

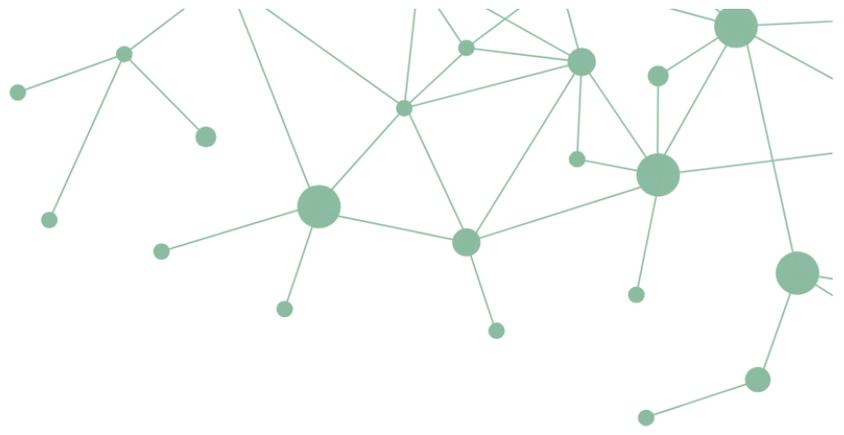


# Supreme Court

Annual Digest 2025



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**SUKHDEV SINGH VS SUKHBIR KAUR [C.A. NO.-002536-002536 - 2019]****Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The Supreme Court of India, in a judgment delivered by a three-judge bench, held that a spouse whose marriage has been declared void under Section 11 of the Hindu Marriage Act, 1955 is entitled to seek permanent alimony or maintenance from the other spouse by invoking Section 25 of the Act. However, the grant of such relief is discretionary and depends on the facts of each case and the conduct of the parties. The Court further held that even if the court comes to a prima facie conclusion that the marriage between the parties is void or voidable, it is not precluded from granting maintenance pendente lite under Section 24 of the Act, provided the conditions mentioned in Section 24 are satisfied. The grant of relief under Section 24 is also discretionary and depends on the conduct of the party seeking the relief. This appears to be a batch matter, as the judgment addresses multiple civil appeals related to the interpretation of Sections 24 and 25 of the Hindu Marriage Act.

**THE STATE OF MADHYA PRADESH VS SHYAMLAL [C.R.L.A. NO.-001254-001254 - 2024]****Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The conviction of the respondents was converted from murder to culpable homicide not amounting to murder. Medical evidence raised doubts about whether the injuries inflicted caused the deceased's death. Due to a 36-year delay since the incident and the respondents' advanced age (70-80 years), the decision to allow them to be released with the sentence already served and a fine was deemed appropriate.

**SHITAL FIBERS LTD. VS COMMISSIONER OF INCOME TAX [C.A. NO.-014318-014318 - 2015]****Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The interpretation by the Bombay High Court in the case of Associated Capsules (P) Ltd. v. Deputy Commissioner of Income Tax is considered logical and correct. Section 80-IA(9) impacts the allowance of deductions computed under various provisions of Chapter VI-A, not the calculation of the deductions themselves. The total deduction under Section 80-IA and other provisions should not exceed the profits of the eligible business. The view aligns with opinions expressed in related cases regarding the same issue, stemming from differing opinions in earlier decisions.

**DILEEP KUMAR PANDEY VS UNION OF INDIA [C.A. NO.-010899-010899 - 2013]****Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The Air Force School, Bamrauli is classified as an "authority" under Article 12 of the Constitution of India, making it subject to writ jurisdiction under Article 226. Established by the Indian Air Force for the education of its personnel's children and managed by the Indian Air Force Educational and Cultural Society, the Air Force exercises significant control over administration, funding, staffing, and discipline. This control qualifies the schools as "authorities" even without direct government funding. The nature of education as a public function permits writ jurisdiction. Earlier cases were distinguished based on differing facts. The maintainability of the writ petitions by appellant teachers was recognized, and the High Court was instructed to consider the matters on their merits.

**SARLA GUPTA VS DIRECTORATE OF ENFORCEMENT [C.R.L.A. NO.-001622-001622 - 2022]****Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The accused is entitled to receive all documents related to the complaint under Section 44(1)(b) of the Prevention of Money Laundering Act (PMLA) to ensure a fair trial. At the charge framing stage, the accused does not receive documents not relied upon by the prosecution but must be informed of such documents to apply for their production later. At the defense evidence stage, the accused has the right to apply for the production of any document or witness, with court denial permissible only under limited

conditions. Given the heavy burden of proof on the accused under the PMLA, this right should be interpreted broadly. Additionally, the accused can seek production of documents not used by the prosecution during bail applications under Section 91, unless disclosure would harm an ongoing investigation.

**BRIG SANDEEP CHAUDHARY VS THE UNION OF INDIA [C.A. NO.-004655 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The Initiating Officer intended to give the appellant lower ratings in undisclosed portions of the Annual Confidential Reports, indicating bias. The figurative ratings in the Qualities to Assess Potential and Box gradings for the periods of 12/2017-06/2018 and 07/2018-06/2019 were ordered to be expunged. Reconsideration of the appellant's promotion to Major General must account for the expunged portions of the ACRs.

**JAIPUR VIDYUT VITARAN NIGAM LIMITED VS THE RAJASTHAN TEXTILE MILLS ASSOCIATION [C.A. NO.-008862-008868 - 2022]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The electricity regulatory commission correctly determined the Cross-Subsidy Surcharge (CSS) rates based on the prevailing retail tariff, allowing for compensation to distribution licensees without needing to align CSS determination with the tariff process. The prior view that CSS rates should not be revised until the next tariff order was rejected, affirming the commission's authority to set CSS rates independently and immediately. The commission's order on CSS rates remains effective until the next tariff order is issued, with the process not requiring synchronization with tariff determinations as long as it adheres to regulations.

**PRASANNATMA DAS VS K.N. HARIDASAN NAMBIAR (DEAD) [C.A. NO.-003821-003822 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The trial court's decree in Suit No. 7934 of 2001 was restored, confirming the allotment of Schedule 'A' property to ISKCON Bangalore, a registered society, and rejecting the High Court's claim that the property was allocated to ISKCON Mumbai through its Bangalore branch due to lack of evidence. Additionally, the challenges to the dismissal of Suit No. 1758 of 2003 were dismissed, as the plaintiffs did not prove the proper composition of the Governing Body of ISKCON Bangalore.

**K.H. KAMALADINI VS STATE [C.R.L.A. NO.-005380-005380 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

A prima facie case exists against the appellant for offences under Sections 409 and 468 of the Indian Penal Code, as evidence suggests possible forgery of the Public Works Department Minister's signature to avoid publishing tender notices. However, accusations under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act were dismissed due to lack of allegations regarding any personal or material benefits obtained by the appellant. The direction to frame charges under the Prevention of Corruption Act was set aside, while charges under the Indian Penal Code were maintained.

**A.M. KULSHRESTHA VS UNION BANK OF INDIA [C.A. NO.-007039-007039 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

Disciplinary proceedings, including a charge sheet dated 10th June 2019, against the appellant were quashed due to the respondent bank's failure to obtain the mandatory advice from the Central Vigilance Commission (CVC) before serving the charge sheet. The bank acknowledged the case had a vigilance angle but issued the charge sheet without waiting for the CVC's guidance, which was deemed arbitrary and mala fide, particularly as the appellant was close to retirement after 34 years of service. The appellant will not receive back wages or allowances, but all retirement benefits due as of 30th June 2019 must be released.

**I.S TOMAR VS INVERTIS UNIVERSITY [C.A. NO.-004599-004601 - 2014]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

Dr. I.S. Tomar, the former Mayor of Bareilly Municipal Corporation, was not penalized under Section 26 of the NGT Act for non-compliance with NGT orders. He was not a party to the original applications related to the NGT orders from May and July 2013, and there was no evidence tying him to the municipal solid waste dumping. Directions against him from the NGT's judgment were set aside, while the fine imposed on the Municipal Corporation of Bareilly for environmental degradation remained intact.

**MAYA P.C. VS STATE OF KERALA [C.A. NO.-014915-014915 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

Judgments in favor of the appellants from the Kerala High Court's Single Judge and the Kerala Administrative Tribunal were restored, while previous judgments from the Kerala High Court's Division Bench were set aside. The 2013 government order that regularized the services of appellants, persons with benchmark disabilities, cannot be invalidated by the 2016 order that denied them seniority, probation, and promotion benefits. The 2016 order was deemed discriminatory and a violation of the appellants' constitutional rights under Articles 14 and 16. The original 2013 order indicated regular appointments, and the treatment of appellants as appointed to supernumerary posts does not exclude them from service benefits enjoyed by regular employees.

**SAMEER SANDHIR VS CENTRAL BUREAU OF INVESTIGATION [CRL.A. NO.-004718-004719 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The prosecution can produce previously unfiled CDs related to the chargesheet, referencing the R.S. Pai case. The issues of the CDs' authenticity and the validity of the Section 65B certificate are to be decided by the trial court. The appellant is allowed to recall prosecution witnesses for limited cross-examination on the CDs.

**SAKHAWAT VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-004571-004571 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The convictions of the appellants were set aside, and they were acquitted of the alleged offenses due to the prosecution's failure to conduct a fair investigation. This included not properly investigating affidavits submitted by three out of four eyewitnesses that favored the accused. The suppression of these affidavits raised serious doubts about the prosecution's case, making it unsafe to convict based solely on the testimony of one eyewitness.

**THE GENERAL MANAGER PERSONNEL SYNDICATE BANK VS B S N PRASAD [C.A. NO.-006327-006327 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The disciplinary inquiry against the bank branch manager was valid, supported by documentary evidence and the manager's admissions, with principles of natural justice followed. Due to an unblemished record of over 21 years, the penalty was modified from dismissal to a one-year reduction in pay scale, without affecting the pension. The previous orders setting aside the dismissal were quashed, the finding of misconduct was restored, and the penalty was deemed disproportionate.

**VIHAAN KUMAR VS THE STATE OF HARYANA [CRL.A. NO.-000621-000621 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the arrest of the appellant was illegal due to the failure to communicate the grounds of arrest to him as mandated by Article 22(1) of the Constitution. The Court ruled that the requirement to inform the person arrested of the grounds of arrest is a mandatory constitutional

safeguard and not a mere formality. The communication of the grounds must be meaningful and effective, conveying sufficient knowledge of the basic facts to the arrested person in a language he understands. The Court noted that when an arrested person alleges non-compliance with Article 22(1), the burden is on the investigating agency to prove that the requirements were duly met. In this case, the respondents failed to establish that the grounds of arrest were communicated to the appellant. The Court further observed that the violation of Article 22(1) also amounts to a deprivation of the right to liberty under Article 21, as the arrest process stands vitiated. The Court directed the immediate release of the appellant, while clarifying that this would not affect the merits of the pending case against him. The State was also ordered to issue guidelines to the police to ensure strict compliance with the constitutional safeguards under Article 22.

**LARSEN AND TOUBRO LTD. VS PURI CONSTRUCTION PVT. LTD. [C.A. NO.-002575-002578 - 2016]**

**Bench: Justice Abhay S. Oka, Justice Pankaj Mithal**

The Supplementary Agreement was deemed invalid due to economic duress, and the Development Agreement was not considered novated. L&T was found to have committed a fundamental breach of the Development Agreement, and its counterclaim was dismissed. The quantification of damages and compensation was set aside due to lack of proper evidence. A permanent injunction was granted to PCL, preventing L&T from interfering with PCL's property development. The issue of indemnification for ITCREF's claims was set aside, excluding indemnification for the committed area of 2,20,416 sq.ft. under the Development Agreement. Costs of arbitration were confirmed in favor of PCL.

**BHARAT PETROLEUM CORPORATION LTD. VS COMMISSIONER OF CENTRAL EXCISE NASHIK**

**COMMISSIONERATE [C.A. NO.-005642-005642 - 2009]**

**Bench: Justice Abhay S. Oka, Justice Pankaj Mithal**

The price charged by Oil Marketing Companies (OMCs) under the Multilateral Product Sale-Purchase Agreement (MOU) was not considered the primary factor for sale, as the MOU aimed to ensure smooth supply and distribution of petroleum products rather than facilitating a commercial sale. The invocation of the extended period of limitation under Section 11A(1) of the Central Excise Act, 1944, was deemed unjustified due to a lack of suppression of material facts by the OMCs, leading to the inability to impose penalties under Section 11AC. The appeal from Bharat Petroleum Corporation Ltd. (BPCL) was successful, resulting in the demands being set aside, while other revenue appeals were returned to the Tribunal for fresh adjudication based on these findings.

**AEJAZ AHMAD SHEIKH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-002142-002142 - 2017]**

**Bench: Justice Abhay S. Oka, Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The Supreme Court dismissed the appeals filed by the state and the complainant against the High Court's acquittal of the accused. The main points are: 1. The court found significant contradictions and issues with the testimony of the minor eyewitness (PW-5), as the trial court did not properly ascertain his competence to testify. This raised doubts about the reliability of his evidence. 2. The court held that the dying declarations of the victims were not properly put to the accused under Section 313 of the CrPC, denying him the opportunity to explain them. This caused prejudice to the accused, and the court could not consider this evidence. 3. The court noted other inconsistencies and lack of explanation in the prosecution's case, such as the burn injuries to the co-accused Aslam. 4. Considering the long delay and the fact that the accused had already undergone over 6 years of incarceration, the court held that it would be unjust to now remand the case to the trial court for further examination of the accused under Section 313. 5. The court ultimately upheld the High Court's view that the guilt of the accused was not proved beyond a reasonable doubt, despite the shocking nature of the incident.

**TUKESH SINGH VS THE STATE OF CHHATTISGARH [CRL.A. NO.-001157-001157 - 2011]**

**Bench: Justice Abhay S. Oka, Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The guilt of the accused was not proved beyond a reasonable doubt due to failure of eyewitnesses to identify them in court and inconsistencies in their testimonies revealed during cross-examination. Considering the evidence and the substantial period already served by the appellants, the accused were acquitted, and the previous conviction was set aside.

**VINOD KUMAR VS STATE(GOVT. OF NCT OF DELHI) [CRL.A. NO.-002482-002482 - 2014]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court allowed the criminal appeal, quashing and setting aside the appellant's conviction under Section 302 of the Indian Penal Code. The court found that the prosecution's case, based on circumstantial evidence, had failed to establish two key circumstances - the 'last seen together' theory and the appellant giving evasive replies - beyond a reasonable doubt. The court observed significant improvements and omissions in the testimony of the key witness, PW-3, rendering her evidence unreliable. The court also noted that the trial court had followed an incorrect procedure in confronting the witnesses with their prior statements. Consequently, the appellant's conviction and sentence were set aside, and he was acquitted of the alleged offences.

**SAHAKARMAHARSHI BHAUSAHEB THORAT SAHAKARI SAKHAR KARKHANA LTD. VS THYSSEN KRUPP INDUSTRIES INDIA P.LTD. [C.A. NO.-003194-003194 - 2014]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court held that the appellant's claim for damages of ₹68.15 lakhs, based on the refund of the amount spent on acquiring the plant and machinery, was not justified. The court found that the agreement contained specific clauses for liquidated damages in case of non-performance or delay, which the appellant had already been granted. However, the appellant did not exercise the option under the agreement to replace the defective machinery at the respondent's cost. The court ruled that the appellant's claim would be limited to the liquidated damages expressly provided for in the contract, as per Section 74 of the Indian Contract Act. The High Court's judgment setting aside the ₹68.15 lakhs claim was upheld. There were no separate judgments, and this was not a batch matter.

**UDHAW SINGH VS ENFORCEMENT DIRECTORATE [CRL.A. NO.-000799-000799 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court allowed the criminal appeal, finding that the appellant's prolonged incarceration of over 1 year and 2 months with little progress in the trial was a violation of his right to a speedy trial under Article 21 of the Constitution. The court referred to its earlier decision in V. Senthil Balaji v. Deputy Director, Directorate of Enforcement, which held that constitutional courts can exercise their powers to grant bail when a trial under the PMLA is likely to prolong beyond reasonable limits, as the state cannot detain an accused for an unreasonably long time. The court distinguished the present case from an earlier decision in Union of India through the Assistant Director v. Kanhaiya Prasad, where the accused was granted bail after a shorter period of custody. The Solicitor General agreed that the V. Senthil Balaji decision should be followed, and the court directed the Special Court to enlarge the appellant on bail on appropriate terms and conditions.

**IN RE POLICY STRATEGY FOR GRANT OF BAIL VS [SMW(CRL) NO.-000004 - 2021]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court of India comprehensively addressed the legal issues surrounding the power of the appropriate government to remit the whole or part of a convict's sentence under Sections 432 of the Code of Criminal Procedure and 473 of the Bharatiya Nagarik Suraksha Sanhita. The court held that where a policy exists for the grant of premature release, the government is obligated to consider cases of all eligible convicts, without requiring a specific application from the convict or their relatives. However, where no such policy exists, the court directed the states and union territories to formulate a policy within two months. The court also discussed the power of the government to impose reasonable conditions while granting remission, the procedure to be followed for cancelling an order of remission upon breach of conditions, and the requirement to record reasons for granting or rejecting an application for remission. The court emphasized the need to ensure that the power of granting remission is exercised in a fair, transparent and reasonable manner, safeguarding the convict's constitutional rights. The court also directed the District Legal Services Authorities to monitor the implementation of the court's directions.

**SUDERSHAN SINGH WAZIR VS STATE (NCT OF DELHI) [CRL.A. NO.-000536-000537 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court held that the High Court's ex-parte order staying the order of discharge was illegal, as such a drastic order can only be passed in rare and exceptional cases after hearing the accused. The court quashed the High Court's orders and directed the appellant to furnish bail before the Sessions Court, with conditions including cooperating for the early disposal of the revision application against the discharge order. The court stated that the High Court should decide the revision application without being influenced by the observations in this judgment.

**TANAJI SHAMRAO KALE VS THE STATE OF MAHARASHTRA [CRL.A. NO.-001145-001145 - 2011]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The conviction of the appellants for murder and related offenses was upheld, with reliable eyewitness testimony establishing their roles in the incident. Claims of unreliable or contradictory evidence were rejected. Tanaji Shamrao Kale, previously granted bail, must surrender within one month to serve the remaining sentence.

**SURESH @ HANUMANT VS STATE (GOVT. OF NCT DELHI) [CRL.A. NO.-002685-002685 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The conviction of three appellants for murder under Section 302 read with Section 34 of the Indian Penal Code was upheld based on a reliable and consistent dying declaration from the deceased to two witnesses. Although one witness did not support the prosecution, the testimonies from the reliable witnesses were sufficient to establish the appellants' culpability. Evidence of the recovery of the weapon from one accused was considered, and any gaps in the ballistic evidence were deemed insignificant due to the corroborated dying declaration. The principle of common intention under Section 34 of the IPC was applied, leading to the dismissal of the appeals.

**DELHI DEV. AUTHORITY VS S.G.G. TOWERS (P) LTD. [C.A. NO.-001972-001972 - 2011]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The agreement to lease between the Delhi Development Authority (DDA) and M/s Mehta Constructions did not create leasehold rights for M/s Mehta Constructions due to the absence of a executed lease deed. Consequently, M/s Mehta Constructions could not transfer any rights to M/s Pure Drinks Private Limited. The auction sale of the plot to the first respondent in the liquidation of M/s Pure Drinks Private Limited did not grant ownership or leasehold rights, as M/s Mehta Constructions had no such rights. The

DDA retains the right to pursue recovery of possession and/or unearned income from the relevant parties, but no payments from the liquidation funds are directed due to outstanding creditor claims.

**VAIBHAV GOEL VS DEPUTY COMMISSIONER OF INCOME TAX [C.A. NO.-000049 - 2022]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Income Tax Department's demands for assessment years 2012-13 and 2013-14, not included in the approved Resolution Plan, are invalid and cannot be enforced. All claims not included in an approved Resolution Plan are extinguished, following the precedent set in the Ghanashyam Mishra case.

**REKHA SHARAD USHIR VS SAPTASHRUNGI MAHILA NAGARI SAHKARI PATSANSTA LTD. [CRLA. NO.-000724-000724 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The complaint filed under Section 138 of the Negotiable Instruments Act was considered an abuse of process due to the complainant's suppression of material facts and documents. The complainant did not disclose letters from the accused's advocate requesting the loan documents referenced in the statutory notice, and the claim of providing these documents was deemed an afterthought. The magistrate should have dismissed the complaint under Section 203 of the Code of Criminal Procedure, as the accused could not adequately respond to the statutory notice without access to the relevant documents. The complaint and the order of cognizance were quashed, while the respondent's other recovery remedies remained available.

**RAMESH KUMARAN VS STATE THROUGH THE INSPECTOR OF POLICE [CRLA. NO.-001318-001318 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The FIRs registered by both a lawyer and another lawyer were quashed after the second lawyer offered an unconditional apology and the first lawyer expressed repentance through an apology and an undertaking not to repeat misconduct. The ongoing dispute, pending for over seven years, was deemed detrimental to their personal and professional interests, leading to the decision to end the proceedings. The apologies and undertakings were officially recognized.

**IMRAN PRATAPGADHI VS STATE OF GUJARAT [CRLA. NO.-001545-001545 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The poem recited by the appellant did not promote enmity between different groups or impact national integration, instead advocating non-violence and love in the face of injustice. Allegations against the appellant under Sections 196, 197, 299, and 302 of the Bharatiya Nyaya Sanhita were unsupported by facts. A preliminary inquiry should have been conducted as required under Section 173(3) of the Bharatiya Nagarik Suraksha Sanhita, given the nature of the alleged offences, to safeguard the fundamental right to freedom of speech and expression under Article 19(1)(a) of the Constitution. The FIR against the appellant was quashed, and the impugned order of the High Court was set aside.

**ZULFIQUAR HAIDER VS THE STATE OF UTTAR PRADESH [C.A. NO.-004590-004590 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court of India has set aside the demolition of the appellants' residential premises/buildings, finding the action to be high-handed and illegal. The Court held that the Prayagraj Development Authority (PDA) failed to follow the due process of law, particularly in terms of serving proper notice and providing a reasonable opportunity to the appellants to be heard. The Court ruled that the right to shelter is an integral part of Article 21 of the Constitution, and such a right cannot be taken away without following due process of law. The Court directed the PDA to pay costs of Rs. 10 lakhs to each appellant and left it open for the appellants to file appropriate proceedings to establish their rights and claim compensation for the illegal demolition. This was a batch matter involving multiple civil appeals with similar facts.

**K. GOPI VS THE SUB REGISTRAR [C.A. NO.-003954-003954 - 2025]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Rule 55A(i) of the Tamil Nadu Registration Rules, which allows a registering officer to refuse registration of a document based on the vendor's title, is ultra vires the Registration Act, 1908. The Act does not grant the authority to deny registration on grounds related to title establishment. Consequently, Rule 55A(i) is declared invalid, and the registering officer is instructed to register the appellant's sale deed following procedural compliance.

**THE STATE OF RAJASTHAN VS COMBINED TRADERS [C.A. NO.-001208-001208 - 2025]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Sub-rule (20) of Rule 17 of the Rajasthan Rules, which allows cancellation of declaration forms (Form C) under the Central Sales Tax Act, 1956, is deemed ultra vires the Act. The State government's rule-making power under Section 13(3) is limited and cannot create rules inconsistent with those established by the Central government under Section 13(1)(d). As the Central Registration Rules do not provide for cancellation of the declaration form, the State's provision for such cancellation is invalid.

**K. SHIKHA BARMAN VS THE STATE OF MADHYA PRADESH [C.R.L.A. NO.-002731-002732 - 2024]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

K. Shikha Barman was acquitted of charges under the Narcotic Drugs and Psychotropic Substances Act, 1985, as the prosecution did not prove she was the same person as Seema Choudhari, who was arrested with contraband. Evidence indicated that only Seema Choudhari was named in the documents connected to the case, with no links to Barman established. Consequently, the earlier convictions were quashed.

**ANGELINE RANDOLPH PEREIRA VS SUYOG INDUSTRIAL ESTATE PREMISES CO OPERATIVE SOCIETY LTD. [C.A. NO.-006733-006733 - 2021]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The order granting ex parte deemed conveyance in favor of the first respondent society, conditional on the execution of a permanent lease for the Arun plot to the appellant or its nominees, is valid. The deed of dissolution and lease deed dated 16th July 1991 are binding on the appellant. The scope of powers of the competent authority and registration officer under Section 11 of the Maharashtra Ownership Flats Act is clarified. The appeal is dismissed without costs.

**DINESH D PANCHALAND ORS. VS UNION OF INDIA AND ORS. [C.A. NO.-005498-005498 - 2012]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Surplus employees absorbed in the Ahmedabad Division must have their seniority fixed at the bottom of the recruitment grade, as stated in the Railway Board's circular dated 26th June 2004. This circular dictates that surplus employees are considered fresh entrants regarding seniority and promotion in their new department. The Railway's internal policy allows surplus staff who voluntarily transfer to be placed at the bottom of the seniority list, meaning those who opted for the Ahmedabad Division cannot claim higher seniority. This matter involved multiple civil appeals without separate judgments.

**MOHAMMED ASARUDEEN VS UNION OF INDIA [C.R.L.A. NO.-002443-002443 - 2025]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Special Court and the High Court did not comply with the legal requirements for protecting witness identities under Section 44(2) of the Unlawful Activities (Prevention) Act and Section 17(2) of the National Investigation Agency Act. The Special Court did not establish that the witnesses' lives were in danger, and the High Court's order prohibiting disclosure of witness statements to the accused was incorrect. The orders of the lower courts were set aside, and the Special Public Prosecutor was instructed to file a

proper application within 8 weeks to invoke these provisions, with the understanding that witness identities would remain undisclosed subject to this application. The accused has the right to be heard on such applications, although the disclosure of material may be restricted based on threat perception.

**VANASHAKTI VS UNION OF INDIA [W.P.(C) NO.-001394 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The 2017 notification and the 2021 Office Memorandum allowing ex-post facto environmental clearances are illegal and have been struck down. The Central Government is restrained from issuing any circulars, orders, or notifications that permit ex-post facto environmental clearances or regularizing actions taken in violation of the EIA notification. Environmental clearances granted under the 2017 notification and the 2021 OM remain unaffected.

