction**, the litigating parties are expected to bring forward their **entire case** during the first proceeding.
 - This includes not just the issues explicitly decided by the court, but also **any potential claims or issues** that **properly belonged** to the subject of the litigation and could have been raised.
 3. **Purpose of the Doctrine:**
 - Ensures that litigants are not subjected to **repetitive or vexatious legal proceedings**.
 - Promotes finality in legal disputes.
 4. **Scope:** The doctrine bars claims and issues from being raised in subsequent litigation unless **exceptional circumstances** justify reopening them.
-

What is the Principle of Res Judicata?

The term "**res judicata**" literally means "**the thing has been judged**" and is also known as **claim preclusion**.

Key aspects of res judicata:

1. Preventing Duplicate Litigation:

- It applies when a litigant attempts to file a **new lawsuit** on the **same matter** after a judgment has already been delivered in a **previous case involving the same parties**.

2. Judicial Concept:

- The principle ensures that issues which have been **decided by a competent court** cannot be re-litigated.
- Courts will **dismiss** such cases as being **redundant** and **unnecessary**.

3. Applicability:

- Res judicata is applicable in both **civil** and **criminal legal systems**.

Conclusion:

The **Henderson Doctrine** reinforces the principle of **res judicata** by mandating that all issues related to a subject matter must be brought forward in the **first litigation**. Together, these doctrines ensure **finality of judgments**, reduce **legal harassment**, and prevent the courts from being burdened with repetitive cases.