**SHAURABH KUMAR TRIPATHI VS VIDHI RAWAL [CRL.A. NO.-002688-002688 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The High Court can use its inherent jurisdiction under Section 482 of the Criminal Procedure Code or Section 528 of the Bhartiya Nagarik Suraksha Sanhita to quash proceedings initiated under Section 12 of the Protection of Women from Domestic Violence Act, 2005, despite these proceedings being largely civil. Judicial Magistrate or Metropolitan Magistrate Courts hearing Section 12 applications qualify as Criminal Courts under the Criminal Procedure Code, allowing for the invocation of inherent powers to prevent abuse of process or secure justice. Caution is advised in exercising these powers, with emphasis on restraint and intervention only in cases of gross illegality or injustice, aligning with the welfare objectives of the DV Act.

**RAMPAT AZAD (R.P.AZAD) VS UNION OF INDIA [C.A. NO.-002342-002342 - 2011]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The discharge of the appellant from charges under Sections 420 and 120B IPC was validated, citing a lack of evidence for deliberate withholding of information or conspiracy. The AICTE approved the 'Business School of Delhi' despite knowledge of the bank loan and land mortgage, with no implicated officials from the AICTE. The CBI's petition under Section 482 Cr.P.C. was acknowledged as maintainable, but a statutory remedy under Section 397 Cr.P.C. was deemed more appropriate.

**LT. COL NK GHAI (RETD) VS UNION OF INDIA [C.A. NO.-004653 - 2018]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appellant's case for promotion to Colonel is to be reconsidered by the Chief of Army Staff, as the competent authority can modify Selection Board recommendations under Defense Services Regulations. The authority had previously upgraded another officer's grading but not the appellant's. The case must be re-evaluated within three months, and if the grading is upgraded, the appellant will be considered for notional promotion with consequential benefits.

**AGNIRAJ VS STATE THROUGH THE DEPUTY SUPERINTENDENT OF POLICE CB CID [CRL.A. NO.-001686-001688 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appeals filed by the accused persons were allowed, resulting in their acquittal of the alleged offences. The assessment of evidence by the Trial Court and High Court was flawed, as they misread key aspects that undermined the prosecution's case. The guilt of the accused was not proven beyond reasonable doubt, necessitating intervention to prevent injustice. Consequently, the convictions were set aside, and the immediate release of the appellants was ordered.

**IN RE: RIGHT TO PRIVACY OF ADOLESCENTS VS [SMW(C) NO.-000003 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The accused was convicted under Sections 376(2)(n) and 376(3) of the Indian Penal Code and Section 6 of the POCSO Act but was not sentenced due to the overall facts and circumstances of the case. Acknowledgment of systemic failures in protecting the girl child led to a directive for the State government to provide educational, financial, and rehabilitation support to the victim and her child.

**JIT VINAYAK AROLKAR VS STATE OF GOA AND ORS [CRL.A. NO.-000393-000393 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The offense of cheating under Section 415 of the Indian Penal Code was not established against the appellant, as there was no deception or harm caused to the 4th respondent. The complaint by the 4th respondent, filed two years after the civil suits began, was deemed an abuse of process. The FIR against the appellant was quashed.

**M/S VIDYAWATI CONSTRUCTION COMPANY VS UNION OF INDIA [C.A. NO.-000215-000215 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The respondent is barred from contesting the sole arbitrator's jurisdiction under Section 16(2) of the Arbitration and Conciliation Act, 1996, due to prior agreement to the appointment and submission of a defense without objection. Judgments of lower courts that upheld the respondent's challenge are set aside. The case is remanded to the District Judge, Allahabad, to consider the petition under Section 34 of the Arbitration Act on its merits, with jurisdiction settled in favor of the appellant.

**BHUPAL SINGH VS STATE OF UTTARAKHAND [CRL.A. NO.-001408-001408 - 2013]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The father-in-law and husband of the deceased were acquitted of dowry death and cruelty charges. The prosecution's evidence, including testimony from key witnesses, contained significant omissions and contradictions regarding dowry demand and instances of cruelty. The necessary elements to establish the offences were not proven.

**THE STATE OF PUNJAB VS M/S. OM PRAKASH BRICK KILN OWNER [C.A. NO.-010687-010694 - 2013]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The state government can levy royalty on the extraction of brick earth categorized as a minor mineral under the Mines and Mineral (Regulations and Development) Act, 1957. Land ownership does not affect this right, as a certificate of approval is required for quarrying or mining regardless of ownership. Challenges to royalty assessments must follow the appeal process outlined in Rule 54F of the Mineral Rules, not through civil suits. The previous judgment allowing appeals has been quashed, restoring the dismissals from the Trial Court and First Appellate Court.

**DIRECTORATE OF ENFORCEMENT VS SUBHASH SHARMA [CRL.A. NO.-000310-000310 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appeal by the Directorate of Enforcement against the bail granted to Subhash Sharma was dismissed. The respondent's arrest was deemed illegal due to a violation of Article 22(2) of the Constitution, as he was not presented before a magistrate within 24 hours of detention. Evidence indicated he was detained on March 4, 2022, but only arrested and brought before a magistrate on March 6, 2022, exceeding the time limit. This violation of rights under Articles 21 and 22 justified the High Court's decision to grant bail, leading to the dismissal of the Enforcement Directorate's appeal.

**FIROZ KHAN AKBARKHAN VS THE STATE OF MAHARASHTRA [CRL.A. NO.-000257-000257 - 2013]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The appellant's conviction for murder under Section 302 of the Indian Penal Code, in conjunction with Section 34, was upheld based on consistent eyewitness testimony. Minor inconsistencies in witness statements were deemed normal and did not undermine the prosecution's case. The delay in recording these statements was reasonably attributed to communal riots in the area.

**A. RAJA VS D. KUMAR [C.A. NO.-002758 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The appellant's election from the Devikulam Legislative Assembly Constituency in Kerala, reserved for Scheduled Castes, was validated based on his belonging to the Hindu Parayan caste and permanent residency in Kerala. The respondent failed to prove allegations beyond a reasonable doubt, and the authenticity of the appellant's Caste Certificate, issued by a competent authority, was upheld. Subsequently, the High Court's judgment was set aside, and the Election Petition was dismissed.

**ASIAN PAINTS LIMITED VS RAM BABU [CRL.A. NO.-002952-002952 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

Asian Paints Limited qualifies as a "victim" under Section 2(wa) of the Code of Criminal Procedure (CrPC) due to losses from counterfeit products bearing its trademark. The Court clarified that the victim's right to appeal under the proviso to Section 372 CrPC arises upon any acquittal whether by the Trial Court or the First Appellate Court, and such a right lies to the next higher court, making the High Court the correct forum in this case. This provision allows victims to appeal against acquittals independently of Section 378. The High Court's dismissal of the appellant's appeal is set aside, and the case is remanded for expedited merits consideration.

**SANKAR PADAM THAPA VS VIJAYKUMAR DINESHCHANDRA AGARWAL [CRL.A. NO.-004402-004402 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

A complaint under the Negotiable Instruments Act is maintainable against a Trustee who signed a dishonored cheque for a Trust, without including the Trust itself as a defendant. A Trust lacks legal entity status, meaning only Trustees can address legal matters on its behalf. Previous comparisons of Trusts to companies under the Act are deemed incorrect. The ruling clarifies that observations on Trusts' legal status apply specifically to the Negotiable Instruments Act context.

**TELANGANA STATE LEVEL POLICE RECRUITMENT BOARD VS PENJARLA VIJAY KUMAR [C.A. NO.-014865-014869 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S. V. N. Bhatti**

The Supreme Court held that candidates whose driving licences had expired during the two-year period preceding the recruitment notifications dated 25.04.2022 and 20.05.2022 were ineligible for the posts of SCT Police Constable (Drivers) and Driver Operator, as they failed to possess valid licences "continuously" for the mandated period. The decisive ground was that the 2019 amendment to Section 15(1) of the Motor Vehicles Act, 1988, which substituted "30 days" with "one year" for renewal applications, expressly provides that renewal shall be effective from the date of renewal and not retrospectively from the date of expiry, thereby breaking the continuity requirement. Rejecting the respondents' contention that renewal within one year should be deemed continuous, the Court emphasized that the deliberate omission of the 30-day grace period under the unamended Section 14 and the plain language of the amended statute mandate an uninterrupted legal capacity to drive. Reliance was placed on Ram Babu Tiwari v United India Insurance Co. Ltd. (2008) 8 SCC 165 and New India Assurance Co. Ltd. v Suresh Chandra Aggarwal (2009) 15 SCC 761 to affirm that licences renewed after expiry are effective only from the renewal date. The Court ultimately allowed the appeals, set aside the High Court's judgment, and

directed completion of recruitment within three months.

**STATE OF LOKAYUKTHA POLICE VS C B NAGARAJ [CRL.A. NO.-001157-001157 - 2015]**

**Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The demand for illegal gratification of Rs. 1,500 by a public servant from the complainant was not proved beyond reasonable doubt. The complainant's testimony was deemed unreliable, and even if the payment and recovery of money were established, the initial demand raised suspicions, preventing a complete chain of demand, acceptance, and recovery. The presumption under Section 20 of the Prevention of Corruption Act, 1988 was found inapplicable due to the lack of proof regarding the demand. The previous ruling of the High Court, which set aside the conviction of the public servant, was upheld.

**M. SAMBASIVA RAO VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-000391-000391 - 2017]**

**Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The appeal was allowed and the appellant-accused was acquitted due to the prosecution's failure to prove the demand and acceptance of a bribe beyond reasonable doubt. Significant contradictions and inconsistencies in the prosecution evidence were noted, particularly regarding the trap proceedings, undermining the prosecution's case. The situation was characterized as a poorly executed trap with serious investigative lapses, raising doubts about potential fabrication or an attempted frame-up.

**SURESH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000347-000347 - 2018]**

**Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The accused was incorrectly declared a "juvenile" based on a school transfer certificate. Evidence, including the Family Register, Voters' List, and medical report, demonstrated that the accused was an adult at the time of the incident. The declaration of juvenile status was set aside, and the trial must conclude by July 2026. The order for the accused's release under the Juvenile Justice Act was also revoked, requiring him to appear before the trial court within three weeks.

**SADIQ B. HANCHINMANI VS THE STATE OF KARNATAKA [CRL.A. NO.-004728-004728 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The Supreme Court set aside the Karnataka High Court's orders quashing criminal proceedings against respondents for allegedly forging an E-Stamp Paper rent agreement, holding that the JMFC's direction under Section 156(3) CrPC for police investigation was perfectly justified when prima facie cognizable offences of forgery, cheating and criminal conspiracy under Sections 468, 471, 420, 120B IPC were disclosed. The decisive consideration was that the E-Stamp Paper produced bore the same serial number as a genuine sale agreement between different parties, establishing the document's fraudulent character and necessitating thorough investigation. Rejecting the High Court's hyper-technical approach that the JMFC lacked power to direct investigation after entertaining a private complaint, the Court emphasized that Section 156(3) enables such reference before cognizance is taken, as clarified in *Madhao v State of Maharashtra* and *Ramdev Food Products v State of Gujarat*, and the impugned orders had conflated "further investigation" under Section 173(8) with the Magistrate's pre-cognizance power. Following *Neeharika Infrastructure v State of Maharashtra*, the Court ruled that investigation cannot be stifled at inception when allegations disclose cognizable offences, and the forged document's production during subsistence of a status quo order constituted a serious fraud on court requiring expeditious investigation. The FIR Crime No.12/2018 stands restored with direction for prompt completion of investigation in accordance with law, while clarifying that observations shall not prejudice either party in pending proceedings.

**JAY KISHAN VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000727-000727 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Supreme Court of India held that the allegations in the predicate criminal cases (CCs) against the appellants were primarily civil disputes related to property transactions and did not meet the threshold of "anti-social activities" required under the Uttar Pradesh Gangsters & Anti-Social Activities (Prevention) Act, 1986. The Court found the State's resort to the stringent provisions of the Act premature and uncalled for, as the trial in the CCs was yet to commence/ongoing/not concluded, and the allegations remained open-ended. Accordingly, the Court quashed the FIR invoking the Act against the appellants.

**MADIVALAPPA VS MAHARASHTRA STATE ROAD TRANSPORT CORPORATION [C.A. NO.-012009-012009 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appellant is entitled to enhanced compensation due to injuries from a vehicular accident. The correct multiplier of 18 for calculating future earnings was not applied by lower courts. A 40% increase for future prospects was also warranted. Total compensation increased from Rs.3,05,200/- to Rs.3,83,920/-, resulting in an additional Rs.78,720/-, plus interest at 6% per annum from the claim petition filing date. A cost of Rs.50,000/- was imposed on the respondent-corporation for its failure to assist.

**SHIVALEELA VS THE DIVISIONAL MANAGER [C.A. NO.-003840-003841 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The assessment of the deceased's monthly income was inadequate, necessitating a revision. Evidence indicated involvement in agriculture, milk-vending, and driving a tractor-trailer, leading to a determined monthly income of Rs. 15,000. The interest rate on the compensation was raised from 6% to 7.5% per annum, resulting in partial allowance of the appeals.

**KIRAN RAJU PENUMACHA VS TEJUSWINI CHOWDHURY [C.A. NO.-003842-003842 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

In custody matters involving a minor child, the "best interest of the child" principle takes precedence over strict legal provisions. The case was remanded to the Family Court to address a modification petition filed by the mother and an execution petition filed by the father simultaneously. Interim visitation rights were granted to the father to ensure the child's contact with both parents during the proceedings. The Family Court was instructed to conclude the matter within three months, with the interim arrangement remaining in effect until a final decision is made.

**GANGUBAI RAGHUNATH AYARE VS GANGARAM SAKHARAM DHURI (D) THR. HIS LRS. AND ORS. [C.A. NO.-003183-003183 - 2009]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The sale deed dated 10.01.1969 executed by Vishnu in favor of the second defendant is valid for Vishnu's 1/5th undivided share in the suit property. The decree of possession against the second defendant is inappropriate, as the Plaintiff's sisters did not claim their shares in a suit. The Plaintiff's possession cannot be disturbed until the property is partitioned according to law, and the second defendant is entitled only to a 1/5th share.

**SUNITA VS VINOD SINGH [C.A. NO.-004021-004021 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appeal resulted in an increased compensation for the appellants from Rs. 5,96,761/- to Rs. 13,82,500/-. The recalculation of the deceased's monthly income included total family pension and a notional income as a housewife. A higher multiplier of 14 was applied based on the deceased's age of 45 years. Additional compensation was awarded for loss of love and affection, future prospects, and funeral/transportation expenses, maintaining a 7.5% per annum interest rate on the awarded amount.

**M/S CITICORP FINANCE (INDIA) LIMITED VS SNEHASIS NANDA [C.A. NO.-014157 - 2024]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The complainant-respondent is not considered a 'consumer' under the Consumer Protection Act, 1986 due to lack of privity of contract with the appellant. The appellant's liability is limited to the sanctioned loan amount of Rs. 23.4 lakhs and does not extend to the remaining consideration amount of Rs. 31 lakhs. The issue of limitation and the necessity of including the borrower in the proceedings were not addressed. The order from the NCDRC was set aside, and the appeal by the appellant was allowed.

**INDER SINGH VS THE STATE OF MADHYA PRADESH [C.A. NO.-004304-004304 - 2025]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The delay of over 1,500 days in filing the Second Appeal by the State of Madhya Pradesh was condoned, despite the appellant's success in lower courts. A liberal approach was adopted due to the unique circumstances of the government land dispute, emphasizing that the merits of the case overriding limitation periods is essential for achieving justice. The State was advised to act more promptly in the future. The appeal was dismissed, with instructions for the High Court to prioritize and expedite the Second Appeal.

**ASHOK SINGH VS STATE OF U.P. [C.R.L.A. NO.-004171-004171 - 2024]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The High Court's reversal of the concurrent findings of guilt and conviction was erroneous. The prosecution established the existence of a legally enforceable debt, and the accused did not present a probable defense to counter the statutory presumption. The conviction and sentence of one year simple imprisonment and a fine of Rs. 32,00,000/- were reinstated, with an option for the accused to pay only the fine within 4 months, after which the original sentence would be enforced.

**KUNCHAM LAVANYA VS BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD. [C.A. NO.-005029-005029 - 2025]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appeal was allowed, restoring the compensation award from the MACT. Despite doubts about the eyewitness's credibility, evidence from the police investigation and the owner's admission confirmed the Verna car's involvement in the accident. The insurance company remains liable for the incident, with both the owner and the insurer responsible jointly and severally.

**AJAY RAJ SHETTY VS DIRECTOR [C.R.L.A. NO.-002036-002036 - 2025]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The conviction of the appellant under Section 85(i)(b) of the Employees' State Insurance Act, 1948 for failing to deposit employee contributions was upheld. Evidence confirmed the appellant's role as "general manager" and "principal employer" of M/s Electriex (India) Limited, countering his claim of being merely a "technical coordinator." The definition of "principal employer" under the Act applied to him as he was responsible for supervision and control. Arguments regarding a more lenient approach due to the company's "sick industry" status were dismissed. The discretion under the proviso to Section 85(i) was clarified to apply only to imposing a lesser term of imprisonment, not to reducing the fine.

**NIDHI BHARGAVA VS NATIONAL INSURANCE COMPANY LTD. [C.A. NO.-005398-005398 - 2025]****Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The High Court erred by ignoring the Income Tax Return for Assessment Year 2008-2009, which reflected the deceased's income for Financial Year 2007-2008. The Income Tax Return is deemed a legally admissible document for assessing the deceased's income, and the filing date does not affect its relevance. The Motor Vehicles Act aims for beneficial compensation based on the individual's current

status. The original compensation of Rs. 31,41,000, as awarded by the Tribunal, was restored.

**PRAMILA DEVI VS THE STATE OF JHARKHAND [C.R.L.A. NO.-002551-002551 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Additional Judicial Commissioner did not need to record detailed reasons for taking cognizance, as the case diary indicated a prima facie case against the Appellants under relevant sections of the IPC and the SC/ST Act. The Appellants' claim of mala fide intention behind the FIR lacked merit, leaving the case's merits for the trial stage. The previous order remanding the matter was set aside, directing the Appellants to appear before the Additional Judicial Commissioner to proceed with the case while not expressing any opinion on its merits.

**THE ROYAL SUNDARAM ALLIANCE INSURANCE CO. LTD. VS HONNAMMA [C.A. NO.-006336-006336 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The insurance policy for the tractor involved in the accident, which was responsible for pulling the trailer occupied by the deceased, must cover the liability for that accident. Liability extends beyond the statutory requirements of the Motor Vehicles Act, 1988, based on the insurance policy terms. Compensation awarded by the High Court should not exceed the agreed contractual limits or the maximum legal amount, whichever is higher. The insurance company is responsible for paying at least Rs. 9,50,000 and may recover any differential amount from the vehicle owner.

**PARITALA SUDHAKAR VS STATE OF TELANGANA [C.R.L.A. NO.-002541-002541 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appeal of the appellant-convict was allowed, and his conviction and sentence under the Prevention of Corruption Act, 1988, were set aside. Evidence presented by prosecution witnesses contained material contradictions, raising doubts about their trustworthiness. The prosecution did not convincingly establish the sequence of events leading to the recovery of the bribe money from the appellant's motorcycle. As the demand for the bribe and the appellant's acceptance of it were not proven beyond a reasonable doubt, he was entitled to the benefit of the doubt, resulting in the quashing of the lower court judgments.

**RAJESH VS UNION OF INDIA [C.R.L.A. NO.-002616-002617 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appellants were convicted under Sections 49-B and 51 of The Wild Life (Protection) Act, 1972, with their sentences reduced from 6 years of rigorous imprisonment to 3 years of simple imprisonment and a fine of Rs. 25,000 each. The evidence linked the appellants to the illegal wildlife articles through testimonies of independent witnesses. Despite some lapses in the investigation, these did not absolve the appellants due to the offense's nature and existing evidence. However, their young age at the time and their non-involvement in poaching were considered, leading to the sentence reduction.

**MACHHINDRANATH S/O KUNDLIK TARADE DECEASED THROUGH L.RS. VS RAMCHANDRA GANGADHAR DHAMNE [C.A. NO.-007277-007277 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Supreme Court held that the conveyance of the suit land by the original plaintiff dated 02.11.1971 in favour of defendant no.1 was void under Sections 47(3) and 48(e) of the Maharashtra Co-operative Societies Act, 1960, as it was done without the prior sanction of the co-operative society in whose favour a charge was created on the land. However, the Court also found that the co-operative society did not come forward to seek the nullification of the alienation, and the plaintiff cannot be allowed to benefit from his own wrong. Further, the subsequent sale deed dated 15.07.1972 by defendant no.1 in favour of defendant no.2 was found to be valid, as defendant no.2 was a bona fide purchaser without notice of the prior charge. The Court concluded that there was no error in the concurrent findings of the High Court in

dismissing the plaintiff's suit.

**S.N.VIJAYALAKSHMI VS STATE OF KARNATAKA [CRL.A. NO.-003302-003302 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The essential ingredients of Sections 406 and 420 of the Indian Penal Code were not present in the FIR against the appellants, indicating the dispute was primarily civil in nature. The FIR, chargesheet, and cognizance order were quashed to prevent misuse of the judicial process, as the allegations lacked significant criminality. Concerns about alleged collusion between the appellants and statutory authorities were acknowledged, but the broader issues were set aside for separate examination in an ongoing SLP.

**S.K. JAIN VS UNION OF INDIA [C.R.L.A. NO.-000628-000628 - 2016]**

**Bench: Justice J.B. Pardiwala, Justice Alok Aradhe**

The Armed Forces Tribunal substituted the appellant's conviction under Section 63 of the Army Act, 1950 for the original charge of possession of ammunition and modified the punishment from dismissal to compulsory retirement with pensionary benefits. The Tribunal exercised its powers under Section 15(6) of the Armed Forces Tribunal Act, 2007, resulting in a just outcome that balanced military discipline and fairness to the individual, with no findings of arbitrariness or unreasonableness present. The appeal was dismissed.

**DELHI DEVELOPMENT AUTHORITY VS CORPORATION BANK [C.A. NO.-011269-011269 - 2016]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The e-auction and sale of a plot by the Recovery Officer were deemed illegal due to non-compliance with the lease deed and statutory provisions. The Sarita Vihar Club mortgaged the plot to Corporation Bank without the necessary consent from the Delhi Development Authority. The e-auction notice, conducted auction, confirmation of sale, and sale certificate in favor of the Auction Purchaser were quashed. Corporation Bank is required to refund the entire amount deposited by the Auction Purchaser along with 9% annual interest.

**VINISHMA TECHNOLOGIES PVT. LTD. VS STATE OF CHHATTISGARH [C.A. NO.-012486-012486 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The tender condition requiring bidders to have supplied at least ₹6 crore worth of sports goods to Chhattisgarh government agencies in the last 3 years was deemed arbitrary, unreasonable, and discriminatory, violating Articles 14 and 19(1)(g) of the Constitution. This condition created an artificial barrier that excluded capable suppliers with no prior dealings with the Chhattisgarh government, thus restricting competition and potentially promoting cartelization. Justifications related to the region's security issues were rejected, as the tender involved no special risks. The impugned tender notices and related orders were quashed, allowing for the issuance of fresh tender notices.

**VINISHMA TECHNOLOGIES PVT. LTD. VS STATE OF CHHATTISGARH [C.A. NO.-012487-012487 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The tender condition requiring bidders to have supplied sports goods worth at least Rs. 6 crores to Chhattisgarh state government agencies in the last three financial years is arbitrary, unreasonable, and discriminatory. It violates Articles 14 and 19(1)(g) of the Constitution by creating an artificial barrier that excludes competent suppliers from outside the state, thus restricting competition. The justification of the state government related to security concerns due to Naxal activity is deemed non-viable for a tender concerning sports kits. The impugned tender notices and associated orders are quashed, allowing for the issuance of fresh tender notices.

**THE STATE OF MADHYA PRADESH VS JANVED SINGH [C.R.L.A. NO.-000460-000460 - 2014]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The High Court's judgment of acquittal was set aside, and the conviction and sentence of Janved Singh were restored. The prosecution presented a complete chain of circumstances indicating his guilt, including medical evidence of homicidal death, the accused's false account of events, and his inability to explain the death that occurred in his residence. The reasons for acquittal were deemed erroneous and unsupported by the evidence.

**NOVENCO BUILDING AND INDUSTRY A/S VS XERO ENERGY ENGINEERING SOLUTIONS PRIVATE LIMITED [C.A. NO.-013019-013019 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

In a case of continuing infringement of intellectual property rights, urgency for interim relief must be

evaluated from the plaintiff's perspective based on the plaint and supporting documents. Delay in filing does not negate urgency when infringement is ongoing, as each act of infringement constitutes a new wrong. Examining entitlement to urgent relief based on merits instead of evidence of urgency was incorrect. The previous orders were quashed, and the commercial suit was reinstated for merits consideration following established principles.

**M/S SHANTI CONSTRUCTION PRIVATE LIMITED VS THE STATE OF ODISHA [C.A. NO.-013484-013484 - 2025]**



**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court quashed the High Court's judgment and directed fresh auction, holding that the Tender Committee's interpretation of 'previous financial year' in Rule 27(4)(iv) of Odisha Minor Mineral Concession Rules, 2016 was manifestly erroneous in excluding the highest bidder who submitted IT return for 2020-2021 when the auction notice issued on 11.07.2022 required bids by 18.07.2022, well before the statutory filing deadline of 31.10.2022 under Section 139(1) of Income Tax Act for companies to file returns for 2021-2022. The decisive ground was that 'previous financial year' must reasonably mean the immediately preceding year (2020-2021) when the relevant year's return filing period had not expired, and such narrow interpretation defeating competition and public revenue violated the State's constitutional trusteeship over natural resources. Rejecting the State's plea to award contract at higher rate, the Court held that misinterpretation vitiating the decision-making process mandates fresh auction, relying on *Michigan Rubber (India) Ltd. v. State of Karnataka* (2012) 8 SCC 216 and *Natural Resources Allocation, In re* (2012) 10 SCC 1 for the principles that tender conditions must advance public value and courts must intervene against arbitrary exclusions. The successful bidder is entitled to refund of Rs.1,26,75,000 with 6% interest, and fresh auction shall be conducted for Mahanadi Sand Quarry lease under the 2016 Rules.

**BHARAT KANTILAL DALAL (DEAD) VS CHETAN SURENDRA DALAL [C.A. NO.-001026-001027 - 2019]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court set aside the Division Bench's stay of execution orders, holding that Letters Patent Appeals do not lie against orders passed under the Arbitration and Conciliation Act, 1996, which forms a complete code. The decisive ground was that the uncle, arrayed as legal representative/executor under the father's Will dated 16.09.1994, cannot claim stranger status to the arbitral award dated 12.07.2010. Rejecting the contention that execution requires prior nullity adjudication, the Court affirmed that an award which has attained finality under Section 36 cannot be declared a nullity in collateral proceedings. Applying Order 21 Rule 22(1) CPC's mandatory "shall", the Court held that the executing court must first issue notice to legal representatives before proceeding, incorporating natural justice principles rooted in Privy Council decision *Raghunath Das v. Sundardas Khetri*. Consequently, the Court directed the Single Judge to issue notice under Order 21 Rule 22(1), allow objections under Order 21 Rule 23(2), and decide the same de novo without being influenced by previous observations, thereby restoring the statutory execution trajectory while protecting the estate from prejudgment.

**MOHAN LAL FATEHPURIA VS M/S BHARAT TEXTILES [C.A. NO.-014681-014681 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court in *Mohan Lal Fatehpuria v. M/s Bharat Textiles* (Civil Appeal arising from SLP (C) No.13759/2025) held that once an arbitrator's mandate terminates under Section 29A(4) of the Arbitration and Conciliation Act, 1996, the court must substitute the arbitrator under Section 29A(6) and cannot merely extend the time. The decisive ground was that the sole arbitrator became functus officio on 28.02.2023, having failed to render the award within the statutory twelve-month period from completion of pleadings (reckoned from 01.03.2022 after excluding the Covid-19 period), and no extension had been sought before expiry. Rejecting the respondents' contention that the prior dismissal of their Section 14/15 challenge precluded substitution, the Court emphasised that Sections 14, 15 and 29A

provide distinct remedies and that the power under Section 29A(6) is meant to effectuate the Act's object of expeditious dispute resolution. Following *Rohan Builders (India) Pvt. Ltd. v. Berger Paints India Ltd.* 2024 SCC OnLine SC 2494, it clarified that post-expiry the arbitrator cannot proceed unless the court substitutes or re-appoints. Accordingly, the Court quashed the Delhi High Court's extension order dated 22.04.2025, terminated Mr. Anjum Javed's mandate, appointed Mr. Justice Najmi Waziri (Retd.) as substitute sole arbitrator, and directed conclusion within six months from receipt of the order, with proceedings to continue from the stage already reached.

**BHIKA RAM VS STATE OF RAJASTHAN [C.A. NO.-015093-015093 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court allowed the appeal and restored the Single Judge's order quashing the notification creating Revenue Villages "Amargarh" and "Sagatsar" under Section 16 of the Rajasthan Land Revenue Act, 1956, holding that the State Government violated its own policy circular dated 20.08.2009. The decisive ground was Clause 4 of the circular which mandates that revenue village names shall not be based on any person, religion, caste or sub-caste, and the admitted fact that these villages were named after individuals Amarram and Sagat Singh who donated the land. Rejecting the State's contention that the circular was merely directory, the Court held that policy decisions bind the Government and any action in derogation thereof, without lawful amendment, is arbitrary and violates Article 14 of the Constitution. The Division Bench erred in limiting its consideration to the applicability of precedents in *Moola Ram and Joga Ram* without examining the merits. Following *Mahabir Auto Stores v. Indian Oil Corporation* (1990) 3 SCC 752 and subsequent authorities, the Court ruled that the State cannot act contrary to its own binding policy. The impugned judgment dated 05.08.2025 was quashed and the Single Judge's order dated 11.07.2025 restored, granting liberty to rename the villages in accordance with law.

**UNION OF INDIA VS VIGIN K. VARGHESE [CRL.A. NO.-004857-004857 - 2025]**

**Bench: Justice Aravind Kumar, Justice N. V. Anjaria**

The Supreme Court set aside the Bombay High Court's bail orders dated 22.01.2025 and 12.03.2025 under Section 37 NDPS Act for the director of M/s Yummito International Foods India Pvt. Ltd. in connection with 50.232 kg cocaine seized from a refrigerated container imported from South Africa, holding that the High Court failed to record the statutorily mandated twin findings under Section 37(1)(b) that there are reasonable grounds to believe the accused is not guilty and will not commit any offence while on bail. The decisive flaw lay in the High Court's omission to discuss the prosecution's material showing the respondent's admitted role in ordering the consignment, controlling the logistics chain, coordinating with the overseas supplier, presence during container examination, and prior involvement in a connected 198.1 kg methamphetamine and 9.035 kg cocaine seizure, thereby rendering its prima facie no-knowledge finding unsustainable. The Court emphasized that commercial-quantity drug offences trigger a stringent embargo requiring reasoned satisfaction on culpable mental state under Section 35 NDPS Act and reiterated the principle that prolonged custody cannot by itself override this regime. Following Union of India v. Sushila Aggarwal, it directed fresh, reasoned bail consideration within four weeks while continuing interim bail benefits, clarifying that all contentions remain open and no merits were expressed.

**BHAGWATI DEVI VS STATE OF UTTARAKHAND [CRL.A. NO.-002616-002616 - 2014]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The conviction of the appellant under Section 498-A of the Indian Penal Code was set aside due to a lack of evidence supporting claims of dowry demand or cruelty. Testimonies from prosecution witnesses were deemed unconvincing, while credible evidence from a neighbor confirmed that no dowry demands were made. Charges under Sections 304-B and 302 had already been dismissed, leading to the appellant's acquittal of the Section 498-A offense.

**CHENNAI METROPOLITAN DEV. AUTHORITY VS DR. KAMALA SELVARAJ [C.A. NO.-003051-003051 - 2015]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The respondent's property was lawfully subdivided before the 1975 Master Plan, supported by registered deeds and revenue records. The appellant authority failed to prove otherwise. Additionally, the property, being less than 3000 square meters, was exempt from Open Space Reservation charges according to Development Regulations Annexure XX. The conclusions of the lower courts were affirmed.

**RAJNI VS UNION OF INDIA [C.A. NO.-012538-012538 - 2025]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The appeal led to the setting aside of prior findings regarding a claim for compensation under the Railways Act. Once the claimants provided credible proof of the deceased's legitimate travel, including a railway ticket, the burden of proof shifted to the Railways. Procedural lapses in the investigation, such as absence of a seizure memo or non-examination of witnesses, do not invalidate a legitimate claim. Proceedings under Section 124-A are governed by the standard of preponderance of probabilities, and there is a statutory presumption of legitimate travel in favor of the claimants.

**M/S ANVITA AUTO TECH WORKS PVT. LTD VS M/S AROUSH MOTORS [C.A. NO.-012539-012539 - 2025]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The High Court erred by not allowing the defendant to file a written statement and cross-examine the plaintiff's witnesses, even though the limitation period for filing was extended due to the COVID-19 pandemic. The statutory period of 120 days fell within the extended timeframe from 15.03.2020 to 28.02.2022. The defendant is to be permitted to file the written statement upon payment of costs and to exercise the right of cross-examination. The case is remanded to the trial court for these actions to be completed expeditiously within six months.

**M. JAMEELA VS THE STATE OF KERALA AND ANR. ETC. [C.A. NO.-006813-006814 - 2013]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The 37.50 acres of land are exempt from government vesting under the Kerala Private Forests (Vesting and Assignment) Act, 1971, as it was established that the land was under bona fide coffee and cardamom plantations before May 10, 1971. Evidence demonstrated the existence of these plantations, leading to a declaration that the appellants are the lawful owners of the property. The government must not interfere with their possession and must realign any boundary markings accordingly.

**RAMESH KUMAR JAIN VS BHARAT ALUMINIUM COMPANY LIMITED (BALCO) [C.A. NO.-015037-015037 - 2025]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The Supreme Court held that the High Court impermissibly exceeded its narrow appellate jurisdiction under Section 37 of the Arbitration and Conciliation Act, 1996 by re-appreciating evidence and substituting its own factual findings while setting aside the arbitral award dated 15.07.2012. The decisive ground was that the High Court's interference on the basis of "patent illegality" was unsustainable since the arbitrator's findings were based on some evidence and reasonable assessment, not "no evidence" as required for interference. The Court rejected BALCO's contention that the arbitrator had rewritten the contract by awarding Rs.10 per MT extra for additional work, holding that when parties left the rate open for future agreement which never materialized, the arbitrator could legitimately apply Section 70 of the Contract Act, 1872 (quantum meruit) to prevent unjust enrichment. Following Associate Builders v. DDA and Ssangyong Engineering v. NHAI, the Court emphasized that arbitral awards cannot be set aside merely for erroneous appreciation of evidence or different interpretation of facts, and courts exercising jurisdiction under Sections 34 and 37 do not sit in appeal over arbitral awards. The Court ultimately allowed the appeal, set aside the High Court's judgment dated 03.05.2023, and restored the Commercial Court's order dated 02.01.2017 that had affirmed the arbitral award of Rs.3,71,80,584 plus statutory interest.

**BHARAT MITTAL VS STATE OF RAJASTHAN [SLP(CRL) NO.-012327 - 2025]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The Supreme Court held that a director convicted under Section 138 read with Section 141 NI Act cannot claim blanket exemption from the mandatory 20% deposit under Section 148 merely because the company is under liquidation, emphasizing that such exemption depends on exceptional circumstances peculiar to each case. The decisive ground is that Sections 143A and 148, though penal in form, are compensatory and remedial in substance designed to ensure interim relief to complainants and deter frivolous appeals; therefore, confining "drawer" in Section 148 exclusively to the juristic company would defeat the 2018 amendment's object of preserving cheque credibility and commercial discipline. Rejecting the appellant's reliance on Gurudatta Sugars and Bijay Agarwal, the Court reasoned that those decisions adopted an unduly literal construction ignoring the quasi-criminal nature of Section 138 proceedings and the legislative intent to extend liability to persons in charge when the company is legally incapacitated. Following Jamboo Bhandari and Muskan Enterprises, the Court reiterated that appellate courts possess limited discretion to waive the deposit only upon recording cogent reasons showing grave injustice, such as the appellant not being the drawer or suffering irreparable hardship. Consequently, the matter has been referred to a Larger Bench to authoritatively determine whether Section 148 deposit can be demanded from a director when the company cannot be prosecuted.

**RANJEET BABURAO NIMBALKAR VS STATE OF MAHARASHTRA [W.P.(C) NO.-000914-000914 - 2025]**

**Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The Supreme Court dismissed the writ petition challenging the Bombay High Court's notification designating Kolhapur as an additional sitting place under Section 51(3) of the States Reorganisation Act, 1956, holding that the Chief Justice possesses an independent continuing power to appoint such places

with gubernatorial approval without territorial bifurcation. Following *State of Maharashtra v. Narayan Shamrao Puranik* (1982) 3 SCC 519, the Court distinguished Section 51(3) from Section 51(2), emphasising that the former confers administrative flexibility for convenient transaction of judicial business while the latter requires Presidential consultation for permanent Benches. Rejecting the petitioner's contention that Section 51(3) is limited to temporary exigencies, the Court held that the non obstante clause empowers repeated exercise as circumstances demand, and absence of Full Court consultation does not vitiate the decision since the statute mandates only Governor's approval. The Court found no arbitrariness under Article 14, ruling that differential treatment based on distance, litigation volume and infrastructure bears rational nexus to access to justice, and held that decentralisation under Article 21 brings justice closer to people without denuding the Union's power under Section 51(2). Administrative decisions are contextual and past rejections create no estoppel, while judicial review is confined to legality, not merits of institutional administration.

**RAMESH CHAND (D) THR.LRS. VS SURESH CHAND [C.A. NO.-006377-006377 - 2012]**

**Bench: Justice Aravind Kumar, Justice Sandeep Mehta**

The plaintiff's reliance on documents such as the agreement to sell, general power of attorney, and registered will did not establish a valid title over the suit property under the Transfer of Property Act and the Succession Act. The agreement to sell and power of attorney did not constitute valid property transfer, and the will was not legally proven. Additionally, the plaintiff could not invoke Section 53A of the Transfer of Property Act, as he lacked possession of the property. The plaintiff's suit was dismissed, preserving the rights of the second defendant, who purchased a 50% share in the property.

**THE CHIEF OFFICER, NAGPUR HOUSING AND AREA DEVELOPMENT BOARD (A MHADA UNIT) VS MANOHAR BURDE [C.A. NO.-004383-004383 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The NCDRC awarded the respondent a refund of the entire amount paid with interest at 9% per annum. The high court's award of 15% interest was deemed excessive. Compensation was reduced from Rs. 10 lakhs to Rs. 7.5 lakhs due to delays that were not attributed to personal animosity, as the authorities were fulfilling their statutory duties. The NCDRC's order was restored with the modification in the compensation amount.

**THE NEW INDIA ASSURANCE COMPANY LIMITED VS USHA DEVI [C.A. NO.-009474-009474 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

Compensation in this case is determined under Section 163A of the Motor Vehicles Act, 1988, with a total amount of Rs. 4,77,839/- plus 8% interest per annum. The deceased is categorized as a 'third party' regarding the offending vehicle, leading to the insurer and insured being jointly and severally liable to pay compensation to the claimants in a specified ratio.

**SUHAGRANI VS MANAGER CHOLAMANDALAM MS GENRAL INSURANCE CO.LTD. [C.A. NO.-009476-009476 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The accident was attributed to the negligent driving of the mini-truck, not the deceased's negligence. Evidence from the pillion rider and police investigation documents supported the claimants' case. The compensation awarded by the Tribunal was affirmed as just and reasonable, with a minor modification in the apportionment between the wife and children of the deceased.

**CH. JOSEPH VS THE TELANGANA STATE ROAD TRANSPORT CORPORATION [C.A. NO.-009986-009986 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The retirement of the appellant, a driver in the Telangana State Road Transport Corporation, due to color

blindness was deemed unsustainable as he was not offered alternative employment. Clause 14 of the 1979 Memorandum of Settlement, which mandates alternate employment for color blind drivers, remained valid despite the 1986 settlement. There was a lack of genuine effort to explore suitable alternate employment for the appellant, violating the settlement terms and principles of natural justice. The rights of the appellant were recognized as stemming from the binding industrial settlement. The High Court's decision was set aside, and the respondents were directed to reinstate the appellant with backpay and continuity of service.

**PAWAN KUMAR TIWARY VS JHARKHAND STATE ELECTRICITY BOARD (NOW JHARKHAND URJA VIKAS NIGAM LIMITED) [C.A. NO.-010893-010896 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The appointments of Pawan Kumar Tiwary, Hemant Kumar Choubey, and Amar Kumar as Routine Clerk and Lower Division Assistant in the Jharkhand State Electricity Board are legal and valid, as they met the eligibility criteria and were made within the sanctioned cadre strength. The previous orders canceling these appointments were set aside due to a failure to apply individual scrutiny and the doctrine of severability. Procedural irregularities alone do not invalidate an appointment unless there is a violation of statutory provisions or absence of a sanctioned post. The appellants will have their seniority and continuity of service restored from the date of their initial appointment, but will not receive back wages for the intervening period. Their pay will be fixed nominally according to the rules, affecting future emoluments. Thorough fact-specific analyses are required in cases of mass appointments to avoid deeming all such appointments void.

**INDRAKASHI DEVI VS THE STATE OF KARNATAKA [C.A. NO.-003309-003310 - 1997]**

**Bench: Justice M.M. Sundresh, Justice Aravind Kumar**

Contemnors, identified as government officials, willfully disobeyed earlier orders from November 21, 2014, and May 17, 2022, and failed to comply despite opportunities to purge the contempt. The application to withhold Transferable Development Rights (TDRs) and Development Rights Certificates (DRCs) until the resolution of pending civil appeals was rejected, as it would modify previous orders. TDRs and DRCs are to be released to the complainants, contingent upon their undertaking that the receipt is subject to the outcomes of pending civil appeals, with the state retaining the first charge over any compensation awarded to the complainants. Multiple contempt petitions were involved, with separate judgments issued by two judges.

**CHIRAG SEN AND ANR. ETC. VS STATE OF KARNATAKA [CRL.A. NO.-003213-003215 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Aravind Kumar**

Criminal proceedings against the appellants were quashed due to the complaint and FIR lacking prima facie evidence for offences under Sections 420, 468, and 471 of the Indian Penal Code. Allegations were based on unverified documents and conjecture, with prior examinations by the Sports Authority of India and Central Vigilance Commission concluding the matter. Continuing the proceedings against national-level badminton players and their families would constitute an abuse of process, as no new evidence had emerged to warrant reopening settled issues.

**LOKESH B VS SURYANARAYANA RAJU JAGGARAJU [C.A. NO.-010225-010226 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Aravind Kumar**

The appellant's compensation for injuries from a motor accident was enhanced to ₹16,60,891. The revised monthly income was set at ₹9,500, with a 40% addition for future prospects and a disability percentage of 41.77% based on medical evidence. A 20% deduction for contributory negligence was applied, and interest at 6% per annum from the date of the claim petition was included. The insurer must deposit the enhanced amount within six weeks.

**KAVITA DEVI VS SUNIL KUMAR [C.A. NO.-010227-010227 - 2025]** 

**Bench: Justice Sudhanshu Dhulia, Justice Aravind Kumar**

The deceased's monthly income was established at Rs. 6,500, including allowances. A total compensation of Rs. 14,29,500 was awarded, covering loss of dependency, loss of consortium, loss of estate, and funeral expenses. The respondents were directed to deposit the compensation with the jurisdictional tribunal within 8 weeks.

**SANJIT SINGH SALWAN VS SARDAR INDERJIT SINGH SALWAN [C.A. NO.-010653-010653 - 2025]**

**Bench: Justice Augustine George Masih, Justice Atul S. Chandurkar**

The respondents are estopped from questioning the validity of the consent decree based on the arbitral award, having consented to the decree and caused the appellants to alter their position. Their conduct of approbation and reprobation is not permitted. The appellants are allowed to revive execution proceedings for the unchallenged consent decree.

**KAVIN VS P. SREEMANI DEVI [C.A. NO.-003132-003133 - 2023]**

**Bench: Justice N. V. Anjaria, Justice Atul S. Chandurkar**

The findings regarding the accident, negligent driving, vehicle ownership, and insurance company liability were upheld. The reduction of compensation by the High Court was not justified. The compensation was enhanced to ₹82,83,866, covering future medical expenses, loss of enjoyment of life, attendant charges, and permanent disability. The insurance company must pay the unpaid amount within four weeks with 7.5% interest per annum.

**KAMAL GUPTA VS M/S L.R. BUILDERS PVT. LTD [C.A. NO.-010639-010643 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

A non-signatory to an arbitration agreement cannot participate in arbitration proceedings nor be bound by the arbitral award. After appointing an arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996, the authority becomes functus officio and cannot entertain further applications or issue additional directions. An order allowing the non-signatory to attend the proceedings was set aside, with directions for the parties to proceed according to the earlier appointment of the sole arbitrator.

**IQBAL AHMED (DEAD) BY LRS. VS ABDUL SHUKOOR [C.A. NO.-010458-010458 - 2010]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The High Court erred by allowing the defendant to present additional evidence without verifying its alignment with the defendant's written pleadings. The importance of pleadings in assessing the consistency between the case presented and the proposed evidence was emphasized. The decision included a remand for fresh consideration of the appeal and the additional evidence application based on established principles.

**CONST. AMAR SINGH VS UNION OF INDIA [C.A. NO.-002986-002986 - 2012]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The charge against the appellant for leaving the camp without permission was not proven; however, evidence indicated he was found 12 km away from the camp and was detained by civilians. This behavior negatively impacted the reputation of the force. The penalty of a reduction in pay-scale by one stage for two years and withholding of increments was deemed appropriate for the misconduct. There was no breach of principles of natural justice during the disciplinary proceedings.

**HIGH COURT OF MADHYA PRADESH VS JYOTSNA DOHALIA [C.A. NO.-012185-012185 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Madhya Pradesh High Court overstepped its review authority by ordering the re-computation of cut-off marks and a new main examination for Judicial Officer recruitment after dismissing a writ petition from candidates who did not meet the cut-off. The subsequent order to reopen the issue was not allowable, as the candidates' arguments had already been considered. The previous order was set aside, and the recruitment process was instructed to proceed according to the original advertisement, with assurance that no ineligible candidates would be appointed.

**THE UNION OF INDIA VS SUBIT KUMAR DAS [C.A. NO.-012685-012685 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The High Court directed the appellants to absorb the respondent for the Technician position, which was determined to be an error. The respondent, as a waitlisted candidate, lacked a vested right to appointment despite potential vacancies. A prior statement from the appellants about considering the respondent for future vacancies does not override the Recruitment Rules and cannot impose an entitlement not supported by law. The decision of the High Court is set aside, and the respondent's writ petition is dismissed.

**VIKRAM BHALCHANDRA GHONGADE VS THE STATE OF MAHARASHTRA THROUGH COLLECTOR WARDHA [C.A. NO.-013409-013409 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court held that the trial court decree remained executable as the first appeal had abated, rendering the appellate judgment a nullity since both appellants-defendants 4 and 5 had died before the appeal was heard on 28-09-2010 and their legal heirs were never brought on record. The decisive ground was that Order XXII Rule 6 CPC saves abatement only when death occurs after hearing and before pronouncement, whereas here both appellants had expired prior to hearing, making the decree in favour of dead persons void ab initio. Rejecting the executing court's view that the ninety-day period under Article 120 of the Limitation Act had not elapsed, the Court emphasised that the absence of legal heirs on the date of hearing itself vitiated the appellate decree, which therefore never merged with or superseded the trial decree. Relying on *Rajendra Prasad v. Khirodhar Mahto* and *Bibi Rahmani Khatoun v. Harkoo Gope*, the Court reaffirmed that failure to substitute heirs of an appellant results in abatement and any judgment thereafter is a nullity incapable of merger, so the trial decree revives for execution under Section 47 CPC. Consequently, the execution application was restored and the orders of the executing court and High Court were set aside, leaving parties to bear their own costs.

**POONAM VS DULE SINGH [SLP(C) NO.-012000 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court dismissed the petitioner's challenge to her disqualification as a Councillor, holding that her failure to disclose her 07.08.2018 conviction under Section 138 of the Negotiable Instruments Act, 1881 in the mandatory Rule 24-A affidavit constituted improper acceptance of her nomination under Section 22(1)(d)(iii) of the Madhya Pradesh Municipalities Act, 1961, rendering her election void. The decisive ground was that her conviction, carrying one-year imprisonment, was operative when she filed her nomination on 09.09.2022, and the subsequent acquittal on 30.12.2022 could not retrospectively validate the false verification. Rejecting her contention that Section 138 offences lack moral turpitude, the Court held that Rule 24-A(1) mandates disclosure of every conviction irrespective of gravity, and such non-disclosure directly impedes voters' Article 19(1)(a) right to informed choice. Distinguishing *Ravi Namboothiri (2022 INSC 1187)* and *Karikho Kri (2024 INSC 289)*, the Court emphasized that unlike mere fine-only convictions therein, the petitioner's sentence crossed the one-year threshold specified in the prescribed affidavit format. Concurring courts having concurrently found wilful suppression, the Court refused to exercise Article 136 discretion, noting no exceptional circumstances warranting interference.

**COMMISSIONER OF CUSTOMS, CENTRAL EXCISE & SERVICE TAX, RAJKOT V. NARSIBHAI KARAMSIBHAI GAJERA & ORS. [C.A. NO.-003405-003407 - 2012]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court allowed the appeal under Section 35-L(b) of the Central Excise Act, 1944, holding that the CESTAT erred in fragmenting an integrated manufacturing process to confer exemption under Entry 106 of Notification 5/1998-CE on Unit No.1. The decisive ground is that manufacture, as defined in Section 2(f), encompasses every process integrally connected with the emergence of the final product; here grey fabrics received by Unit No.1 were successively bleached, mercerized, squeezed, stentered with power at the adjoining Unit No.2, and re-baled at Unit No.1 before clearance, forming one continuous power-aided chain. The Court rejected the plea that distinct ownership and separate electricity meters

of the two units sever the process, emphasizing that the cumulative transformation test laid down in *Standard Fireworks Industries v. Collector* (1987) 1 SCC 600 and *Collector v. Rajasthan State Chemical Works* 1991 INSC 235 treats any power use in an essential intermediate stage as manufacture “with the aid of power”, rendering the exemption unavailable. The Court set aside the CESTAT order dated 05.10.2011 and restored the Commissioner’s Order-in-Original dated 27.09.2006 fastening duty, interest and penalty on Unit No.1, leaving parties to bear their own costs.

**BHASKAR GOVIND GAVATE (NOW DECEASED) THROUGH HIS LEGAL HEIRS VS THE STATE OF MAHARASHTRA**  
**[C.A. NO.-010346-010346 - 2024]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court held that the High Court erred in dismissing Contempt Petition No.315 of 2003 on the ground that the 17.01.2003 order in Writ Petition No.3412 of 1992 was ambiguous and capable of two interpretations. The decisive ground was that the common order dated 17.01.2003, when read as a whole, contained clear and categorical directions requiring the Special Land Acquisition Officer to hand over possession of lands in State Government possession to all petitioners on 22.01.2003, and directing MIDC to compensate for utilized land and return unutilized land by 20.01.2003. The Court rejected the High Court’s interpretation that the statements recorded did not clearly pertain to the appellant, emphasizing that the absence of grievances by other landowners could not imply compliance with directions issued in favour of the original petitioner. Applying the principle that contempt jurisdiction should be exercised when court orders are willfully disobeyed, as established in *SEBI v. Sahara India Real Estate Corporation Ltd.* (2012) 10 SCC 603, the Court held that the Division Bench ought to have examined the specific grievance regarding non-compliance rather than dismissing the petition on interpretational grounds. The Court ultimately set aside the judgment dated 26.02.2022 and remanded Contempt Petition No.315 of 2003 to the High Court for fresh consideration, clarifying that no opinion was expressed on the merits of rival submissions.

**A RAJENDRA VS GONUGUNTA MADHUSUDHAN RAO [C.A. NO.-011070-011071 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The National Company Law Appellate Tribunal dismissed the appellant's appeals for being barred by limitation due to the appellant's failure to apply for certified copies of the NCLT orders, which is necessary under NCLAT Rules. The limitation period of 30 days under Section 61(2) of the Insolvency and Bankruptcy Code begins from the date of the NCLT order's pronouncement. The appellant could not claim time taken to obtain a certified copy as no application was filed for it. Additionally, false statements regarding the timeliness of the appeals were noted, justifying the dismissal of delay condonation applications. The matter involved two appeals from the same appellant against the NCLAT's order, reinforcing established legal principles on limitation interpretation and the requirement for certified copies.

**MURUGAN VS THE STATE REP. BY THE INSPECTOR OF POLICE [CRL.A. NO.-003318-003318 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The conviction and sentence of Murugan for the murder of a police constable under Section 302 of the IPC were set aside due to disbelief in key evidence, including eyewitness testimony and co-accused confessions. The unexplained delay in presenting the FIR and the absence of credible last seen evidence contributed to the conclusion that the prosecution failed to establish a conclusive chain of events pointing to Murugan's guilt. The appeal was allowed, and he was ordered to be released from custody.

**SAKSHI ARHA VS THE RAJASTHAN HIGH COURT [C.A. NO.-003957-003957 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Ahsanuddin Amanullah, Justice Augustine George Masih**

The High Court of Rajasthan's decision to exclude the appellants from the eligible candidate list for interviews under the OBC-NCL/MBC-NCL category was upheld. The appellants lacked valid certificates as required by the advertisement and relevant regulations. Eligibility is determined by the application submission deadline in the absence of a specified cut-off date, and the status of candidates claiming OBC-NCL or MBC-NCL reservation is subject to periodic verification. The appeals were dismissed.

**THE STATE OF UTTAR PRADESH THROUGH THE PRINCIPAL SECRETARY VS DINESH KUMAR SHARMA [C.A. NO.-001080-001080 - 2017]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The respondents appointed under the "Antar Gramin Sadak Nirman Yojana" scheme are entitled to pensionary benefits equal to those of regular government employees. Previous judgments confirmed that these employees fall under the same service rules as regular employees. Arguments from the State regarding delay, estoppel, and distinctions between employee types were deemed unsubstantiated. Pension arrears were limited to three years prior to the writ petition to ensure equity, and the State must pay the owed pension within a specified timeline, adjusting for any amounts already received under the Contributory Provident Fund scheme.

**AMRESH SHRIVASTAVA VS THE STATE OF MADHYA PRADESH [C.A. NO.-010590-010590 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The chargesheet against revenue officer Amresh Shrivastava was quashed due to insufficient evidence of misconduct, bribery, or extraneous influence related to his land settlement order. Disciplinary proceedings cannot be initiated against a quasi-judicial officer for issuing an incorrect order without clear allegations of corruption. Additionally, the 14-year delay in issuing the chargesheet was deemed excessive and unjustified, preventing the continuation of the departmental inquiry. The appeal was allowed, and the previous judgment reviving the chargesheet and proceedings was set aside.

**SURESH C SINGAL VS THE STATE OF GUJARAT [CRL.A. NO.-003862-003862 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The dispute between the appellants and the Bank of Maharashtra was mainly civil/commercial and was

settled amicably. Charges against the bank manager were dropped due to lack of evidence, and the appellants paid more than the principal amount owed. The criminal proceedings against the appellants were considered an abuse of process due to the low likelihood of conviction and the potential for significant oppression and prejudice. Consequently, the FIR and the associated criminal proceedings against the appellants were quashed.

**M/S CHITHRA WOODS MANORS WELFARE ASSOCIATION VS SHAJI AUGUSTINE [CONMT.PET.(C) NO.-000712 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

Shaji Augustine was found guilty of civil contempt for willfully disobeying an order to pay arrears of use and occupation charges for a property. His actions demonstrated a deliberate intent to evade compliance with the court's directives. A punishment of three months' simple imprisonment and a fine was imposed, with an opportunity to comply with the original order within 30 days. This case was part of a larger matter, with the main petition previously dismissed due to non-compliance.

**SHENBAGAVALLI VS INSPECTOR OF POLICE KANCHEEPURAM DISTRICT [CRL.A. NO.-004268-004268 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The appeals were allowed, and the chargesheet under Section 306 IPC for abetment of suicide was quashed due to inadequate fulfillment of essential ingredients of the offense. Mere allegations of harassment and insulting language do not suffice; evidence of direct or indirect acts of incitement must be proximate to the suicide. The last contact between the accused and the deceased occurred about a month before the suicide, with no evidence of incitement found. The allegations did not prove the necessary intention to aid, instigate, or abet the suicide, leading to the conclusion that continuing the criminal proceedings would abuse the legal process.

**THE HP POWER TRANSMISSION CORPORATION LTD. VS M/S BRUA HYDROWATT PVT. LTD. [C.A. NO.-003919 - 2023]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

BHP Ltd is solely liable for the entire cost of the Bay constructed by HPPTC Ltd at the 66kV Switching Station at Urni, as outlined in the Connection Agreement dated 02.07.2021. The agreement identifies BHP Ltd as the sole applicant responsible for all charges, including construction and operation & maintenance costs for the Bay. The other two generating companies, Respondent No.2 and Respondent No.3, are not liable for these charges due to lack of privity of contract. The Internal Tripartite Agreement dated 27.12.2019 does not change this liability since HPPTC Ltd was not a party to it. The previous judgment by the Appellate Tribunal is set aside, reaffirming BHP Ltd's sole responsibility for the Bay charges.

**HAKIM VS STATE OF NCT OF DELHI [CRL.A. NO.-005304-005304 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The concurrent findings of conviction for the appellants under Section 326A of the Indian Penal Code for an acid attack were upheld. The prosecution proved the case beyond reasonable doubt, leading to the reduction of one appellant's sentence from life imprisonment to 10 years' rigorous imprisonment due to age and medical condition, while the life sentence for the other appellant was maintained. The appeals were heard together.

**SHIVAPPA REDDY VS S. SRINIVASAN [CRL.A. NO.-004363-004363 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The respondent, S. Srinivasan, remains liable for dishonored cheques issued by the partnership firm due to non-compliance with statutory retirement requirements. The High Court's decision was deemed

incorrect as the status of the respondent as a partner and the applicability of Section 141 of the Negotiable Instruments Act necessitated evidence at trial. The proceedings before the trial court have been restored.

**S. JANAKI IYER VS UNION OF INDIA [C.A. NO.-010858-010858 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The appeal was dismissed, confirming the appellant's dismissal from service. The chargesheet was clear, and the delay in inquiry proceedings was justified without causing prejudice to the appellant. The disciplinary authority met statutory requirements, including providing the appellant an opportunity to respond to the inquiry report. Evidence indicated the transfer order was fake, and the findings of misconduct against the appellant were supported by a preponderance of probability. No violations of natural justice or statutory rules occurred.

**THE RESERVE BANK OF INDIA VS M.T. MANI [C.A. NO.-013962-013962 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The Reserve Bank of India's decision to implement pension benefits from July 1, 2020, without arrears is validated as non-arbitrary and non-discriminatory. Each previous circular regarding the pension scheme had specific terms that employees accepted as a complete package. Those who opted out in earlier rounds cannot claim the same benefits retroactively. The decision to set a cut-off date for pension benefits is based on financial and administrative rationale. Acceptance of the favorable terms of the 2020 scheme while rejecting the unfavorable no-arrears condition is inconsistent. Thus, the dismissal of the respondent's writ petition is reinstated.

**CHANDRA BHAN SINGH VS THE STATE OF UTTAR PRADESH [C.A. NO.-012314-012314 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Augustine George Masih**

The demand notice requiring the appellants to deposit 10% of the total bid amount with the District Mineral Foundation (DMF) is valid under statutory provisions. Section 9B of the Mines and Minerals (Development and Regulation) Act, 1957 does not apply to minor minerals like sand, as stated in Section 14 of the Act. The State Government has the authority under Sections 15 and 15A of the Act to determine the amount payable to the DMF by minor mineral concession holders. The appellants' claims based on the Uttar Pradesh Minor Minerals (Concession) Rules, 1963 are rejected, as the applicable e-tender procedure is not governed by those rules.

**SHIVANGI BANSAL VS SAHIB BANSAL [T.P.(C) NO.-002367 - 2023]**

**Bench: Justice B. R. Gavai, Justice Augustine George Masih**

Custody of the minor child was granted to Shivangi Bansal, with Sahib Bansal receiving supervised visitation rights. All pending criminal and civil litigations between the parties and their families were quashed to end the prolonged legal conflict. Shivangi Bansal's mother was directed to transfer specific properties to Sahib Bansal, and police protection was ordered for Sahib Bansal and his family. The marriage between Shivangi Bansal and Sahib Bansal was dissolved.

**SAKSHI CHAUHAN VS DR. YASHWANT SINGH PARMAR UNIVERSITY [C.A. NO.-009735-009735 - 2025]**

**Bench: Justice B. R. Gavai, Justice Augustine George Masih**

The appellant's candidature for the M.Sc. program at Dr. Yashwant Singh Parmar University of Horticulture & Forestry was initially ineligible due to changing admission criteria. However, revoking her completed degree would be unjust. The admission was regularized, and the postgraduate degree was upheld, taking into account the university's confusing eligibility changes and the appellant's fulfillment of course requirements.

**SUA VS THE STATE OF RAJASTHAN [C.R.L.A. NO.-002695-002695 - 2025]**

**Bench: Justice B. R. Gavai, Justice Augustine George Masih**

The appellant was 16 years, 2 months, and 3 days old at the time of the offenses of rape and wrongful confinement. An inquiry confirmed his age, allowing for the plea of juvenility to be raised at any stage. The previous sentences were set aside, and the case was referred to the Juvenile Justice Board for appropriate orders under the Juvenile Justice (Care and Protection of Children) Act, 2000.

**KONDE NAGESHWAR RAO VS A. SRIRAMA CHANDRA MURTY [C.R.L.A. NO.-000555-000555 - 2018]****Bench: Justice B. R. Gavai, Justice Augustine George Masih**

The criminal proceedings against the respondents under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 were quashed due to a lack of evidence supporting allegations of malicious prosecution and false implication. The prosecution did not demonstrate the necessary intent nor disclose a cognizable offence under the Act. The conclusions drawn were well-reasoned and aligned with the law.

**NABHA POWER LIMITED VS PUNJAB STATE POWER CORPORATION LIMITED [C.A. NO.-008694 - 2017]****Bench: Justice B. R. Gavai, Justice Augustine George Masih**

Deemed export benefits under Paragraph 8.3 of the Foreign Trade Policy (FTP) were not available to Nabha Power Limited (NPL) and Talwandi Sabo Power Limited (TSPL) as of the bid cut-off date, as the power plants did not qualify as "goods" under the FTP and prerequisite conditions for the benefits were unmet. Notifications from the DGFT that withdrew the benefits were clarificatory and did not represent a "Change in Law" under the Power Purchase Agreement (PPA). Consequently, NPL and TSPL were not entitled to restitutionary relief or compensation from Punjab State Power Corporation Limited (PSPCL) under the "Change in Law" clause of the PPA.

**A.K.JAYAPRAKASH VS S.S. MALLIKARJUNA RAO [CONMT.PET.(C) NO.-001002-001003 - 2023]****Bench: Justice B. R. Gavai, Justice Augustine George Masih**

The respondent-Bank did not comply with a previous order to pay outstanding dues within three months; however, the delay was attributed to administrative difficulties from a merger and legacy record issues, not wilful disobedience or contempt. The claim for pensionary benefits was rejected as it was not part of earlier proceedings. A lump sum compensation of ₹3,00,000 was awarded to the legal representatives of the deceased petitioner due to the prolonged non-disbursal of retirement dues despite multiple orders.

**IN RE.. COURT ON ITS OWN MOTION VS DEEPAK KHOSLA [SMC(CRL) NO.-000001-000001 - 2016]****Bench: Justice B. R. Gavai, Justice Augustine George Masih**

The High Court's order dated 05.05.2021, which recalled its earlier judgment from 13.08.2020, was invalid. Proceedings under Section 340 of the Criminal Procedure Code are criminal in nature and governed by the CrPC, which does not allow for reviews under Order XLVII of the Code of Civil Procedure. A criminal court cannot alter or review its judgments, except under limited exceptions in Section 362 of the CrPC, none of which applied in this case. The reason for the recall, related to the withdrawal of company petition (CP 114 of 2007), was available at the time of the original hearing but was not raised. The attempt to recall the judgment constituted an abuse of process, leading to the appeal being granted and the High Court's order set aside.

**PRADYUMNA MUKUND KOKIL VS THE NASHIK MUNICIPAL CORPORATION [C.A. NO.-012690-012690 - 2025]****Bench: Justice B. R. Gavai, Justice Augustine George Masih**

Enhanced compensation of ₹20,20,11,533 was upheld as compliant with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Rental compensation was denied for the period before the appellant's land purchase, as the original owner retained

possession. Interest at 8% per annum on the purchase price was granted from 29.07.2011 to 08.05.2017. Certain adverse observations against the appellant were expunged, and costs imposed were waived.

**THE MANAGING DIRECTOR VS PEDDI NARAYANA SWAMI [C.A. NO.-005452-005453 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The findings established that the appellant hospital and the doctor were liable for medical negligence in the treatment of the deceased patient. Compensation of Rs. 20 lakhs was initially awarded, but it was determined that the Rs. 10 lakhs already deposited by the hospital, along with accrued interest, was sufficient. The compensation amount was reduced to Rs. 10 lakhs while maintaining the finding of liability.

**KRISHNA KUMAR KEDIA VS UNION OF INDIA [C.R.L.A. NO.-000280-000280 - 2019]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

Krishna Kumar Kedia was convicted under Sections 407, 420, 465, and 471 of the Indian Penal Code for forgery, fraud, and criminal breach of trust. The prosecution established the charges through evidence, including testimony from an approver witness and documentary evidence, while the appellant's arguments against the evidence were rejected. The decisions of the trial court and the High Court were affirmed.

**MIHIR RAJESH SHAH VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-002195-002195 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Supreme Court held that the constitutional mandate under Article 22(1) and Section 47 BNSS 2023 requires that grounds of arrest must be furnished in writing to every arrestee without exception, in the language understood, as mere oral communication renders the safeguard illusory and vulnerable to disputed compliance. The decisive ground is that effective knowledge of the allegations is essential to enable consultation of counsel, oppose remand and apply for bail, following Pankaj Bansal v. Union of India (2024) 7 SCC 576 and Prabir Purkayastha v. State (NCT of Delhi) (2024) 8 SCC 254 which held that written grounds must be supplied at the earliest, reiterated in Vihaan Kumar v. State of Haryana (2025) 5 SCC 799. Rejecting the State's plea that mode is unspecified, the Court ruled that in flagrante offences where immediate written supply is impracticable, grounds may be orally conveyed but written copy must be given at least two hours before remand, else arrest is illegal; the magistrate must verify compliance and decide remand afresh on merits. The appeals are disposed of with directions that non-compliance vitiates arrest and entitles release, while bail granted earlier continues, and prosecution may seek fresh remand only after written grounds are served.

**JSW STEEL LIMITED VS DEPUTY DIRECTOR, DIRECTORATE OF ENFORCEMENT [C.R.L.A. NO.-004183-004184 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The appeals by JSW Steel Limited and its deputy general manager regarding proceedings under the Prevention of Money Laundering Act (PMLA) cannot be interfered with, as they have already initiated an appeal before the Appellate Tribunal, which is pending. The Enforcement Directorate's complaint does not name the appellants as accused and focuses on the withdrawal of attached funds rather than an independent act of money laundering. The allegations are limited to the recovery of INR 33.80 crore, without imposing further criminal liability on the appellants. The statutory appeals before the Appellate Tribunal can proceed to be decided on their own merits.

**OFFSHORE INFRASTRUCTURES LTD. VS M/S BHARAT PETROLEUM CORPORATION LIMITED [C.A. NO.-012529-012530 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The arbitration clause in the contract was deemed invalid due to changes in law; however, the power to appoint an independent arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996,

remained intact. Previous decisions established that an arbitrator can be appointed despite deficiencies in the contractual arbitration framework. An application under Section 11(6) was filed within the limitation period, with the period from March 15, 2020, to February 28, 2022, excluded due to a COVID-19 extension order. The limitation period commenced when the respondent refused to appoint an arbitrator, contrary to the respondent's claim that it began when the final bill was raised. Consequently, the matter was directed to the Delhi International Arbitration Centre for the appointment of an independent sole arbitrator.

**MOHAMED SAMEER KHAN VS THE STATE REPRESENTED BY INSPECTOR OF POLICE [CRL.A. NO.-002069-002069 - 2024]** 

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

Mohamed Sameer Khan's convictions under Sections 302, 449, 376, and 394 of the Indian Penal Code were set aside due to the prosecution's failure to establish guilt beyond reasonable doubt. The case relied solely on circumstantial evidence, which had significant gaps and missing links. The accused was acquitted and ordered to be released from custody.

**RUPA AND CO. LIMITED VS FIRHAD HAKIM [C.A. NO.-002376-002378 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Supreme Court held that the High Court's order referring the matter for mediation, despite its previous directives ordering the state government to comply with the writ of mandamus, was not sustainable in law. The Supreme Court set aside the impugned order and directed the Chief Secretary of the state to comply with the High Court's earlier order in letter and spirit. The Supreme Court made it clear that if the state government fails to comply, the Chief Secretary will have to appear before the Supreme Court to show cause as to why he should not be held in contempt. The case is a batch matter involving multiple contempt petitions, and the Supreme Court decided to ensure compliance of the High Court's order directly without remanding the matter back to the High Court.

**VISHWANATH VS THE STATE OF UTTARAKHAND [T.P.(C) NO.-000042-000043 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The 18-month D.El.Ed diploma obtained by in-service teachers as of August 10, 2017, under the government's one-time scheme is valid for applying to other teaching positions and for promotions in Uttarakhand. The Uttarakhand government must consider the claims of applicants according to previous clarifications, without reopening any completed selection processes.

**SHRI KHERESHWAR MAHADEV VA DAUJI MAHARAJ SAMITI ALIGARH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-001098-001099 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appeals filed by the Shri Khereshwar Mahadev Va Dauji Maharaj Samiti were allowed, and the orders of the Allahabad High Court were set aside due to its failure to consider civil court orders that granted an interim injunction in favor of the appellant and directed maintaining status quo. The civil court was instructed to resolve the pending suit within six months, and the appellant was directed to include the Gram Sabha as a party defendant. The status quo order from the civil court would remain in effect until the suit was concluded.

**YOGESH KUMAR VS THE STATE OF UTTAR PRADESH [C.A. NO.-003823-003823 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The High Court rejected the appellant's claim for salary as a stenographer despite his actual work period, citing an excessive number of appointments over the advertised posts. The appellant had previously been granted liberty to seek salary relief and should not have been non-suited for pursuing a writ petition instead of a civil suit. The decision mandates payment of the appellant's salary for the work period, including interest and costs.

**SUDAM PRABHAKAR ACHAT VS THE STATE OF MAHARASHTRA [CRL.A. NO.-000641-000641 - 2024]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appellant and co-accused are liable for the death of the deceased, classified as culpable homicide not amounting to murder under Part I of Section 304 IPC, rather than murder under Section 302 IPC. Eyewitness testimony from relatives, although requiring greater scrutiny, supported evidence of a sudden fight involving agricultural tools, indicating a lack of premeditation. The conviction was converted accordingly, with the appellant sentenced to time already served and ordered to be released.

**M/S JSW ISPAT SPECIAL PRODUCTS LIMITED VS PRATISHTHA THAKUR HARITWAL [CONMT.PET.(C) NO.-000629 - 2023]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The respondents issued demand notices to the Petitioner Company for dues prior to the approval of the

resolution plan, which violated the Supreme Court's judgment in the Ghanshyam Mishra case. Once a resolution plan is approved under the Insolvency and Bankruptcy Code, claims not included in the plan are extinguished and binding on all stakeholders. The 2019 amendment to Section 31 of the IBC clarified this principle and is effective from the IBC's inception. Although the actions were deemed contemptuous, no stern action was taken due to the respondents' unconditional apology, leading to the quashing of the demand notices and the disposal of the contempt petition.

**R. SHASHIREKHA VS STATE OF KARNATAKA [CRL.A. NO.-001539-001539 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appeal was partly allowed, upholding the decision to quash proceedings under Section 306 of the IPC due to insufficient allegations of instigation related to the suicide. However, the quashing of proceedings under Section 420 of the IPC was set aside, as the High Court did not provide adequate reasoning for its decision. The matter is remanded to the trial court to consider the charge under Section 420.

**ASLAM ALIAS IMRAN VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-001538-001538 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appellant, Aslam alias Imran, was acquitted of murder charges related to Zahid Khan alias Guddu. Testimonies from prosecution witnesses were inconsistent, contradictory, and lacked credibility. There were no blood stains on the clothes of the witnesses who transported the deceased, a delay in reporting to the police, and a lag in the recording of statements, raising doubts about the prosecution's case. Additionally, previous enmity suggested the possibility of false implication, leading to the benefit of doubt being extended to the appellant.

**KOUSIK DAS VS THE STATE OF WEST BENGAL [C.A. NO.-004963-004963 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The 18-month Diploma in Elementary Education (D.El.Ed.) program through the National Institute of Open Schooling (NIOS) is valid for in-service teachers employed as of August 10, 2017, if completed before April 1, 2019. This program is not equivalent to the regular 2-year D.El.Ed. program for new appointments. Previous clarifications in related cases have been acknowledged. The relevant authorities must consider the eligible in-service candidates for appointment within three months.

**KARAN SINGH VS THE STATE OF HARYANA [CRL.A. NO.-001840-001840 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appellant's 2-year sentence under the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 for not surrendering after parole was deemed excessive. The amendment establishing a minimum 2-year sentence was not applicable retrospectively, and this was the appellant's first offense of this nature. Considering the time already served, including remission for the main offense under Section 302 IPC, the High Court's order was quashed, leading to the appellant's release.

**RAMYASH @ LAL BHADUR VS THE STATE OF UTTAR PRADESH AND ANR. ETC. ETC. [CRL.A. NO.-001153-001155 - 2021]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The procedure used by the Allahabad High Court to modify its previous judgment was inconsistent with Section 362 of the Code of Criminal Procedure. The High Court altered the conviction from Section 302 IPC to Section 304 Part II IPC and reduced sentences, which constituted a significant change rather than a simple correction. Consequently, the alteration was quashed, and the original judgment from 21st May 2018 was reinstated, allowing the accused the opportunity to challenge that judgment separately.

**PAWAN KUMAR AGRAWAL VS THE STATE OF CHHATTISGARH [C.A. NO.-005478-005478 - 2025]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The order from May 2, 2012, regarding the appointment of the appellants and their seniority from the date of appointment is final, following the dismissal of the SLP. The delay by the State in making these appointments, while others from the 2012 batch were appointed in July, should not disadvantage the appellants. The appeal is partly allowed, ensuring the appellants are ranked senior to the Judicial Officers appointed on July 10, 2012.

**RAJAN CHADHA VS SANJAY ARORA [C.A. NO.-005467-005467 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

A High Court judge incorrectly reviewed an earlier finding that the respondent was guilty of contempt for willfully violating court and arbitrator orders. Following the first judgment, the subsequent judge's role was limited to assessing whether the respondent had purged the contempt or deserved punishment, without re-evaluating the original finding of contempt. The impugned judgment was quashed, and the matter was remanded to be considered from the stage of the first order dated 5th December 2023.

**M/S. A. J. SHETTY AND CO. PVT. LTD VS ST. ANTONYS CHARITY INSTITUTES DIRECTOR [C.A. NO.-005468-005468 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

Despite the lease agreement's expiry and a settlement between the parties, M/s. A.J. Shetty & Co. Pvt. Ltd. received permission to temporarily relocate its hotel management institute for 2 years to protect approximately 250 enrolled students. The AICTE and Mangalore University are directed to maintain permission and affiliation during this period, even if the temporary location does not fully meet AICTE's infrastructure requirements. The institute is required to complete a new permanent campus that complies with AICTE standards within 2 years. The settlement agreement reached through mediation is considered an undertaking.

**CHHATISGARH DENTAL COL.& RES.INST. VS SHWETA KABRA [C.A. NO.-006937-006944 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The fixed fee of Rs. 1,25,000 per year set by the Fee Fixation Committee is not applicable retroactively to students admitted to the Chhattisgarh Dental College and Research Institute before the 2005-2006 academic year. The fee is effective only from the 2005-2006 academic year onward. Consequently, the directive for a refund of excess fees paid by students admitted prior to that academic year lacks justification.

**SIDDHI SANDEEP LADDA VS CONSORTIUM OF NATIONAL LAW UNIVERSITIES [C.A. NO.-006907-006907 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Common Law Admission Test (CLAT) conducted by the Consortium of National Law Universities included incorrect answer options and poorly framed questions. Marks were to be awarded to candidates based on correct answers derived from the provided material, instead of the Consortium's answer key. Certain unreasonable questions requiring prior legal knowledge were ordered to be deleted, addressing issues raised in multiple civil appeals related to the exam's conduct.

**ANAND SHESHMAN PATEL VS THE REGISTRAR NORTH MAHARASHTRA UNIVERSITY [C.A. NO.-006538-006538 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

Anand Sheshman Patel's caste claim under the OBC category was invalidated, but he had completed his B.Tech (Chemical Engineering) course by that time. The respondents were directed to release his mark sheets and degree certificate within four weeks, with the condition that he would not receive any future benefits from the OBC category. The Scrutiny Committee's delay in addressing his caste claim was

noted, having previously led to a High Court intervention that awarded him costs. This case should not be considered a precedent.

**HYDRAULICS AND PNEUMATICS [INDIA] LLP VS M/S. METAL ARC AGRI. LLP [SLP(C) NO.-027417 - 2023]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

Respondent No. 1 withdrew the application before the Executing Court, rendering its previous order infructuous. The special leave petition was disposed of, instructing the Executing Court to consider Anirudh Kumar's application in accordance with the law, ensuring all parties have an opportunity to be heard. The Executing Court was advised not to consider the observations made by the Revisional Court regarding Anirudh Kumar's application under Order XXI Rule 15(2) of the CPC. The amount deposited in the Supreme Court's registry was to be remitted back to the Executing Court for appropriate orders.

**TATA MOHAN RAO VS S. VENKATESWARLU [C.A. NO.-006591-006592 - 2025]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appellant's conviction for contempt of court was confirmed due to the deliberate disobedience of High Court orders regarding the demolition of homes and eviction of occupants. A more lenient punishment was imposed, including demotion in rank and a heavy fine of Rs. 1,00,000 to be deposited under a government housing scheme. The decision highlighted the significance of respecting court orders while considering the humanitarian impact on the appellant's family.

**IN RE : T.N. GODAVARMAN THIRUMULPAD VS UNION OF INDIA [W.P.(C) NO.-000202-000202 - 1995]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Court held that the performance appraisal reports (PARs) of Indian Forest Service (IFS) officers up to the rank of Additional Principal Chief Conservator of Forests (APCCF) must be written by their immediate superior officers within the Forest Department, as their "reporting authority" and "reviewing authority". The court found the Madhya Pradesh government's order providing for involvement of non-Forest Department officers in writing PARs to be in violation of the court's previous rulings, and consequently quashed the impugned order, directing the state to reframe the rules in accordance with the court's directions.

The court noted that except Madhya Pradesh, other states were already following its previous orders on this matter.

**PETER AUGUSTINE VS K.V. XAVIER [C.A. NO.-007160-007160 - 2025]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appeal was allowed because the High Court mistakenly remitted the matter back to the Trial Court for a fresh decision. Ownership and boundaries of the land could be established through the interpretation of existing sale, conveyance, and settlement deeds, negating the need for a new Court Commissioner's report. The High Court acknowledged that boundary descriptions were consistent, and discrepancies in survey numbers could be clarified through the settlement deed. A directive was issued for the High Court to resolve the appeal based on these observations within six months.

**MANOHAR VS THE STATE OF MAHARASHTRA [C.A. NO.-009870-009870 - 2025]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The highest sale deed submitted by the appellants indicated a market value of Rs. 72,900 per acre for the acquired land near Jintur town, which had good infrastructure and water facilities. This bona fide transaction should have been considered over other averaged sale instances. The compensation was increased to Rs. 58,320 per acre after accounting for a 20% deduction due to the larger size of the acquired land compared to smaller plots in the sale deeds.

**PADI KAUSHIK REDDY VS THE STATE OF TELANGANA [C.A. NO.-009932-009933 - 2025]** [↗](#)

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Speaker, acting as an adjudicating authority under the Tenth Schedule of the Constitution, is classified as a Tribunal whose decisions are subject to judicial review. The need for expeditious handling of disqualification petitions is emphasized, given that delays have been prevalent. In this case, the Speaker failed to issue notices to the MLAs for over seven months, only doing so after the matter was raised in another forum. An order from a High Court that interfered with the direction to the Speaker to schedule hearings was quashed. The Speaker is required to conclude pending disqualification proceedings against 10 MLAs within three months and to prevent further delays.

**IN RE THE WAQF (AMENDMENT) ACT, 2025 (1) VS [W.P.(C) NO.-000276-000276 - 2025]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The constitutional validity of the Waqf (Amendment) Act, 2025 was assessed, with most amendments to the Waqf Act, 1995 upheld, including registration requirements for waqfs, provisions concerning government properties, and the inclusion of non-Muslim members in the Central Waqf Council and State Waqf Boards. Provisions requiring proof of practicing Islam for five years to create a waqf and automatic designation of properties as non-waqf until a report is submitted were stayed, as were powers allowing officers to correct revenue records. Non-Muslim representation in the Central Waqf Council and State Waqf Boards was limited to 4 out of 22 and 3 out of 11, respectively. The appointment of a non-Muslim as Chief Executive Officer of the Waqf Board was not stayed, though preference for a Muslim officer was encouraged. Certain provisions viewed as arbitrary or violative of constitutional principles were stayed, while aiming to balance the interests of the Muslim community and public regulation of waqf properties.

**CONSTABLE 907 SURENDRA SINGH VS STATE OF UTTARAKHAND [CRL.A. NO.-000355-000355 - 2013]****Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The appeals from Constable Surendra Singh, Constable Surat Singh, and Ashad Singh Negi were allowed, overturning a High Court judgment that convicted them under Section 302 with Section 34 of the Indian Penal Code. The trial court found the prosecution did not prove beyond reasonable doubt that the appellants shared a common intention with the main accused, Jagdish Singh, to commit murder. The trial court's conclusion regarding the lack of evidence for the appellants' mental involvement or preplanning was considered reasonable. It was noted that interference in an appeal against acquittal is limited to cases of perverse conclusions or misinterpretation of evidence, which did not apply in this instance.

**ALL INDIA JUDGES ASSOCIATION VS UNION OF INDIA [W.P.(C) NO.-001022-001022 - 1989]****Bench: Justice B.R. Gavai, Justice Augustine George Masih, Justice K. Vinod Chandran**

The 10% quota for the Limited Departmental Competitive Examination (LDCE) for promotion to the Higher Judicial Service (District Judge cadre) is restored to 25%. The minimum qualifying experience to appear in the LDCE is reduced from 5 years to 3 years as a Civil Judge (Senior Division), with a total of 7 years of experience including service as a Civil Judge (Junior Division). Additionally, 10% of posts in the Civil Judge (Senior Division) cadre are reserved for accelerated promotion of Civil Judge (Junior Division) candidates through LDCE, requiring a minimum experience of 3 years in the Junior Division. Quotas for departmental examinations will be calculated based on cadre strength, and High Courts are to introduce a suitability test for promoting Civil Judges (Senior Division) to the District Judge cadre through the merit-cum-seniority quota. The minimum years of practice required for appearing in the Civil Judge (Junior Division) examination is restored to 3 years from provisional enrollment with the Bar Council, with a directive for High Courts and State Governments to amend relevant service rules within 6 months.

**IN RE REFIXATION OF PENSION CONSIDERING SERVICE PERIOD IN DISTRICT JUDICIARY AND HIGH COURT VS [SMW(C) NO.-000004 - 2024]**

**Bench: Justice B.R. Gavai, Justice Augustine George Masih, Justice K. Vinod Chandran**

All retired High Court Judges are entitled to a uniform basic pension of Rs.15,00,000 per annum for Chief Justices and Rs.13,50,000 for other Judges, regardless of their appointment source or service duration. The entire period of service, including tenure as District Judges, is considered for pension calculations. Additional Judges receive the same pension as Permanent Judges. Widows and family members of all Judges are eligible for family pension and gratuity, while those who joined the State Judiciary under the New Pension Scheme (NPS) are entitled to full pension under the High Court Judges Act. Directions were issued to ensure uniformity in pension and other benefits for all retired High Court Judges.

**BERNARD FRANCIS JOSEPH VAZ VS GOVERNMENT OF KARNATAKA [C.A. NO.-000017-000017 - 2025]****Bench: Justice B.R. Gavai, Justice B.V. Nagarathna**

The High Court correctly identified that the SLAO lacked the authority to change the date of the preliminary notification. However, due to a delay of over 22 years in compensating landowners, the SLAO is directed to calculate compensation based on the market value as of April 22, 2019, the date of the quashed award. Landowners are entitled to all statutory benefits. This decision does not impact any claims the project proponents may have against the State/KIADB concerning the delay.

**M/S NARESH POTTERIES VS M/S AARTI INDUSTRIES [CRL.A. NO.-000007-000007 - 2025]****Bench: Justice B.R. Gavai, Justice B.V. Nagarathna**

The complaint under Section 138 of the Negotiable Instruments Act was valid because the power of attorney holder, Neeraj Kumar, was authorized by the payee company, Naresh Potteries, and had knowledge of the transactions. For corporate complainants, explicit personal knowledge of the representative is not required if the representative is authorized and aware of the facts. The High Court's dismissal of the complaint was quashed, allowing the case to proceed to trial.

**D.M. JAGADISH VS BANGALORE DEVELOPMENT AUTHORITY [C.A. NO.-001455-001455 - 2025]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court allowed the appeal and set aside the impugned judgment of the Division Bench of the High Court. The Court found that the Division Bench had relied on an affidavit filed by the authorities without giving the appellant an opportunity to respond, which violated principles of natural justice. The Court held that the land adjoining the appellant's land had been excluded from acquisition, and the appellant was similarly entitled to the benefit of exclusion. The matter was remitted back to the Division Bench to be considered afresh in accordance with law. The Court directed the parties to maintain the status quo as on the date of the order of the Single Judge of the High Court, until the decision of the Writ Appeal on remand. This is not a batch matter.

**TILKU ALIAS TILAK SINGH VS THE STATE OF UTTARAKHAND [CRL.A. NO.-000183-000183 - 2014]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court held that the appellant should be acquitted of the charges under Sections 363 (kidnapping) and 366 (kidnapping a woman to compel her marriage) of the Indian Penal Code. The Court found that the evidence showed the prosecutrix, who was between 16-18 years of age, had voluntarily accompanied the appellant and there was no evidence of the appellant "taking" her out of the custody of her lawful guardian. The Court relied on the precedent set in *S. Vardarajan v. State of Madras*, where similar facts were considered, and concluded that the appellant's actions did not amount to the offences under Sections 363 and 366. The Court, therefore, allowed the appeal and set aside the High Court's judgment convicting the appellant under these sections.

**STATE OF UTTARAKHAND VS DEEPU VERMA @ DEVENDRA LAL [CRL.A. NO.-001700-001700 - 2014]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court upheld the High Court's decision to allow the appeal of the accused and set aside the conviction and life sentence imposed by the trial court. The Court found that while the testimonies of the eye-witnesses (PW-1, PW-2, and PW-4) were consistent regarding the accused assaulting the deceased, there were inconsistencies in their accounts, such as the distance between the houses and the sequence of events. Considering the reasonable doubt created by these inconsistencies, the Supreme Court held that the High Court was justified in granting the benefit of doubt to the accused.

**P.M. LOKANATH VS STATE OF KARNATAKA [CRL.A. NO.-002514-002514 - 2014]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court of India allowed the appeal and quashed the criminal proceedings against the appellants. The court found that the allegations in the FIR filed by the respondent were absurd and the criminal proceedings were initiated with malicious intent and an ulterior motive to harass the appellants, who were involved in long-standing civil disputes with the respondent. The court concluded that the continuation of the criminal proceedings would amount to an abuse of the process of law and therefore decided to quash the chargesheet, the order issuing summons to the appellants, and the subsequent proceedings arising therefrom.

**MEHATAR VS THE STATE OF MAHARASHTRA [CRL.A. NO.-000127-000127 - 2014]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court has allowed the criminal appeals, quashing the convictions of the appellants Rajkumar and Mehatar. The Court held that the High Court was not justified in relying solely on the testimony of the sole eyewitness, Sindhubai (PW-1), whose evidence was found to be partly reliable and partly unreliable by the High Court itself. In the absence of any corroboration to Sindhubai's testimony from other witnesses, the Court found that the appellants' convictions could not be sustained. The Supreme Court has therefore acquitted the appellants and directed the release of Rajkumar, who was in custody.

**VANASHAKTI VS UNION OF INDIA [W.P.(C) NO.-000166-000166 - 2025]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The 2025 notification by the Ministry of Environment, Forest and Climate Change was upheld, except for an exemption in Note 1 to Entry 8(a) that allowed certain building projects, such as industrial sheds, schools, colleges, and hostels, to bypass EIA requirements. This exemption was deemed arbitrary and inconsistent with the Environment Protection Act's objectives. The 2006 notification did not apply General Conditions to projects under Entries 8(a) and 8(b), while other categories were specified. The 2025 notification aimed to clarify EIA applicability in light of previous court orders.

**SHAIL KUMARI VS THE STATE OF CHHATTISGARH [CRL.A. NO.-002189-002189 - 2017]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

Shail Kumari was acquitted of Section 302 charges due to the unreliable and contradictory testimony of a single witness, PW-2. The prosecution did not establish a complete chain of events to connect her to the crime. The judgments of the High Court and the Trial Court were quashed, leading to her immediate

release.

**HARYANA POWER PURCHASE CENTRE (HPPC) VS GMR KAMALANGA ENERGY LIMITED [C.A. NO.-001929 - 2020]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

Coal supply from firm and tapering linkage for the power plant should be allocated on a pro-rata basis among GRIDCO, Haryana Utilities, and Bihar Utilities, according to the power supplied to each. The arguments from Haryana Utilities and GRIDCO for exclusive allocation were rejected, as the coal supply was determined to be for the entire power plant rather than for specific PPAs or DISCOMs.

**UMA KANT VS STATE OF U.P. [C.A. NO.-013113-013113 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

Appellants appointed as assistant teachers at a junior high school without Teacher Eligibility Test (TET) qualifications could not be terminated after clearing the TET within the extended timeframe set by the Right to Education (RTE) Act. The termination order was quashed, leading to their reinstatement with continuity of service and related benefits, though back-wages were not awarded. Previous judgments that upheld their termination despite their subsequent qualification were overturned.

**MADRAS BAR ASSOCIATION VS UNION OF INDIA [W.P.(C) NO.-001018 - 2021]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court struck down the Tribunal Reforms Act, 2021 as an unconstitutional legislative override, holding that Parliament cannot nullify binding judicial directions under Article 141 by re-enacting struck-down provisions without curing constitutional defects. The decisive ground was that Sections 3(7), 5 and 7 merely replicated the invalidated 2021 Ordinance's core infirmities - four-year tenure with 70/67 age caps, mandatory dual-name recommendations, and executive-controlled service conditions - thereby violating separation of powers, judicial independence and Article 14. Rejecting the Union's submission that legislative policy deserves deference on appointments and tenure, the Court reaffirmed that constitutional supremacy requires legislative compliance with judicially declared law under *Kesavananda Bharati* and *MBA (V)*. Following L. Chandra Kumar's mandate that tribunals exercising judicial functions must possess independence comparable to courts, the Court directed that *MBA (IV)* and *MBA (V)* principles shall govern until Parliament enacts constitutionally compliant legislation. The bench emphasised that merely relocating invalidated provisions from Section 184 Finance Act to a standalone statute using non-obstante clauses constitutes colourable legislation. All pending appointments must proceed under the superseded statutory framework, with the Union directed to establish an independent National Tribunals Commission within four months to safeguard institutional autonomy.

**IN RE: N. PEDDI RAJU VS [SMC(C) NO.-000003-000003 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice Atul S. Chandurkar**

A suo moto contempt petition was initiated against N. Peddi Raju, Ritesh Patil, and Nitin Meshram due to scandalous remarks made about a High Court judge in a transfer petition. Precedents emphasized that lawyers' duty to the court supersedes their duty to clients, and unfounded allegations against judges constitute contempt. It was noted that there is a troubling trend of criticism aimed at high court judges, particularly in cases involving political figures. The alleged contemnors were allowed to offer an unconditional apology to the judge in question, with the eventual acceptance of the apology to be considered after the matter is resolved by the High Court.

**RAHUL VS THE STATE OF UTTARAKHAND [T.C.(CRL.) NO.-000002 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N. V. Anjaria**

The Supreme Court, monitoring suo moto proceedings against illegal construction and tree felling in

Corbett Tiger Reserve, deprecated the State of Uttarakhand for selectively shielding Mr. Rahul, former Director, by initially refusing prosecution sanction under Section 197 CrPC and Section 19 of the Prevention of Corruption Act, 1988, while promptly sanctioning subordinate officers; after oral observations on 08.09.2025 exposed this discrimination, the State belatedly granted sanction on 16.09.2025, yet Rahul impugned it before the High Court which, ignoring this Court's seisin, stayed the sanction on 14.10.2025. Treating the manoeuvre as forum-shopping and interference with its monitored proceedings, the Court transferred the writ petition to itself under Article 139A, stayed the High Court order, and issued contempt notice to Rahul; accepting his unconditional apology and noting 21 years of unblemished service, the Court discharged the notice, permitted withdrawal of the transferred petition, but clarified that any future challenge to the validity of the sanction can be entertained only by this Court, reiterating that High Courts must respect the Supreme Court's exclusive cognizance once seized of a matter.

**DRAVIDA MUNNETRA KAZHAGAM VS THIRU. C.VE. SHANMUGAM [C.A. NO.-010259-010259 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N.V. Anjaria**

Government welfare schemes can be named after political leaders or use party insignia/emblems without legal prohibition, as this practice is common nationwide. The focus on a specific scheme suggested partisan motives. The rushed approach to the High Court without allowing the Election Commission adequate time to respond was criticized. Political disputes should be resolved through elections, not judicial means. The interim order from the High Court was quashed, and the writ petition was dismissed with heavy costs allocated for welfare schemes for the underprivileged.

**REJANISH K.V VS K. DEEPA [C.A. NO.-003947 - 2020]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N.V. Anjaria**

The interpretation of Article 233(2) of the Constitution raises substantial questions regarding the appointment of a judicial officer with seven years at the Bar as an Additional District Judge against a Bar vacancy and whether eligibility for District Judge appointments is assessed only at the time of appointment or also at application. These issues have been referred to a larger Constitution Bench for consideration, with pending hearings on related petitions after the Bench's decision.

**THE STATE OF KARNATAKA BY ITS CHIEF SECRETARY VS STATE OF TAMIL NADU STATE OF TAMILNADU BY ITS CHIEF SECRETARY [MA-003127 - 2018]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice Vipul M. Pancholi**

The Supreme Court rejected Tamil Nadu's applications seeking to restrain Karnataka from preparing the Detailed Project Report for the Mekedatu Balancing Reservoir cum Drinking Water Project, holding that the Cauvery Water Commission's 22.11.2018 permission merely authorized DPR preparation subject to expert body oversight, not final project approval. The decisive ground was that Karnataka's action constitutes legitimate utilization of its allocated water share under the Cauvery Water Disputes Tribunal Award as modified by this Court's 16.02.2018 judgment in State of Karnataka v. State of Tamil Nadu (2018) 4 SCC 1, with prior CWMA approval being mandatory before any construction. Rejecting Tamil Nadu's contention that the dam would impair its right to "uncontrolled flow of water," the Court emphasized that every State enjoys autonomy in utilizing its allocated share provided it doesn't diminish other States' entitlements, with CWMA and CWRC ensuring compliance at the Biligundulu measuring point. Following the principle of judicial deference to expert authorities established in its 25.08.2023 and 21.09.2023 orders, the Court reiterated that water management disputes are best resolved by expert bodies like CWMA/CWRC under the Cauvery Water Management Scheme notification dated 01.06.2018, directing Tamil Nadu to approach these authorities for any implementation grievances while clarifying that Karnataka must comply with CWMA directions to avoid contempt.

**MUNICIPAL CORPORATION OF DELHI VS GAGAN NARANG [C.A. NO.-007463-007464 - 2023]**

**Bench: Justice B.R. Gavai, Justice K.V. Viswanathan**

The Municipal Corporation of Delhi can file an application under Section 63 of the Electricity Act, 2003 for the adoption of tariffs from a transparent bidding process for the Waste to Energy project. The Appellate Tribunal for Electricity's limitation of Sections 63 and 86(1)(b) to distribution licensees or generating companies is incorrect, as the State Commission has broad regulatory authority under Section 86(1)(b) to govern electricity procurement processes. The provisions of the Act should be interpreted harmoniously to avoid redundancy.

**THE STATE OF HARYANA THROUGH SECRETARY TO GOVERNMENT OF HARYANA ETC.ETC. VS JAI SINGH AND ORS.ETC. ETC. [C.A. NO.-006990-006990 - 2014]**

**Bench: Justice B.R. Gavai, Justice Prashant Kumar Mishra, Justice K.V. Viswanathan**

The High Court's judgment was partly upheld regarding writ petitions from landowners challenging amendments to the Punjab Village Common Lands (Regulation) Act, 1961. It was analyzed that lands reserved for common purposes under the consolidation scheme belong to the Gram Panchayat, while unused lands remain with the original proprietors. The application of the doctrine of stare decisis was deemed correct, as consistent views from over 100 prior judgments could only be changed if clearly erroneous. The State's appeal was dismissed.

**GODREJ PROJECTS DEVELOPMENT LIMITED VS ANIL KARLEKAR [C.A. NO.-003334 - 2023]**

**Bench: Justice B.R. Gavai, Justice S.V.N. Bhatti**

The Supreme Court of India held that the developer was entitled to forfeit 20% of the basic sale price (BSP) as the earnest money deposit under the terms of the agreement with the apartment buyers. However, the court found the agreement to be one-sided and unfair, with the developer having disproportionate rights and remedies compared to the buyers. Relying on previous judgments, the court ruled that the forfeiture of 20% of the BSP was unreasonable and reduced it to 10%, directing the developer to refund the balance amount to the buyers. The court did not award any interest on the refund, as the buyers had opted out of the deal due to a market recession and were likely to have used the money for purchasing another property at a lower rate.

**YOGESH MADHAV MAKALWAD VS THE STATE OF MAHARASHTRA [C.A. NO.-010531-010531 - 2025]**

**Bench: Justice B.R. Gavai, Justice Satish Chandra Sharma, Justice K. Vinod Chandran**

The order of the Scrutiny Committee invalidating the appellant's claim to belong to the Scheduled Tribe Koli Mahadev and the High Court's judgment upholding it are unsustainable in law. Pre-Independence documentary evidence, particularly a 1943 school admission record of the appellant's grandfather indicating his caste as Koli Mahadev, warrants greater probative value. Changing times and modernization suggest that the affinity test is not the sole criterion to reject a caste claim, as tribal traits may have evolved. The appeal is allowed, the High Court's judgment is quashed, and the Scrutiny Committee is directed to issue a Caste Validity Certificate to the appellant within six weeks.

**CONFEDERATION OF REAL ESTATE DEVELOPERS OF INDIA (CREDAI) VS VANASHAKTI [R.P.(C) NO.-003002-003002 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice B.R. Gavai**

The Supreme Court by majority recalled its 16 May 2025 judgment that had struck down the 2017 Notification and 2021 OM permitting ex-post-facto environmental clearance, holding that the earlier Bench had acted per incuriam by overlooking binding precedents in Electrosteel Steels, Pahwa Plastics and D. Swamy which had upheld the validity of the relaxation regime and sanctioned ex-post-facto EC in appropriate cases while reiterating that Section 3 of the Environment (Protection) Act, 1986 does not absolutely prohibit such clearance. The decisive ground is that the earlier judgment failed to consider the per incuriam doctrine expounded in National Insurance Co. v. Pranay Sethi and Bilkis Yakub Rasool,

whereby a coordinate Bench is not bound by a decision rendered in ignorance of statutory power under Section 21 of the General Clauses Act, 1897 to amend notifications, and that the balance struck in Common Cause and Alembic—penalising violation yet permitting continued operation subject to remediation costs—was misread as a blanket ban. Rejecting the argument that recall would sanction illegality, the Court emphasised the principle of proportionality and the doctrine of non-regression, directing that projects completed or at final EC stage during the subsisting relaxation shall be appraised under the 2021 SOP, with demolition reserved only for environmentally impermissible projects, and restored the writ petitions for fresh consideration.

**MANCHU MOHAN BABU VS THE STATE OF ANDHRA PRADESH [C.R.L.A. NO.-003298-003298 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The criminal proceedings against Manchu Mohan Babu and Manchu Vishnu Vardhan Babu were quashed due to insufficient allegations under the Indian Penal Code and the Police Act. The appellants were exercising their rights to freedom of speech and peaceful assembly. The likelihood of conviction was deemed low, making the continuation of prosecution unnecessary.

**URMILA DEVI VS BALRAM [C.R.L.A. NO.-003300-003300 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The criminal complaint case against the accused-appellants was quashed due to insufficient grounds for the alleged offenses under Sections 419, 420, 467, 468, and 471 of the Indian Penal Code. The proceedings were deemed an abuse of legal process, disguising a civil dispute as a criminal matter. The continuation of the prosecution was found to serve no useful purpose, leading to the dismissal of the complaint.

**DASARI ANIL KUMAR VS THE CHILD WELFARE PROJECT DIRECTOR [C.A. NO.-010544-010544 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

Custody of minor children is to be returned to their adoptive parents by August 14, 2025, in the children's best interest. Authorities are instructed to monitor the children's welfare and progress quarterly.

**KHEM SINGH (DEAD THROUGH LRS) VS STATE OF UTTARANCHAL (NOW STATE OF UTTARAKHAND) HOME DEPARTMENT SECRETARY [C.R.L.A. NO.-001330-001332 - 2017]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The victim or their legal heir has a statutory right under the proviso to Section 372 of the Code of Criminal Procedure to appeal against an order of acquittal, conviction for a lesser offense, or inadequate compensation. This right is interpreted to include the ability to prosecute an appeal, allowing the legal heir to substitute and continue the appeal. A judgment that acquitted the accused without sufficient reasoning was set aside, and the case was remanded for fresh consideration of the appeals by both parties, with no comments on the merits.

**SUKHDEV YADAV @ PEHALWAN VS THE STATE OF (NCT OF DELHI) [C.R.L.A. NO.-003271-003271 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The appellant, sentenced to life imprisonment requiring 20 years of actual imprisonment without remission, is entitled to release upon completing the 20-year term on 09.03.2025. There is a distinction between remission and the completion of the sentence, with no remission applicable during the 20 years. Further incarceration after this period would infringe upon the appellant's right to personal liberty under Article 21 of the Constitution. The decision applies similarly to co-convicts in the batch matter.

**M/S U.P.ASBESTOS LIMITED VS THE STATE OF RAJASTHAN AND ORS. [C.A. NO.-003577-003577 - 2008]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

Notification No. S.O.377 dated 09.03.2007 from the Government of Rajasthan, which exempted payment of Value Added Tax on asbestos cement sheets and bricks with 25% or more fly ash content manufactured in the State, was deemed discriminatory and a violation of Article 304(a) of the Constitution. The exemption lacked justification for differentiating between goods manufactured within the State and similar imported goods. The case highlighted that the circumstances did not parallel those of previous judgments that supported selective exemptions. The notification was declared unconstitutional.

**INDIAN EVANGELICAL LUTHERAN CHURCH TRUST ASSOCIATION VS SRI BALA AND CO. [C.A. NO.-001525-001525 - 2023]**

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The plaint in the second suit for specific performance of the agreement dated 26.04.1991 is subject to rejection under Order VII Rule 11(d) due to being barred by the law of limitation. The first suit, filed in 1993 for the same relief, was rejected for non-payment of court fees. The plaintiff had until 12.01.2001 to file the second suit following the rejection but did so only in 2007, exceeding the limitation period under Article 113 of the Limitation Act. The letter dated 15.07.1991, which the plaintiff claimed extended the time for performance, was not referenced in the earlier suit. The delayed filing of the second suit in 2007 was deemed speculative and an attempt to prolong litigation unlawfully. Consequently, the application to reject the plaint in the second suit as barred by limitation was allowed.

**THE STATE OF KERALA VS ASIANET SATELLITE COMMUNICATIONS LTD. [C.A. NO.-009301-009301 - 2013]****Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The provisions of various state entertainment tax laws, including the Kerala Tax on Luxuries Act, 1976, and the Uttar Pradesh Entertainment and Betting Tax Act, 1979, were upheld. State legislatures possess the authority to levy entertainment tax on DTH and cable TV services, categorizing them under "entertainments" and "luxuries." A distinction was made between the regulatory power over broadcasting, which is under Parliament, and the taxation power over entertainment, which belongs to the states. The concept of "aspect theory" was applied, allowing taxation on different aspects of the same activity. The classification for taxation purposes by state legislatures was deemed discretionary, rejecting claims of discrimination against cable TV operators with more than 7500 connections. However, the amendments to the UP Act imposing entertainment tax on DTH services were recognized as substantive amendments requiring explicit legislative provisions. Overall, state competence to levy entertainment tax on these services was affirmed, alongside Parliament's power to tax the broadcasting service aspect.

**UMA MAHESWARI VS THE STATE [C.R.L.A. NO.-005158-005158 - 2025]****Bench: Justice B.V. Nagarathna, Justice Prasanna B. Varale**

The Supreme Court allowed the appeal and quashed criminal proceedings against accused Nos. 4 and 5 (appellants herein) in CC No. 233/2018 arising from FIR No. 192/2013, applying the principle of parity since the High Court had already quashed identical proceedings against accused Nos. 1 and 2 vide its 05.08.2022 order in CrI. O.P. No. 148/2020. The decisive ground was that all accused were arrayed in the same FIR alleging offences under Sections 405, 420, 386, 506(2) read with Sections 34 and 120B IPC regarding a fraudulent property transaction executed through a Power of Attorney given as security for a Rs. 20 lakh loan, and the High Court erred in distinguishing the appellants' role without considering its earlier quashing order which had attained finality. Rejecting the respondent's contention that appellants' role as vendors differentiated them from subsequent purchasers, the Court held that where a common FIR encompasses all accused persons, selective quashing violates Article 14's guarantee of equal treatment. Following the precedent in R.P. Kapur v. State of Punjab (AIR 1960 SC 866) that Section 482 CrPC empowers quashing to prevent abuse of process, the Court directed that FIR No. 192/2013 and the pending complaint before Judicial Magistrate III, Puducherry, stand quashed against the appellants.

**VENKATESH VS STATE REPRESENTED BY THE INSPECTOR OF POLICE [C.R.L.A. NO.-005156-005156 - 2025]****Bench: Justice B.V. Nagarathna, Justice Prasanna B. Varale**

The Supreme Court in Criminal Appeal No. 5156 of 2025 reduced the substantive sentences of appellants Venkatesh and another, convicted under Section 326 IPC and Section 3(1) Tamil Nadu Property (Prevention of Damage and Loss) Act 1992, to the period already undergone—two years and three months—while affirming their guilt, noting that the Sessions Court's concurrent five-year rigorous imprisonment and ₹5,000 fine under Section 326 IPC (with six months' default sentence) plus two-year rigorous imprisonment and ₹5,000 fine under the TNPPDL Act (with six months' default sentence, all concurrent) had been upheld by the Madras High Court on 07.02.2023, and that the Court had earlier confined notice to quantum alone; the decisive considerations were the compromise between private

parties, the appellants' custody throughout, and the substantial portion of sentence served, leading the Court to invoke its power under Article 142 to do complete justice by modifying sentence without disturbing conviction, directing immediate release unless required in another case, condoning delay, allowing impleadment of the de facto complainant and his wife, and disposing of all pending applications, while reaffirming that Section 428 CrPC set-off for pre-conviction detention had already been accounted for by the High Court.

**PARAMJEET SINGH VS THE STATE OF HIMACHAL PRADESH [SLP(CRL) NO.-003415 - 2024]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The allegations against Paramjeet Singh and Sarabjit Singh do not support a case for cheating under Section 420 of the Indian Penal Code due to a lack of evidence showing fraudulent intention at the time of the promise. A 5-year delay in filing the FIR raises suspicions about the complainant's motives. The misuse of criminal law for personal vendettas is cautioned against, leading to the quashing of the FIR, chargesheet, and all related proceedings.

**SHOBHIT KUMAR MITTAL VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-004282-004282 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The allegations in the FIR against the appellant were deemed vague and general, lacking specific details of harassment and cruelty. The unsubstantiated claims did not constitute an offence under the relevant IPC sections or the Dowry Act. Continuing with the criminal proceedings would constitute an abuse of the process of law. The FIR and subsequent proceedings against the appellant were quashed, with no impact on other pending matters between the parties.

**ARSHAD NEYAZ KHAN VS THE STATE OF JHARKHAND [CRL.A. NO.-004281-004281 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

Allegations against the appellant under Sections 406 and 420 of the Indian Penal Code lack evidence of fraudulent or dishonest intention at the time of the agreement for sale. A delay of 8 years in filing the complaint raises doubts about the complainant's bona fides. The criminal proceedings were quashed to prevent abuse of the judicial process and undue harassment to the appellant.

**SAMADHAN S/O SITARAM MANMOTHE VS THE STATE OF MAHARASHTRA [CRL.A. NO.-005001-005001 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court quashed FIR No. 294/2024 and charge-sheet under Sections 376, 376(2)(n) and 507 IPC, holding that a three-year consensual intimate relationship between an advocate and a married client cannot be retrospectively labelled rape merely because it did not end in marriage; the decisive ground is that the prosecutrix, an educated married woman whose first marriage was subsisting, voluntarily met the appellant at hotels, continued sexual relations despite repeatedly declining his marriage proposals, lodged no complaint until three months after the last encounter and only after he refused to pay Rs 1,50,000/- demanded by her, demonstrating that consent was neither vitiated by a false promise from the inception nor extinguished by subsequent non-marriage. Rejecting the High Court's view that a trial was necessary to test veracity, the Court emphasised that Section 376(2)(n) requires a clear pattern of repeated non-consensual acts induced by fraud or coercion, not a failed relationship. Reliance was placed on Mahesh Damu Khare v. State of Maharashtra (2024) 11 SCC 398 and Prashant v. State of NCT of Delhi (2025) 5 SCC 764 to hold that prolonged consensual intimacy lacks the direct nexus between false promise and physical relations necessary to constitute "misconception of fact" under Section 90 IPC; continuing prosecution would abuse process

**INDER CHAND BAGRI VS JAGADISH PRASAD BAGRI [CRL.A. NO.-005000-005000 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court quashed criminal proceedings under Sections 406/420/120B IPC against the appellant-partner, holding that the complaint failed to disclose prima facie offences and constituted abuse of process. The decisive ground was that the supplementary deed dated 03.04.1981 and dissolution deed dated 03.04.1997—both suppressed by the complainant—expressly provided that the disputed property would revert to the appellant after the FCI lease expired in 1993, thereby negating entrustment and dishonest misappropriation. Rejecting the contention that bringing property into partnership creates irrevocable trust, the Court emphasized that criminal breach of trust under Section 406 requires proof of fraudulent conversion, while cheating under Section 420 demands dishonest intention at inception, neither of which was alleged. Following *Inder Mohan Goswami v. State of Uttaranchal* (2007) 12 SCC 1 and *Delhi Race Club (1940) Ltd. v. State of U.P.* (2024) 10 SCC 690, the Court held that breach of trust and cheating are antithetical offences that cannot coexist on identical facts. Applying *State of Haryana v. Bhajan Lal* 1992 Suppl (1) SCC 335, the Court found the prosecution manifestly mala fide, driven by private vendetta to circumvent pending civil suit No.160/2012, and directed that criminal courts must not become instruments of harassment where civil remedies are adequate.

**BELIDE SWAGATH KUMAR VS THE STATE OF TELANGANA [CRL.A. NO.-005660-005660 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court quashed FIR No.29/2022 and Complaint Case No.1067/2022 under Section 498A IPC and Sections 3-4 DP Act against the husband-appellant, holding that vague, omnibus allegations of dowry demands and mental harassment, made four days after he sought restitution of conjugal rights, do not disclose the ingredient of “cruelty” as defined in Section 498A Explanation (a) & (b). The Court rejected the respondent-wife’s plea that monetary control, taunts about post-partum weight and failure to maintain her in the USA constituted offences, emphasising that general wear-and-tear of marriage, sans specific acts driving the woman to suicide or grave harm, cannot be criminalised. Applying *State of Haryana v. Bhajan Lal* (1992 Supp (1) SCC 335) categories (1) & (7), the Court found the prosecution manifestly mala fide and an abuse of process. It relied on *Dara Lakshmi Narayana v. State of Telangana* (2025) 3 SCC 735 to reiterate that unsubstantiated, retaliatory complaints undermine the salutary object of Section 498A and must be nipped in the bud. Consequently, the impugned Telangana High Court order dated 27-04-2023 refusing quashing under Section 482 CrPC was set aside; all proceedings against the appellant stand quashed, leaving parties free to pursue civil remedies.

**G.C. MANJUNATH VS SEETARAM [CRL.A. NO.-001759-001759 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The acts alleged against the police officers were connected to their official duties in investigating cases against the complainant. Therefore, statutory protection under Section 197 of the Criminal Procedure Code and Section 170 of the Karnataka Police Act applied, requiring prior government sanction for criminal proceedings. The absence of necessary prior sanction led to the quashing of criminal proceedings against the two superannuated officers.

**VIPIN KUMAR VS JAYDEEP [C.A. NO.-002225-002225 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The judgment in the second appeal (S.A. No. 140/2016) was found to be flawed due to the lack of a substantial question of law and the absence of a hearing for the appellant, Vipin Kumar. It was noted that fraud impacts all aspects of the case, warranting another opportunity for the appellant to present arguments and additional evidence regarding the alleged fraud by the respondent, Jaydeep. The decision to set aside the High Court’s orders enables the second appeal to be reconsidered with proper hearings and the ability to submit further pleadings and evidence.

**RAMESH BAGHEL VS STATE OF CHHATTISGARH [C.A. NO.-001235-001235 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Appellant sought to bury his deceased Christian father in the village graveyard, but the Gram Panchayat designated a separate burial ground for the Christian community in a nearby village. Burial sites are governed by statutory rules that allocate areas for different communities, aligning with community practices protected under Article 25 of the Constitution. The Appellant was directed to use the designated burial ground while receiving logistical support and police protection. Additionally, the State was instructed to demarcate exclusive burial sites for Christians across the State within two months to prevent future controversies.

**M/S. NARESH KUMAR GUPTA VS THE STATE OF PUNJAB [C.A. NO.-004033-004033 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The constitutional validity of the amendment to Section 29 of the Punjab Value Added Tax Act, 2005, extending the assessment time limit from 3 years to 6 years, was upheld as reasonable and within legislative power, addressing practical issues for the tax department. Application of an earlier judgment regarding Nokia India Pvt. Ltd. was restricted to assessment years in Punjab and Chandigarh, while cases from Andhra Pradesh were remanded for further consideration.

**NAGARAJAN VS THE STATE OF TAMIL NADU [CRL.A. NO.-002892-002893 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

In an appeal by the accused against conviction and sentence, it was established that the High Court cannot use suo motu revisional jurisdiction to enhance the sentence. The right to appeal is a statutory and constitutional right, and enhancing a sentence leaves the appellant in a worse position. The High Court erred by convicting the appellant under Section 306 IPC and increasing the sentence when there was no appeal or revision from the State, victim, or complainant. The judgment of the High Court was set aside, confirming the Trial Court's conviction under Sections 354 and 448 IPC.

**DHANASINGH PRABHU VS CHANDRASEKAR [CRL.A. NO.-002994-002994 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The dismissal of the complaint was incorrect because, although a partnership firm is not a separate legal entity, partners are jointly and severally liable for the firm's actions. The complainant's failure to name the partnership firm or issue it a statutory notice does not invalidate the complaint against the partners. Permission was granted to include the firm as an accused and restore the complaint, with notice issued to partners also considered notice to the firm. The liability of partners is joint and several, making the complaint maintainable against them despite the firm's absence in naming.

**VIBHOR GARG VS NEHA [C.A. NO.-009489-009489 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The High Court's decision to set aside the Family Court's order allowing the appellant-husband to submit recorded conversations as supplementary evidence in divorce proceedings was unjustified. The exception in Section 122 of the Evidence Act for suits between married persons applies, permitting the admission of recorded conversations despite privacy concerns. The right to privacy does not completely prohibit relevant evidence in matrimonial cases, and the right to a fair trial must be balanced with privacy. The Family Court's order is restored, directing the acceptance of the supplementary affidavit and recorded evidence for consideration.

**STATE OF KARNATAKA VS NAGESH [CRL.A. NO.-000773-000773 - 2013]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The High Court's acquittal of the accused was reversed due to errors in disregarding credible evidence and placing undue emphasis on minor discrepancies in witness testimonies. The prosecution proved charges under the Prevention of Corruption Act, 1988 beyond reasonable doubt. The original conviction

and sentence by the trial court were reinstated, with an order for the accused to surrender within two weeks.

**PINKI VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-001927-001927 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that the High Court committed a serious error in granting bail to the accused persons in organized child trafficking cases, undermining the gravity of the crimes alleged. The Court noted that the accused were part of an interstate racket that kidnapped and sold vulnerable children, with some even working in hospitals to exploit their position. The Court set aside the High Court's bail orders, directing the accused to surrender and the trials to be completed expeditiously within six months, with special prosecutors appointed and victim protection ensured. The Court also issued directions to all High Courts and State Governments to address the issue of child trafficking comprehensively, including strengthening Anti-Human Trafficking Units and ensuring timely investigation and prosecution of such cases.

**ARUN MUTHUVEL VS UNION OF INDIA [W.P.(C) NO.-000756 - 2022]**

**Bench: Justice K.V. Viswanathan**

Age restrictions under Section 4(iii)(c)(i) of the Surrogacy (Regulation) Act, 2021 do not apply retrospectively to intending couples who began the surrogacy procedure, including the extraction and freezing of embryos, before the Act's enforcement on January 25, 2022. Intending couples possess vested rights to pursue surrogacy under their constitutional right to reproductive autonomy, which cannot be retroactively altered by new statutory age requirements. The focus is solely on the applicability of these restrictions to couples who initiated the surrogacy process prior to the Act's enforcement.

**MANGE RAM VS STATE OF MADHYA PRADESH [CRL.A. NO.-003470-003470 - 2025]**

**Bench: Justice K.V. Viswanathan, Justice B.V. Nagarathna**

The criminal proceedings against the appellant, the father-in-law of the complainant, arising from FIR No.58 of 2019 were quashed due to the belated and vague nature of the allegations, including demands for dowry and physical assault, which were not mentioned in previous counselling sessions. With the divorce between the appellant's son and the complainant, continuing the proceedings would only prolong hostility without serving any useful purpose.

**NAVNEESH AGGARWAL VS THE STATE OF HARYANA [CRL.A. NO.-003472-003472 - 2025]**

**Bench: Justice K.V. Viswanathan, Justice B.V. Nagarathna**

In a case of mutual consent divorce where the parties settled all disputes and the complainant opposed continuing the criminal proceedings, it was determined that ongoing prosecution would serve no purpose and would only prolong conflict. The FIR, chargesheet, and all related criminal proceedings against the husband, father-in-law, and mother-in-law under Sections 323, 406, 498-A, and 506 of the IPC were quashed. Existing principles support that criminal actions linked to a concluded matrimonial relationship should not persist as a form of harassment.

**ASSISTANT COMMISSIONER OF INCOME TAX VS SHELF DRILLING RON TAPMEYER LIMITED [C.A. NO.-010586-010589 - 2025]**

**Bench: Justice Satish Chandra Sharma, Justice B.V. Nagarathna**

The procedure and timelines under Section 144C of the Income Tax Act operate independently from those in Section 153(3) and are not confined to the 12-month period for passing a fresh assessment order under Section 153(3). Section 144C serves as a self-contained code with specific timelines that must be followed in addition to the limitations set by Section 153. The requirement to complete the entire procedure of Section 144C within the 12-month limit of Section 153(3) was rejected. Timelines under

Section 153 only apply to the draft assessment order under Section 144C(1), while subsequent steps must adhere to the timelines specified in Section 144C. The appeals filed by revenue authorities were granted, allowing them to issue appropriate orders, and assesses were permitted to pursue available legal remedies against those orders.



**RADHIKA AGARWAL VS UNION OF INDIA [W.P.(CRL.) NO.-000336 - 2018]**

**Bench: Justice Bela M. Trivedi**

The ratio decidendi of the court's decision is that the power of arrest under the Customs Act and the GST Acts is subject to stringent safeguards, including the requirement for the authorized officer to have "reasons to believe" based on "material" in their possession that the person has committed a non-bailable offence under the respective Acts. The court clarified that the power of arrest should not be used arbitrarily or as a matter of course, but exercised with great care and caution. Arrests can only be made when the officer is satisfied that the statutory conditions are met. The court rejected the challenge to the constitutional validity of the arrest provisions in the Customs Act and the GST Acts, holding that these are within the legislative competence of Parliament under Article 246A of the Constitution. The court provided detailed guidelines on the procedure to be followed by the authorities, including the requirement to maintain proper records, inform the grounds of arrest, and comply with the safeguards under the Code of Criminal Procedure. The court cautioned against coercion or threat of arrest being used to extract tax payments, and directed the authorities to formulate clear guidelines to ensure taxpayers are not threatened with arrest for recovery of tax.

**THE AUROVILLE FOUNDATION VS NATASHA STOREY [C.A. NO.-013651-013651 - 2024]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Auroville Foundation's Standing Order No. 01/2022, which reconstituted the Auroville Town Development Council, is valid and legally sound. The Governing Board, under the Auroville Foundation Act, 1988, possesses the authority to form committees for its functions, and the Residents' Assembly lacks a statutory right to participate in these committees. The previous High Court judgment that annulled the Standing Order is overturned, while the writ petition filed by Natasha Storey is deemed an abuse of the legal process and detrimental to Auroville's development. The appeal is successful with costs awarded.

**THE AUROVILLE FOUNDATION VS NAVROZ KERSASP MODY [C.A. NO.-005781-005782 - 2022]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The National Green Tribunal exceeded its jurisdiction by assuming authority without a substantial environmental question related to specified environmental enactments. Directions to the Auroville Foundation for a new township plan and environmental clearance were deemed outside its jurisdiction since the plan was already approved in 2001. The need to balance environmental concerns with development rights was emphasized, leading to the quashing of the Tribunal's orders.

**IN RE ALARMING RISE IN THE NUMBER OF REPORTED CHILD RAPE INCIDENTS VS [SMW(CRL) NO.-000001 - 2019]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The alarming rise in child rape incidents in India prompted action to establish exclusive POCSO courts in districts with 100 or more POCSO cases. The direction included ensuring timely investigations and trials as required by the POCSO Act, addressing the inadequacy of dedicated courts that hindered compliance with stipulated timelines. The assistance of the amicus curiae was acknowledged during the proceedings.

**SUPREME COURT BAR ASSOCIATION VS STATE OF UTTAR PRADESH [MA-000003-000004 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The directions from the judgment dated 20.09.2024 regarding the recording of advocate appearances are in accordance with the Supreme Court Rules 2013 and carry statutory force. Arguments claiming these directions violate advocates' rights related to voting, chamber allotment, and Senior Advocate designation were rejected, as those are governed by separate rules. The directions were clarified to

require the Advocate-on-Record to certify the execution of the vakalatnama, with court masters recording appearances only for the Senior Advocate/AOR/Advocate present and arguing, along with one assisting Advocate/AOR. A Senior Advocate cannot appear without an AOR in the Supreme Court.

**PIRAMAL CAPITAL AND HOUSING FINANCE LIMITED (FORMERLY KNOWN AS DEWAN HOUSING FINANCE CORPORATION LIM VS 63 MOONS TECHNOLOGIES LIMITED) [C.A. NO.-001632-001634 - 2022]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The resolution plan approved by the Committee of Creditors and the National Company Law Tribunal for the insolvency of Dewan Housing Finance Corporation Limited was validated. The modification by the NCLAT regarding recoveries from avoidance applications under Section 66 of the IBC was erroneous and reverted to the NCLT's original approval. Appeals from fixed deposit holders and debenture holders concerning the distribution mechanism were rejected as compliant with the RBI Act and NHB Act. Appeals from former promoters and directors of DHFL were dismissed, as they lacked rights to participate in Committee of Creditors meetings following the supersession of the board under the RBI Act.

**KALYANI TRANSCO VS M/S BHUSHAN POWER AND STEEL LTD. [C.A. NO.-001808 - 2020]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The Resolution Plan of JSW was found to be non-compliant with the Insolvency and Bankruptcy Code and CIRP Regulations. The Resolution Professional did not fulfill statutory duties, and the Committee of Creditors failed to exercise commercial wisdom in approving the plan. JSW delayed the implementation of the approved plan for two years, undermining the IBC's purpose. The approvals from NCLT and NCLAT for the Resolution Plan were quashed, the plan was rejected, and liquidation proceedings against the Corporate Debtor were directed. The merits of the State of Odisha's claims regarding electricity and entry tax dues were not addressed.

**NATIONAL SPOT EXCHANGE LTD. VS UNION OF INDIA [W.P.(C) NO.-000995 - 2019]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The Maharashtra Protection of Interest of Depositors (MPID) Act takes precedence over the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act and the Recovery of Debts and Bankruptcy (RDB) Act, as the MPID Act is validly enacted under the State List. Properties attached under the MPID Act may be used to execute decrees against judgment debtors, despite the moratorium under the Insolvency and Bankruptcy Code, since there is no inconsistency between the MPID Act and the IBC. Orders from the Supreme Court Committee overseeing the execution of decrees and awards against defaulters of the National Spot Exchange Limited are upheld.

**MAHANADI COAL FIELDS LTD. VS MATHIAS ORAM [MA-002662 - 2023]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The Claims Commission's determinations for 10 villages are final and cannot be reopened due to changes in state policies. The R&R Act 2013 benefits apply to the remaining 4 villages from 28.08.2015 onwards. Guidelines for the resettlement and rehabilitation process include housing plot allotment, infrastructure development, and one-time compensation. The calculation method for the village of Ratansara is referred for resolution. Applications for further directions to the Claims Commission are dismissed, as the issues were already comprehensively addressed.

**MAHESH VS SANGRAM [C.A. NO.-000036-000037 - 2025]****Bench: Justice C.T. Ravikumar, Justice Prashant Kumar Mishra**

The sale deed dated 13.12.2007 between defendant No. 1 and defendants 2 and 3 is valid and binding on the appellant. The gift deed dated 27.08.2008 from defendant No. 1 to defendants 4 and 5 is null and void, as the necessary conditions for a valid gift were unmet. As the sole legal heir of defendant No. 1, the appellant is entitled to the 'B' and 'C' schedule properties.

**DALIP RAM VS STATE OF PUNJAB . [SLP(C) NO.-008687-008687 - 2012]****Bench: Justice C.T. Ravikumar, Justice Rajesh Bindal**

The lands in question were determined to be Shamlat deh, vested in the respective Gram Panchayats. Petitioners who leased the lands from the Panchayats could not claim ownership or protections under the Punjab Village Common Lands (Regulation) Act, 1961, as the lands were not allotted to displaced persons on a quasi-permanent basis or transferred before July 9, 1985. A distinction was emphasized between 'lease' and 'allotment,' leading to the conclusion that lessees could not contest the ownership of the Gram Panchayats. Special leave petitions were dismissed with no grounds for interference.

**LEELA VS MURUGANANTHAM [C.A. NO.-007578-007578 - 2023]****Bench: Justice C.T. Ravikumar, Justice Rajesh Bindal**

The Will dated 06.04.1990 executed by Balasubramaniya Thanthiriyar was deemed not genuine and surrounded by suspicious circumstances. The defendants failed to demonstrate the Will's execution met the legal requirements of the Indian Succession Act and the Indian Evidence Act. Key issues included the first defendant's active role in preparing the Will, contradictory evidence about the testator's health, non-matching signatures, and insufficient proof that the testator understood the Will's contents before signing. The appeal was dismissed.

**THE STATE, CENTRAL BUREAU OF INVESTIGATION VS A SATISH KUMAR [C.R.L.A. NO.-000898-000898 - 2024]****Bench: Justice C.T. Ravikumar, Justice Rajesh Bindal**

The CBI has the authority to register FIRs and investigate offenses against central government employees in the states of Telangana and Andhra Pradesh without state government consent. Relevant laws and general consent for CBI investigations continue to apply post-bifurcation. The CBI court in Hyderabad has jurisdiction to try offenses under the Prevention of Corruption Act, as the CBI is empowered to investigate these cases. The High Court's order quashing the FIRs and subsequent proceedings has been set aside, restoring the cases pending in the Special Judge for CBI Cases in Kurnool.

**ICICI LOMBARD GENERAL INSURANCE CO. LTD. VS RAJANI SAHOO [C.A. NO.-000022-000022 - 2025]****Bench: Justice C.T. Ravikumar, Justice Rajesh Bindal**

The concurrent findings of the Motor Accidents Claims Tribunal and the High Court were upheld. The Tribunal and High Court relied on police records, including the FIR and charge sheet, to establish that the accident resulted from the rash and negligent driving of the insured vehicle's driver. The standard of proof in motor accident cases is preponderance of probabilities, not the "beyond reasonable doubt" standard. Claims by the insurer that the charge sheet was fraudulently prepared lacked supporting evidence.

**REVENUE DIVISIONAL OFFICER CHEVELLA DIVISION VS MOHD.SYEED ATHER . [C.A. NO.-001919-001922 - 2016]****Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

The High Court's judgment from 02.09.2008, which allowed writ petitions challenging orders to resume assigned lands under the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977, was set

aside. The decision was based on a misconception regarding the assignment of lands. Previous cases highlighted the revised assignment policy and the condition of non-alienability. The writ petitions were restored for fresh consideration based on these observations.

**NEW INDIA ASSURANCE CO. LTD. VS SONIGRA JUHI UTTAMCHAND [C.A. NO.-000024-000024 - 2025]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

The High Court's decision to enhance compensation for the accidental death of the appellant's parents and brother was upheld. Although the insurance company's argument for deducting one-third of the deceased's income for personal expenses was partially acknowledged, the overall compensation amount remained unchanged. Consideration was given to the appellant's young age and the tragic loss of her entire family. All appeals were dismissed, maintaining the enhanced compensation amount.

**JAYSHREE KANABAR VS STATE OF MAHARASHTRA [CRL.A. NO.-000022-000022 - 2025]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

The High Court's order granting bail to the accused in a MCOCA case was set aside due to impermissible findings on the merits of the prosecution's case during the bail application. It was noted that the High Court improperly assessed evidence and the roles of the accused at this stage. The bail application was remanded for fresh consideration per Section 21(4) of the MCOCA, with the accused allowed to remain on bail under the same conditions until the new decision. The bail application must be disposed of expeditiously, preferably within one month.

**M/S MAXIM INDIA INTEGRATED CIRCUIT DESIGN (P) LTD. VS ANDAPPA (D) BY LRS. AND ORS. .ETC .ETC [C.A. NO.-003650-003655 - 2018]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Kumar**

The appeals by M/s Maxim India Integrated Circuit Design (P) Ltd. were allowed, and the High Court of Karnataka's judgment was set aside. The 1378-day delay in Andappa's writ appeal against the recognition of Basant Kumar Patil's property ownership was not justified due to Andappa's failure to disclose important facts about previous orders and proceedings. Changes made by Andappa and Krishnappa to their names in earlier tenancy proceedings raised further concerns about their conduct. Consequently, the previous orders recognizing Basant Kumar Patil's ownership were restored.

**KIM WANSOO VS STATE OF UTTAR PRADESH [CRL.A. NO.-000015-000015 - 2025]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Kumar**

The FIR against Kim Wansoo, Project Manager of Hyundai Engineering & Construction India LLP, was quashed due to a lack of disclosed offence. Subjecting him to trial was deemed an abuse of process and likely to result in miscarriage of justice.

**LILIAN COELHO VS MYRA PHILOMENA COALHO [C.A. NO.-007198-007198 - 2009]**

**Bench: Justice C.T. Ravikumar, Justice Sudhanshu Dhulia**

The division bench incorrectly concluded that the lower court had definitively determined the genuineness of Mrs. Maria Francisca Coelho's will dated July 7, 1982. The lower court had only established that the will was validly executed without confirming its genuineness. The division bench's judgment was set aside, and the matter was remanded for fresh consideration, allowing parties to argue all legal and factual questions based on the existing evidence. No observations were made on the merits of the case.

**ABHIMANUE VS STATE OF KERALA [CRL.A. NO.-004197-004199 - 2025]**

**Bench: Justice Augustine George Masih, Justice Dipankar Datta**

The High Court's revocation of bail granted to the appellants by the Sessions Court was justified due to the Sessions Court granting bail without proper consideration of the crime's gravity and the risk of witness tampering. However, the High Court could have instructed the Sessions Court to reassess the bail application instead of revoking it outright. Ultimately, the bail was reinstated with stringent conditions to ensure a fair trial and protect witness testimony, with both judges agreeing on the main issue.

**NORTH EASTERN DEVELOPMENT FINANCE CORPORATION LTD. VS M/S. L DOULO BUILDERS AND SUPPLIERS CO. PVT. LTD. [C.A. NO.-006492-006492 - 2024]**

**Bench: Justice Dipankar Datta, Justice Aravind Kumar**

The Supreme Court dismissed NEDFI's appeal against the Gauhati High Court judgment quashing its SARFAESI action, holding that no enforceable security interest was created in its favour under the 2002 Act since the loan agreement of 11-5-2001 predated the statute and contained no mortgage or charge in NEDFI's name; the decisive ground is that the properties were mortgaged only to the Model Village Council which merely guaranteed repayment, and Article 371A barred Parliamentary laws on land transfer in Nagaland unless the Assembly resolved otherwise, a bar lifted only on 10-12-2021 when SARFAESI was notified for the State. Rejecting reliance on M.D. Frozen Foods, UCO Bank and United Bank of India, the Court distinguished those cases where security interests actually existed, reiterated that SARFAESI requires a security agreement creating a right, title or interest in the secured asset, and clarified that the Council's power under the Nagaland Village Councils Act 1978 to forfeit and sell a defaulting resident's property does not transform the guarantee into a SARFAESI security interest; it ultimately ruled that NEDFI is not a "secured creditor" within Section 2(zd) and must pursue recovery against the Council or company under other laws, leaving the DRT proceedings untouched.

**XXX VS THE UNION OF INDIA [W.P.(C) NO.-000699-000699 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The "In-House Procedure" developed by the Court is legally sanctioned and constitutional. It involves a preliminary inquiry by a committee appointed by the Chief Justice of India (CJI), aiding in determining subsequent actions. The CJI is authorized to send the inquiry committee's report to the President and Prime Minister, along with recommendations, without breaching constitutional separation of powers. No flaws were found in the CJI's or committee's adherence to the "In-House Procedure," aside from the improper uploading of evidence. The petitioner's participation in the inquiry without objection and subsequent late challenge to the procedure was deemed unacceptable. The writ petition was dismissed.

**P. MARUTHI PRASADA RAO VS THE STATE OF ANDHRA PRADESH [C.A. NO.-011000-011000 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The post of Forest Range Officer (FRO) in the Andhra Pradesh Forest Service is classified as part of the "State Forest Service" under Rule 2(g) of the Indian Forest Service (Recruitment) Rules, 1966. The approval of the Central Government pertains to the service rather than the post. Future exercises for filling vacancies in the Indian Forest Service must consider the eligibility of FROs for promotion, recognizing the Andhra Pradesh Forest Service as the "State Forest Service." No immediate relief is provided for past promotion exercises due to the appellant's delay in raising the issue and lack of seniority to bypass others.

**SUNIL SHARMA VS M/S HERO FINCORP LIMITED [CRL.A. NO.-003467-003467 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The facts alleged by the lender, Hero, against Sunil Sharma do not constitute an offense of criminal breach of trust under Section 405 of the Indian Penal Code. A loan transaction establishes a creditor-debtor relationship, and a breach of the loan agreement does not inherently constitute a criminal

offense, particularly when the breach occurs due to circumstances beyond the borrower's control. The directive for the registration of an FIR was deemed erroneous, as a police inquiry had already concluded that no cognizable offense was present. The appeal was favorable to the appellant, resulting in the setting aside of the High Court's order.

**SARASWATABAI MOTIRAM TAYADE VS VIDHARBHA IRRIGATION DEVELOPMENT CORPORATION [C.A. NO.-010671-010671 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The High Court's reduction of the multiplier for compensation of the appellants' orange trees from 15 to 10 was deemed erroneous. The reference court's use of a multiplier of 15 was justified based on its application in a prior case involving adjacent lands. There was no valid reason to treat the landowners differently, leading to the restoration of the higher multiplier of 15 for compensation calculations.

**ASSISTANT GENERAL MANAGER STATE BANK OF INDIA VS TANYA ENERGY ENTERPRISES THROUGH ITS MANAGING PARTNER SHRI ALLURI LAKSHMI NARASIMHA VARMA [C.A. NO.-011134-011134 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The High Court's interference in the State Bank of India's rejection of Tanya Energy Enterprises' application for the One Time Settlement (OTS) 2020 Scheme was incorrect. The borrower failed to meet the requirement of making a 5% upfront payment with the application, which was a significant factor affecting the outcome. The appeal from the State Bank of India was accepted, the High Court's judgments were set aside, and the borrower was allowed to submit a new proposal for OTS, excluding the 2020 Scheme.

**JAMEELA VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-003641-003642 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

Akhtar's conviction under Section 195-A of the Indian Penal Code was deemed unsustainable due to the provision being enacted after the alleged offense. His conviction under Section 506-B IPC for threatening the victim was upheld. The acquittal under Section 305 IPC was not challenged and thus became final. The Madhya Pradesh government was requested to reconsider the termination of Akhtar's service, given the surviving conviction under Section 506-B IPC.

**RAJNESH SHARMA VS M/S BUSINESS PARK TOWN PLANNERS LIMITED [C.A. NO.-003988 - 2023]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The NCDRC awarded the appellant 9% interest per annum on a refund, which was deemed inappropriate due to the respondent's decade-long delay in providing possession of the plot and improper invocation of an alternative plot clause. The respondent charged the appellant 18% interest on delayed payments. The interest rate was increased from 9% to 18% per annum while the other terms of the NCDRC's order remained unchanged.

**HANSRAJ VS STATE OF U.P. [W.P.(CRL.) NO.-000340-000340 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Juvenile Justice (Care and Protection of Children) Act, 2000 applied to the petitioner, who was a juvenile at the time of the offense, even though the crime occurred before the Act's implementation. The petitioner had served more than the maximum 3-year detention period allowed for juveniles, resulting in a violation of constitutional rights. Immediate release from custody was ordered.

**K. KIRUBAKARAN VS STATE OF TAMIL NADU [CRL.A. NO.-000679-000679 - 2024]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

An appellant's conviction for offences under Section 366 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012 was appealed. The case involved unique

circumstances, including the marriage between the appellant and the victim, the birth of their child, and the victim's wish to live with the appellant. Interests of justice, deterrence, and rehabilitation were considered, leading to the quashing of the conviction and sentence, contingent upon the appellant's commitment to not desert his wife and child and to support them. This decision is specific to the facts of the case and should not set a precedent.

**U.P. STATE ROAD TRANSPORT CORPORATION THROUGH ITS CHIEF GENERAL MANAGER VS KASHMIRI LAL BATRA [C.A. NO.-010522-010522 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court set aside the High Court directions compelling Uttar Pradesh to countersign inter-State permits issued by Madhya Pradesh, holding that an approved scheme under Chapter VI of the Motor Vehicles Act, 1988 overrides inter-State reciprocal transport agreements executed under Section 88 of Chapter V, following the Constitution Bench ruling in *Adarsh Travels Bus Services v. State of U.P.* (1985) 4 SCC 557 that nationalisation schemes must expressly exclude private operators from overlapping notified routes and cannot be defeated by mere physical overlap. The decisive ground was that Section 98 declares Chapter VI to have overriding effect notwithstanding anything inconsistent in Chapter V or any other law, and the IS-RT agreement being merely an inter-State contract lacks statutory force to nullify a notified intra-State route. Rejecting the private operators' plea that winding up of MPSRTC automatically transferred Schedule B routes to Schedule A, the Court emphasised that unless conclusive evidence of winding up is shown and both States agree to modify the approved scheme under Section 102, no permit can be granted traversing any portion of a notified route. Consequently, the appeals were allowed, the writ petition dismissed, and the Transport Secretaries of MP and UP directed to meet within three months to explore consensus on modifying the scheme or agreement to balance public interest and avoid commuter inconvenience, while reiterating that absence of Central approval under Section 100 proviso bars any inter-State route notification.

**M/S ALCHEMIST HOSPITALS LTD. VS M/S ICT HEALTH TECHNOLOGY SERVICES INDIA PVT. LTD. [C.A. NO.-013405-013405 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court affirmed the High Court's dismissal of the appellant's Section 11(6) application, holding that Clause 8.28 of the Software Implementation Agreement was not a valid arbitration agreement under Section 7 of the Arbitration and Conciliation Act, 1996. The decisive ground was that despite using the word "arbitration" thrice, the clause merely contemplated an internal negotiation-cum-mediation process between the Chairmen of both companies, expressly permitting either party to approach civil courts if the dispute remained unresolved after fifteen days, thereby negating any binding finality essential to arbitration. Rejecting the appellant's reliance on the respondent's failure to deny arbitration in subsequent correspondence, the Court held that such post-contract conduct cannot create an arbitration agreement where none existed, distinguishing *Powertech World Wide Ltd. v. Delvin International General Trading LLC* (2012) 1 SCC 361 and *Visa International Ltd. v. Continental Resources (USA) Ltd.* (2009) 2 SCC 55 where respondents had affirmatively consented to arbitration. Applying *K.K. Modi v. K.N. Modi* (1998) 3 SCC 573 and *Jagdish Chander v. Ramesh Chander* (2007) 5 SCC 719, the Court emphasized that party autonomy requires an express intention to refer disputes to a neutral, binding adjudicatory process, which was absent here. The appeal was dismissed with liberty to the appellant to pursue remedies before the competent civil court, with Section 14 of the Limitation Act, 1963 benefit to be considered if claimed.

**SK MD ANISUR RAHAMAN VS THE STATE OF WEST BENGAL [MA-002323-002323 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court dismissed both Afjal's application to cancel Anisur's bail and Anisur's plea to modify the condition restricting him to Kolkata, holding that neither breach of bail terms nor any material

change of circumstances had been demonstrated. The decisive ground for rejecting cancellation was that, despite the State's earlier attempt under Section 321 CrPC to withdraw prosecution and the subsequent turning of several witnesses hostile, no concrete evidence was placed before the Court to show that Anisur, while on bail, had directly intimidated witnesses or otherwise violated the stringent conditions imposed on 3 January 2025. The Court rejected the argument that the mere grant of police security to Anisur or his photographs with political figures established interference with the trial, emphasising that the trial is on the verge of completion with only official witnesses left and that the integrity of the proceedings is sufficiently safeguarded by the Special Public Prosecutor appointed under this Court's 17 March 2023 order and by the monitoring mandate given to the Calcutta High Court. Reiterating the principle of finality of judicial orders and the need for judicial comity, the Court observed that modification of the bail condition would amount to sitting in appeal over the coordinate bench's discretion exercised after balancing Anisur's five-year incarceration against the gravity of the offence under Section 302 IPC and the need for a fair trial. Accordingly, the Court maintained the bail condition confining Anisur to Kolkata and set aside the Sessions Court's 21 November 2025 reference to the Legal Remembrancer censuring the Special Public Prosecutor, directing instead that the trial be concluded without undue haste but in accordance with law.

### **DADU @ ANKUSH VS STATE OF MADHYA PRADESH [CRL.A. NO.-005301-005301 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court allowed the appeal and set aside the convictions under Sections 323, 354 IPC and Section 3(1)(xi) SC/ST Act, holding that the prosecution's story was riddled with material contradictions and lacked credibility. The decisive ground was the irreconcilable variance between the victim's claim that her brother rushed home on hearing her screams and his testimony that an unnamed informant told him of a "fight", compounded by the complete absence of any independent eyewitness from the crowded Ganesh Puja pandal, rendering the occurrence doubtful. The Court rejected the High Court's perverse finding of caste animus, noting that neither the victim nor her brother ever stated that the appellants acted because they belonged to a Scheduled Caste, and deprecated the automatic disregard of the hostile yet corroborative testimony of PW-4, who deposed that the injuries arose from a scuffle over trampling of feet, a version consistent with the medical evidence that the simple injuries could have resulted from a fall. Following *State of U.P. v. Ramesh Prasad Misra*, (1996) 10 SCC 360, the Court scrutinised the evidence of PW-4 and accepted the defence plea of a pandal brawl, concluding that the benefit of doubt necessarily accrued to the appellants; it accordingly directed their acquittal and discharge from bail bonds.

### **PATCHAIPERUMAL @ PATCHIKUTTI VS STATE REP. BY INSPECTOR OF POLICE [CRL.A. NO.-002030 - 2022]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court dismissed criminal appeals against conviction under Section 302 read with Sections 34, 148 and 341 IPC, affirming the High Court's reversal of acquittal recorded by the Sessions Court. The decisive ground was that the High Court correctly appreciated the consistent eye-witness testimony of PWs 1 and 2 (brother-in-law and brother of victim) regarding the fatal assault, which was corroborated by the post-mortem report (Ext. P-25) showing eleven injuries matching the overt acts attributed to A-1 to A-4 and A-10. The Court rejected arguments based on alleged contradictions regarding the body being rolled into a plantain grove, holding that such discrepancies constituted mere embroidery that could not destroy the prosecution case where the core truth remained intact. Following *State of U.P. v. Anil Singh*, the Court emphasized that witnesses in Indian litigation tend to add false or exaggerated details to bolster truthful cases, and it is the court's duty to sift grain from chaff. The fifteen-hour delay in forwarding the FIR to the Magistrate was held non-fatal as PW-26's evidence explained the delay. The recovery of weapons under Section 27 Evidence Act, the sniffer dog trailing to A-4's house, and the established motive from prior feuds between families formed an unbroken chain of circumstantial evidence. The Court ultimately held that the High Court's findings were based on proper appreciation of

evidence and contained no perversity warranting interference.

**KOTRESH @ KOTRAPPA VS THE STATE OF KARNATAKA [C.A. NO.-004590-004590 - 2025]**

**Bench: Justice Dipankar Datta, Justice Augustine George Masih, Justice Arijit Pasayat**

The appellant's conviction under Section 304 Part-II of the Indian Penal Code for culpable homicide not amounting to murder was upheld, with an affirmed sentence of 8 years' rigorous imprisonment. The case emphasized the need to balance victim and societal interests with the circumstances, considering the appellant's young age and possible provocation, leading to the conclusion that the imposed sentence was appropriate.

**SHAILJA KRISHNA VS SATORI GLOBAL LIMITED [C.A. NO.-006377-006378 - 2023]**

**Bench: Justice Dipankar Datta, Justice K. Vinod Chandran**

The company petition filed by the appellant under Sections 397 and 398 of the Companies Act, 1956 was maintainable, as the NCLT had jurisdiction to decide the validity of the gift deed transferring the appellant's shares to her mother-in-law. The gift deed, board meetings, and share transfers were invalid due to violations of the company's Articles of Association and statutory requirements. The actions of the company directors constituted oppression and mismanagement, leading to the restoration of the NCLT's judgment in favor of the appellant.

**SATHEESH V.K. VS THE FEDERAL BANK LTD. [C.A. NO.-011752-011753 - 2025]**

**Bench: Justice Dipankar Datta, Justice K.V. Viswanathan**

The appellant's second appeal was deemed not maintainable due to the withdrawal of the first special leave petition without permission to file a fresh one. Distinctions were noted between this case and previous decisions regarding the doctrine of merger and review petitions. The appeals were dismissed, but the appellant was permitted to seek remedies before the appropriate forum.

**RAVI ORAON VS THE STATE OF JHARKHAND [C.A. NO.-011748-011748 - 2025]**

**Bench: Justice Dipankar Datta, Justice K.V. Viswanathan**

The termination of Ravi, Premlal, and Surendra as Intermediate Trained Teachers was declared invalid. They secured the requisite 40% marks in their intermediate examination, including vocational subjects. The termination orders violated natural justice principles. Ravi and Premlal were reinstated with full back wages and service benefits, while Surendra's heirs were to receive full pay arrears and consideration for compassionate employment.

**DR. AMARAGOUDA L PATIL VS UNION OF INDIA [C.A. NO.-000301-000303 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Supreme Court of India held that the appointment of the third respondent, Dr. Anil Khurana, as the Chairperson of the National Commission for Homeopathy was invalid as he did not possess the requisite 10 years of experience as the 'Head of a Department' or 'Head of an Organisation' as mandatorily required under the National Commission for Homeopathy Act, 2020.

The court defined 'Head of a Department' or 'Head of an Organisation' based on the organizational structure and office orders, finding that Dr. Khurana did not hold a position of leadership and decision-making authority to be considered as such. The court thus quashed Dr. Khurana's appointment as the Chairperson.

**THE STATE OF ASSAM VS ARABINDA RABHA [C.A. NO.-002350-002350 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The government's cancellation of the select list for recruiting 104 Constables in the Assam Forest

Protection Force was justified due to serious irregularities and violations of the reservation policy. The decision was not arbitrary or disproportionate, and the selected candidates lacked an infeasible right to appointment. A fresh recruitment process in accordance with the law is permitted.

**BANK OF INDIA VS MUTHYALA SAIBABA SURYANARAYANA MURTHY [C.A. NO.-003829-003829 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Division Bench of the High Court improperly interfered with the Single Judge's dismissal of the writ petition. The Bank of India had publicized an invitation for retired employees to join a pension scheme, and the first respondent failed to exercise this option by the deadline of October 30, 2010, despite returning to India before that date. A brief hospitalization did not excuse his lack of diligence. Considerations of sympathy and compassion are irrelevant when exercising an option within a designated timeframe as per the settlement. The decision of the Division Bench was set aside, and the dismissal of the writ petition was affirmed.

**THE STATE OF JHARKHAND VS RUKMA KESH MISHRA [C.A. NO.-004480-004480 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The dismissal of the respondent from service was not to be intervened by the High Court based on the lack of approval for the charge-sheet from the Chief Minister. The applicable 1930 Rules allowed for the charge-sheet to be issued by any superior officer, not just by the Appointing Authority or Disciplinary Authority. Article 311 of the Constitution does not require disciplinary proceedings to be initiated by the Appointing Authority. The phrases "draw up" and "cause to be drawn up" indicate that the Disciplinary Authority can delegate charge-sheet drafting to a superior officer. The orders of the High Court were set aside, and the respondent's writ petition was dismissed, though he was allowed to appeal the dismissal within one month, with the validity of the charge-sheet remaining open for consideration.

**SATBIR SINGH VS RAJESH KUMAR [C.R.L.A. NO.-001487-001487 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Supreme Court set aside the High Court's order and restored the Additional Sessions Judge's decision to summon additional accused under Section 319 CrPC. The Court held that while the High Court had the competence to adopt an "eyes on" approach (carefully scrutinizing the lower court's decision) as part of its revisional jurisdiction, the circumstances warranted a "hands off" approach (showing deference to the trial court's reasonable satisfaction). The Court emphasized that the Sessions Judge had properly established satisfaction higher than prima facie regarding the involvement of the additional accused, and this conclusion was plausible, not absurd. The Supreme Court clarified that the High Court's revisional power should not disturb a valid exercise of discretion by the trial court when the satisfaction required under Section 319 CrPC had been properly established. This distinction between when courts should closely inspect ("eyes on") versus defer ("hands off") to lower court decisions in Section 319 applications forms the core ratio of the judgment.

**JOMON K.K. VS SHAJIMON P. [C.A. NO.-004499-004500 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The appellant, holding a Syrang's license but lacking a current Lascar's license, was deemed ineligible for the Boat Lascar position due to the requirement of a valid Lascar's license as outlined in the Special Rules. The communication from the Director of Ports did not change this qualification. Allowing Syrang's license holders to compete would unfairly disadvantage candidates with only Lascar's licenses. The appellant did not properly challenge the Tribunal's order that negatively affected him and did not receive relief due to the illegal nature of the appointment. The appeals by the appellant were dismissed.

**RAKESH KUMAR VERMA VS HDFC BANK LTD. [C.A. NO.-002282-002282 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The exclusive jurisdiction clause in the employment contracts between HDFC Bank and employees Rakesh and Deepti, granting jurisdiction to Mumbai courts, is valid and enforceable. This clause does not violate Section 28 of the Indian Contract Act, 1872. Disputes must be presented in Mumbai, with the option for the employees to amend their complaints or file new suits in that jurisdiction, including grounds for seeking exemption from the law of limitation. The judgment of the Delhi High Court was set aside, affirming the decision of the Patna High Court.

**CENTRAL BUREAU OF INVESTIGATION VS RAMESH CHANDER DIWAN [C.R.L.A. NO.-001527-001527 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

Ramesh Chander Diwan, a public servant on deputation from the Government of Punjab to the Municipal Corporation of Chandigarh, was considered a "public servant" under Section 197 of the Criminal Procedure Code. The lack of required sanction under Section 197 before taking cognizance of the offenses under Sections 120B and 420 of the Indian Penal Code led to his discharge from these charges. The request for liberty to seek sanction under the new Bharatiya Nagarik Suraksha Sanhita, 2023, was declined, but the option to seek sanction under the Criminal Procedure Code remained available.

**KANCHHU VS PRAKASH CHAND [C.A. NO.-005319-005319 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The High Court's decision to allow the writ petition and set aside the ex parte decree was unjustified. The respondents did not provide sufficient cause for their absence during the proceedings, leading to the ex parte decree. Both the trial court and appellate court presented valid reasons for dismissing the application to set aside the decree, which the High Court failed to adequately consider. The order of the appellate court is upheld, and the writ petition filed by the respondents is dismissed.

**CHELLAMMAL VS STATE REP. BY THE INSPECTOR OF POLICE [C.R.L.A. NO.-002065-002065 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Sessions Judge and High Court overlooked the eligibility of the appellants for probation under Section 360 of the Code of Criminal Procedure and Section 4 of the Probation of Offenders Act, 1958. There is a mandatory obligation for courts to provide reasons when denying probation. The conviction of the appellants under Section 498A of the Indian Penal Code was maintained, but the case was remitted for reconsideration of probation eligibility, with a requirement to obtain a report from a probation officer. Courts must evaluate probation opportunities unless there are compelling reasons against it.

**KUMARI REKHA VS SHAMBHU SARAN PASWAN [C.A. NO.-003489-003489 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The marriage between the appellant-wife and the respondent-husband was dissolved due to irretrievable breakdown, following over 12 years of separation and lack of willingness to reconcile. The respondent's concern for their daughter's future marriage prospects was deemed insufficient to deny the divorce, especially given his minimal contact with her during the separation.

**NAGARAJAN VS THE STATE OF TAMIL NADU [C.R.L.A. NO.-001390-001390 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The benefit of the Probation of Offenders Act cannot be granted to appellants convicted under the Prevention of Food Adulteration Act due to the express exclusion in Section 20AA. Appeals were partly allowed due to discrepancies in analysis reports, resulting in Nagarajan and Selvaraj's 6-month imprisonment sentences being converted to fines of Rs. 30,000 each, while Naresh Chandra's sentence was converted to a fine of Rs. 20,000.

**MOHIT KUMAR VS THE STATE OF UTTAR PRADESH [C.A. NO.-005233-005233 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Uttar Pradesh Police Recruitment and Promotion Board rejected the applications of Mohit Kumar and Kiran Prajapati for the sub-inspector position because they did not submit the OBC certificate in the required format. The prescribed format was deemed necessary to verify compliance with the creamy layer criteria set by the State Government. A majority opinion supported the rejection based on non-compliance with documentary requirements.

**ANJUMAN ISHAAT E TALEEM TRUST VS THE STATE OF MAHARASHTRA [C.A. NO.-001385-001385 - 2025]** [↗](#)

**Bench: Justice Dipankar Datta, Justice Manmohan**

The decision in Pramati Educational and Cultural Trust v. Union of India is questioned for exempting all minority educational institutions from the Right to Education (RTE) Act. It is established that the RTE Act does not conflict with the rights of minority institutions under Article 30(1) of the Constitution. Although minority institutions' autonomy is important, they must adhere to reasonable regulations that promote educational standards and align with Article 21A. The regulatory framework of the RTE Act is viewed as a reasonable restriction under Article 19(6), emphasizing that minority institutions should not operate without accountability. The broad claim that the RTE Act does not apply to minority institutions is considered flawed, particularly regarding Section 12(1)(c), which could include children from the minority community who are disadvantaged. It is determined that the Teacher Eligibility Test (TET) requirement is a mandatory qualification, with specific provisions for current teachers regarding their transition period. The matter is referred for further consideration by a larger Bench.

**BHUPINDERPAL SINGH GILL VS THE STATE OF PUNJAB [C.A. NO.-000183-000183 - 2025]** [↗](#)

**Bench: Justice Dipankar Datta, Justice Manmohan**

Disciplinary proceedings against a senior medical officer lacked sufficient legal evidence, failing to support charges of unauthorized leave, noncompliance with the Election Commission, and neglecting the pulse polio program. The disciplinary authority's decision-making process was deemed unfair as it disregarded the officer's detailed response to the inquiry report. The High Court's partial modification of the penalty was inadequate, given the absence of evidence on the charges. The orders from both the disciplinary authority and the High Court were set aside, leading to the officer's reinstatement with full pension, interest, and costs, indicating that the proceedings appeared to be retaliatory due to the officer's prior legal challenges against authorities. Costs were to be paid to the appellant by the government.

**TAMIL NADU HOUSING BOARD, REP. BY ITS MANAGING DIRECTOR VS S.GANESAN [C.A. NO.-009631-009631 - 2025]** [↗](#)

**Bench: Justice Dipankar Datta, Justice N.V. Anjaria**

The Tamil Nadu Housing Board cancelled the allotment of a commercial plot to the respondent due to his chronic default in clearing outstanding dues, despite multiple indulgences. The Board's actions aimed to protect public interest and address revenue loss from inflation in property value. Although there was a minor error in the initial balance amount provided, the respondent's conduct raised doubts regarding his bona fides. The respondent was given four months to vacate the property, and the Board was authorized to recover the dues as arrears of land revenue and to conduct a re-auction of the plot.

**OM PRAKASH GUPTA ALIAS LALLOOWA (NOW DECEASED) VS SATISH CHANDRA (NOW DECEASED) [C.A. NO.-013407-013407 - 2024]** [↗](#)

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The Supreme Court of India held that the application for substitution filed by the heirs of Satish Chandra was valid and the High Court erred in dismissing the second appeal as abated, as the pendency of this substitution application was overlooked. The Court set aside the order dismissing the second appeal as abated and allowed the substitution of Satish Chandra's heirs.

In the case of Rooprani, the Court found that the information about her death was not clearly conveyed to the opposing party in accordance with Order XXII Rule 10-A of the Code of Civil Procedure. Therefore, the abatement of the second appeal was also set aside, and Rooprani's heirs were allowed to be substituted. The Court emphasized the need for a justice-oriented approach in such matters and held that the second appeals should be considered on priority by the High Court, preferably within 6 months.

**CANARA BANK VS AJITHKUMAR G.K. [C.A. NO.-000255-000255 - 2025]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The Supreme Court of India held that the Division Bench of the High Court was not justified in directing the appointment of the respondent on compassionate grounds. The court found that the financial condition of the respondent's family was not one of indigence or penury after the death of the respondent's father, who was a bank employee. The court observed that the grant of terminal benefits and family pension to the family could not be ignored while assessing the need for compassionate appointment. The court noted that there were divergent views among coordinate benches on whether the policy/scheme prevailing on the date of death or the date of consideration of the application should be applied. This issue has been referred to a larger bench in a separate case. However, in the interest of justice, the court directed the bank to make a lump sum payment of Rs. 2.5 lakhs to the respondent within two months, in addition to the Rs. 50,000 already paid, and closed the proceedings.

**MAHARANA PRATAP SINGH VS THE STATE OF BIHAR [C.A. NO.-005497-005497 - 2025]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The appellant's dismissal from service lacked justification due to violations of due process in disciplinary proceedings, including vague charges, denial of cross-examination of a key witness, and reliance on extraneous factors. The similarity between the charges in criminal and disciplinary cases, along with the appellant's acquittal in the criminal case, invalidated the findings in the disciplinary proceedings. The dismissal order and the judgment of the High Court's Division Bench were set aside, and the appellant was awarded ₹30 lakh in compensation, covering all service and retirement benefits, to be paid by the respondents within three months.

**THE STATE OF UTTAR PRADESH VS RAM PRAKASH SINGH [C.A. NO.-014724-014724 - 2024]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The failure to provide the enquiry report to the delinquent employee before imposing punishment invalidated the disciplinary proceedings. Proof of 'prejudice' is not necessary for violations of mandatory procedural requirements, unless waived by the employee. The employer's disregard for natural justice principles and continuation of proceedings beyond the stipulated time without seeking an extension were noted. The long delay, the employee's retirement, and the lack of punishment for a co-charged employee contributed to the decision to set aside the punishment.

**RAJEEV GUPTA VS PRASHANT GARG [C.A. NO.-011061-011061 - 2024]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The plaintiffs' suit to cancel sale deeds executed by Ramesh Chand was barred by a limitation period of 11 years, exceeding the 3-year limit under Article 59 of the Limitation Act from when they became aware of the deeds. The sale deeds were not void due to an existing injunction order, and the plaintiffs did not adequately prove the will that supported their ownership claim. The dismissal of the plaintiffs' suit by the trial court was restored.

**K. PRABHAKAR HEGDE VS BANK OF BARODA [C.A. NO.-006599-006599 - 2025]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The denial of the preliminary inquiry report to the appellant did not cause prejudice since it was not used by the Inquiry Officer. However, the Inquiry Officer's failure to question the appellant as required by Regulation 6(17) invalidated the inquiry. The disciplinary authority's acceptance of the CVC's recommendation for dismissal, without providing the appellant a copy, breached principles of natural justice. Considering the appellant's age and the time elapsed, the dismissal order was quashed, and gratuity was ordered to be paid to the appellant, without a remand.

**INSPECTOR, RAILWAY PROTECTION FORCE, KOTTAYAM VS MATHEW K CHERIAN [CRL.A. NO.-004169-004169 - 2024]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

Section 143 of the Railways Act, 1989 criminalizes the unauthorized procurement and supply of railway tickets, including both physical and electronic tickets. Mathew's creation of hundreds of fake user IDs to sell unauthorized railway tickets constituted an offense under Section 143(1)(a). In contrast, Ramesh, an authorized agent, did not commit an offense by creating multiple user IDs, as the act does not criminalize unauthorized actions by authorized agents, making any breach a civil matter. Proceedings against Mathew were reinstated, while those against Ramesh were quashed.

**DR. SHARMAD VS THE STATE OF KERALA [C.A. NO.-013422-013422 - 2024]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

Promotion of Dr. Sharmad to Associate Professor was validated based on the Government Order (G.O.) dated April 7, 2008, which did not require 5 years of physical teaching experience as an Assistant Professor post-M.Ch. The absence of this requirement was intentional, as the G.O. was a special rule that outweighed the general service rules. The decisions regarding Dr. Jyotish's and Dr. R. Jayaprakash's applications were dismissed, restoring the Tribunal's order.

**BADRINARAYANA JAGANATHAN VS THE STATE OF KARNATAKA [CRL.A. NO.-004883-004883 - 2024]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The materials on record did not establish the prima facie ingredients of the alleged offenses under Sections 323, 504, 506, 509, and 511 of the Indian Penal Code against the accused appellants, even if the allegations were accepted at face value. Discrepancies between the initial complaint, FIR, and chargesheet suggested an attempt to reclassify proceedings or convert a civil dispute into a criminal matter. Allowing the criminal proceedings to continue would lead to an abuse of legal process and a travesty of justice. Consequently, the chargesheet and entire criminal proceedings against the appellants were quashed, with clarification that this would not affect the pending labor court reference between the parties.

**THE CHIEF EXECUTIVE OFFICER VS S. LALITHA [C.A. NO.-005528-005528 - 2025]**

**Bench: Justice Dipankar Datta, Justice Rajesh Bindal**

The respondent's application for a second benefit under the Assured Career Progression (ACP) Scheme was deemed time-barred due to a delay in raising the claim. It was concluded that the respondent should have approached the Tribunal promptly after her rights were affected. Despite this, the decision allowed the respondent to retain any surplus amount received, considering her retired status and the need for dignity in old age. The appeal was disposed of without interfering with the prior order.

**PUJA FERRO ALLOYS P.LTD. VS STATE OF GOA AND ORS. [C.A. NO.-002027-002028 - 2012]**

**Bench: Justice Dipankar Datta, Justice Sandeep Mehta**

The Supreme Court of India held that the appellant-companies are not entitled to the 25% rebate on

electricity tariff under the notification dated 30.09.1991, as the power supply to them was provided after the notification was rescinded on 31.03.1995. The Court also ruled that the appellant-companies cannot rely on the subsequent notifications dated 15.05.1996 and 01.08.1996, as these were held to be non-est and void ab initio by the High Court in an earlier judgment. The Court concluded that the demand notices issued to the appellant-companies to recover the rebate amount under the 2002 Act are valid and legal. The judgment was passed by a bench of two judges, and there are no separate judgments or dissenting views mentioned. This is not a batch matter, but the appeals have been heard together as they involve common issues of law and facts.

**MAHARASHTRA STATE ROAD TRANSPORT CORPORATION VS MAHADEO KRISHNA NAIK [C.A. NO.-013834-013834 - 2024]**

**Bench: Justice Dipankar Datta, Justice Sandeep Mehta**

The Supreme Court of India upheld the High Court's exercise of review jurisdiction, finding that the Maharashtra State Road Transport Corporation (the Corporation) committed fraud on the court by concealing its stance before the Motor Accidents Claims Tribunal (MACT) from the Labour Court. The Corporation had admitted the lorry driver's negligence as the sole cause of the accident before the MACT, but suppressed this material fact from the Labour Court, which had upheld the Corporation's dismissal of the employee, Mahadeo, for alleged negligence. The Supreme Court held that the Corporation's non-disclosure amounted to suggestio falsi (false representation) and suppressio veri (suppression of truth), and the newly produced MACT evidence was of crucial significance that could have led the Labour Court to a different conclusion. While the Court agreed with the order of reinstatement, it modified the award of full back wages to 75% of the back wages from the date of termination till superannuation, given Mahadeo's admission of engaging in badli (casual) work during the intervening period. The Court reiterated that while full back wages is the normal rule, exceptional circumstances may warrant partial back wages at the court's discretion.

**K. SUBRAMANIAM (DIED) THROUGH LRS VS M/S KRISHNA MILLS PVT. LTD. [C.A. NO.-002561-002561 - 2025]**

**Bench: Justice Sabyasachi Mukharji, Justice Dipankar Datta, Justice Manmohan**

The Supreme Court dismissed the appeal and upheld the appellants' eviction for wilful default under Section 10(2)(i) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, holding that despite fixation of fair rent at ₹2,37,500 p.m. by the High Court on 09.09.2011 and confirmation thereof on dismissal of SLP(C) Nos. 6500-6501 of 2012 on 23.03.2012, the lessee cleared accumulated arrears only on 11.01.2013 after five years of default; the decisive ground being that the appellants never obtained stay of the fair-rent orders, so mere pendency of appeal under Order XLI Rule 5 CPC does not operate as stay and continued part-payment of original rent of ₹48,000 while retaining the benefit of the decree amounts to deliberate, calculated and conscious default, rejecting the plea that absence of two-month notice under the Explanation to Section 10(2)(i) is fatal as Sundaram Pillai & Ors. v. V.R. Pattabiraman (1985) 1 SCC 591 holds such notice merely creates a rebuttable presumption while the Controller retains discretion to determine wilfulness even without notice, and refusing to accord finality to interim payments made "without prejudice" following this Court's directions since Rupa Ashok Hurra v. Ashok Hurra (2002) 4 SCC 388 cannot be pressed to deprive the landlord of the fruits of a subsisting decree. The Court granted six months' time to hand over vacant possession, else execution to ensue.

**VISHNU VARDHAN @ VISHNU PRADHAN VS THE STATE OF UTTAR PRADESH [C.A. NO.-007777-007777 - 2023]**

**Bench: Justice Surya Kant, Justice Dipankar Datta, Justice Ujjal Bhuyan**

The impugned order and prior decision in *Reddy Veeranna v. State of Uttar Pradesh* were obtained through fraud, rendering them invalid. Reddy initially claimed joint ownership of the property with Vishnu and Sudhakar but later asserted sole ownership, excluding them. Reddy's failure to include Vishnu in the writ petition indicated an attempt to wrongfully claim the entire property. The doctrine of merger was deemed inapplicable due to the fraud. The matter has been sent back to the High Court with instructions to add Vishnu and Sudhakar as respondents and to reconsider the writ petition after hearing all parties.



**THE STATE OF MADHYA PRADESH VS BALVEER SINGH [C.R.L.A. NO.-001669-001669 - 2012]**

**Bench: Justice B.V. Nagarathna, Justice J.B. Pardiwala, Justice Manoj Misra**

The Supreme Court of India held that the prosecution had succeeded in proving its case against the accused beyond reasonable doubt. The court found the testimony of the child witness to be reliable and trustworthy, and applied the principles under Section 106 of the Evidence Act to shift the burden of proof to the accused, who had failed to explain the suspicious circumstances surrounding the death of his wife inside their home. The High Court's order of acquittal was set aside, and the accused's conviction by the Trial Court under Sections 302 and 201 read with 34 of the IPC was restored.

**M/S A.P. ELECTRICAL EQUIPMENT CORPORATION VS THE TAHSILDAR [C.A. NO.-004526-004527 - 2024]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan, Justice J.B. Pardiwala**

The Supreme Court held that the mere vesting of land under Section 10(3) of the Urban Land (Ceiling and Regulation) Act, 1976 does not confer actual physical possession on the State. The State must follow the mandatory procedure under Sections 10(5) and 10(6) to take possession, either through voluntary surrender or forcible dispossession. Failure to follow this procedure means the land holder retains possession, and the proceedings would abate upon the repeal of the Act. The Court noted that the High Court Division Bench erred in overturning the well-reasoned findings of the Single Judge, who had concluded that the State failed to validly take possession as per the statutory requirements. The Division Bench's judgment was set aside and the Single Judge's order restoring the appellant's possession was affirmed. This was a batch of appeals, and the Court did not refer to separate judgments by individual judges. The case was decided by a two-judge bench.

**M.S. ANANTHAMURTHY VS J. MANJULA ETC.ETC. [C.A. NO.-003266-003267 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan, Justice J.B. Pardiwala**

The Supreme Court held that the general power of attorney (POA) executed by the original owner in favor of the holder was not coupled with any interest of the agent in the subject matter, and thus the POA was not irrevocable under Section 202 of the Contract Act. Further, the unregistered POA and agreement to sell did not confer any ownership rights or title in the property, as registration is compulsory for transfer of immovable property worth more than Rs. 100 under the Registration Act. The court also held that the answering respondent's suit for injunction was maintainable as the issue of title was directly and substantially in issue, and a finding on title was necessary to decide the question of possession. The appeals filed by the judgment debtors were dismissed.

**DANESH SINGH VS HAR PYARI (DEAD) THR. LRS. [C.A. NO.-014761-014761 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that the suit filed by pendente lite transferees (respondents 1-2) challenging an auction sale was non-maintainable, being barred by Section 47 CPC and Order XXI Rule 92(3), and further vitiated by Section 52 TPA's doctrine of lis pendens. The decisive ground was that respondents, having purchased the mortgaged property after the bank's money decree and during execution proceedings, stepped into the judgment-debtor's shoes and could not claim "third party" status under Rule 92(4) to bypass statutory bars. Rejecting allegations of fraud and irregularities as grounds falling exclusively within the time-bound remedy of Rule 90, the Court emphasized that such transferees are bound by the decree's outcome and cannot institute collateral suits once the sale is confirmed under Rule 92(1). Affirming that pendente lite transferees are estopped from claiming title or possession, the

Court distinguished *T. Vijendradas v. M. Subramanian* (2007) 8 SCC 751, where the plaintiff was a pre-suit bona fide purchaser. Consequently, the appeal was allowed, but directing appellants (auction-purchasers, nephews of the vendor) to pay Rs. 75 lakhs to respondents within six months, failing which 12% interest would accrue, to avoid protracted litigation after four decades.

**M/S. QUIPO ENERGY LTD. VS COMMISSIONER OF CENTRAL EXCISE AHMEDABAD - II [C.A. NO.-009418-009420 - 2016]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The process of placing imported Gensets in a steel container and adding components like a radiator and ventilation fan qualifies as "manufacture" under Section 2(f) of the Central Excise Act, 1944. This activity meets the "transformation test" and the "marketability test." The additional components are classified as "parts," making the resulting "Power Pack" a distinct and marketable product.

**M/S. ARISTO PRINTERS PVT. LTD. VS COMMISSIONER OF TRADE TAX U.P. [C.A. NO.-000703-000703 - 2012]**

[↗](#)

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The ink and chemicals used in printing lottery tickets are subject to tax under Section 3F(1)(b) of the Uttar Pradesh Trade Tax Act, 1948. A works contract existed for the printing, and these materials were integral to the execution of the contract, leading to a transfer of property in them. The argument that the consumption of the ink and chemicals negated the transfer of property was rejected, as property transfer can occur even if the goods are not present in the final product. The appellant did not provide a detailed breakdown of processing materials, which could have clarified the issue. Appeals filed by the appellant were dismissed.

**LIFESTYLE EQUITIES C.V. VS AMAZON TECHNOLOGIES INC. [SLP(C) NO.-019767 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Division Bench of the High Court granted an unconditional stay of a money decree based on the lack of valid service of summons on the defendant, inadequate pleadings regarding the defendant's involvement, and insufficient findings on the defendant's role in the alleged infringement. Exceptional circumstances justified this decision, as the decree was found to be potentially egregious and untenable. The approach taken by the Division Bench aligned with the principles of Order XLI Rule 5, supporting the decision to grant the stay. The main appeal is to be decided based on its own merits, unaffected by previous observations in the judgment.

**SRI LAKSHMI HOTEL PVT. LIMITED VS SRIRAM CITY UNION FINANCE LTD. [C.A. NO.-013785-013785 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court dismissed the appeal challenging the 24% interest rate awarded by the arbitrator, holding that Section 31(7)(b) of the Arbitration and Conciliation Act, 1996 mandates post-award interest at the contractual rate unless the award specifies otherwise, and that such discretion is unfettered by party autonomy unlike pre-award interest under Section 31(7)(a). The decisive ground was that the appellants, having defaulted on loans totaling ₹1.57 crore and having consistently acknowledged the debt without disputing the interest rate until 2008, were estopped from challenging the rate post-award, especially since the arbitrator's findings on the genuineness of the loan agreements had attained finality after rejection of their Section 34 petition. The Court rejected arguments that 24% interest was usurious or against public policy, distinguishing *Nedumpilli Finance Co. v. State of Kerala* (2022) 7 SCC 394 to hold that NBFCs are governed exclusively by RBI Act, 1934, and that mere contractual interest rates cannot be invalidated under State usury laws unless they shock the conscience. Reliance on *R.P. Garg v. GM, Telecom* (2024 INSC 743) and *Morgan Securities v. Videocon* (2023) 1 SCC 602, the Court affirmed that arbitrators possess inherent discretion to award post-award interest to discourage delay, and that re-appreciation of evidence is barred under Section 34(2A) proviso. The appeal was dismissed with costs.

### **JYOTI BUILDERS VS CHIEF EXECUTIVE OFFICER [C.A. NO.-014512-014512 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court dismissed Jyoti Builders' appeal, holding that Section 14 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 does not oblige acquisition of the subject property since the owner's preferential right under Section 3D(c)(i) to redevelop remains intact, as crystallized in *Tarabai Nagar Co-Op. Housing Society v. State of Maharashtra*, 2025 SCC OnLine SC 1795 and *Saldanha Real Estate Pvt. Ltd. v. Bishop John Rodrigues*, 2025 SCC OnLine SC 1794, which mandate that acquisition can proceed only after the SRA invites the owner and the right is extinguished by refusal or inaction. The decisive ground is that Phuldai (original owner) transferred her rights to Alchemi Developers on 26-03-2022, who promptly submitted a valid slum scheme on 05-04-2022, thereby activating her preferential right; the 2015 CEO-SRA order directing acquisition attained no finality against her and could not bind subsequent transferees. The Court rejected the argument that the 34 slum dwellers' rehabilitation by Jyoti entailed automatic inclusion of the plot, noting that successive LOIs expressly kept the 2005 sq. mts. "in abeyance" and the appellant had already utilized equivalent FSI for sale component, thus receiving full compensation. Consequently, the Court directed issuance of the final occupation certificate to Jyoti within four weeks upon handing over the dark-green 2700 sq. mts. reserved for recreational ground and permanently restrained Alchemi Developers from constructing on the subject property, which must remain open recreational space only.

### **THE STATE OF KARNATAKA VS TAGHAR VASUDEVA AMBRISH [C.A. NO.-007846-007846 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court dismissed the State of Karnataka's appeals and affirmed that leasing residential premises as hostel accommodation to students and working professionals qualifies for GST exemption under Entry 13 of Notification 9/2017-Integrated Tax (Rate) dated 28.06.2017. The decisive ground was that the exemption requires three conjunctive conditions: supply of renting service, the property being a residential dwelling, and its use as residence—all satisfied when a 42-room residential building was leased to DTwelve Spaces Pvt. Ltd. for sub-letting as long-stay hostel accommodation. Rejecting the revenue's contention that exemption is lost because the lessee-company itself does not reside, the Court held Entry 13 is activity-specific, not person-specific; it does not mandate that the immediate lessee must personally occupy the premises. Applying purposive interpretation and the principle that beneficial exemptions deserve liberal construction once applicability is established (*Union of India v. Wood Papers Ltd.* (1990) 4 SCC 256; *Collector of Central Excise v. Parle Exports (P) Ltd.* (1989) 1 SCC 345), the Court emphasized that imposing GST would defeat legislative intent by burdening students and working women with 18% tax. Precedents like *Bandu Ravji Nikam v. Acharyaratna Deshbushan Shikshan Prasark Mandal* (2003) 3 Mah L.J. 472 and *Kishore Chandra Singh Deo v. Babu Ganesh Prasad Bhagat* AIR 1954 SC 316 confirm hostel use is residential. The Court ruled the exemption available for 2019-2022, until the 18.07.2022 amendment withdrew it for letting to registered persons.

### **DIRECTOR OF INCOME TAX (IT)-I, MUMBAI VS M/S. AMERICAN EXPRESS BANK LTD. [C.A. NO.-008291-008291 - 2015]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court held that Section 44C of the Income-tax Act, 1961 applies to all head office expenditure incurred outside India by a non-resident assessee, whether common or exclusive to Indian operations, and such expenditure is subject to the statutory ceiling of 5% of adjusted total income or actual attributable amount, whichever is lower. The decisive ground was that the Explanation to Section 44C defines "head office expenditure" exhaustively based on location (outside India) and nature (executive and general administration), without distinguishing between common and exclusive expenses, and the phrase "attributable to" in clause (c) inclusively covers both. Rejecting the respondents' reliance on *Emirates Commercial Bank* and *Rupenjuli Tea*, the Court distinguished these

precedents as turning on absence of overseas business or recovery via debit notes, not on exclusivity. Applying strict construction of taxing statutes and the mischief rule, the Court emphasised that Section 44C's non-obstante clause overrides Section 37(1) once expenditure falls within the defined genus. Consequently, the appeals were allowed and matters remanded to the Tribunal for fresh verification whether the disputed expenses satisfy the tripartite test of incurring outside India, being executive/general administration, and falling within clauses (a)-(d) of the Explanation.

**JAMIN VS STATE OF UTTAR PRADESH [CRL.A. NO.-001184-001184 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

The High Court's decision to set aside the trial court's rejection of an application to summon additional accused under Section 319 of the CrPC was justified, as the rejection was contrary to established legal principles. The High Court's order relates back to the original trial court order, meaning the subsequent summoning is considered effective before the main trial's conclusion. While a summoned individual does not have a right to a hearing before being added as an accused, they are entitled to be heard if the High Court's order negatively impacts benefits previously gained from the rejection of the Section 319 application.

**DIRECTORATE OF REVENUE INTELLIGENCE VS RAJ KUMAR ARORA [CRL.A. NO.-001319-001319 - 2013]**

**Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

Dealing in psychotropic substances listed in the NDPS Act but not in Schedule I of the NDPS Rules constitutes an offence under Section 8(c) of the NDPS Act. An earlier decision in Rajesh Kumar Gupta was overruled, and the interpretation in Sanjeev V. Deshpande, which broadened Section 8(c), applies retrospectively. Trial Courts incorrectly discharged the accused under Section 216 CrPC instead of framing charges and conducting a trial. Appeals were allowed, and the matters were remanded for fresh trial according to the law.

**VINOD BIHARI LAL VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000777-000778 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

Continuation of criminal proceedings against the appellant under the Uttar Pradesh Gangsters & Anti-Social Activities (Prevention) Act, 1986 was deemed an abuse of process due to insufficient allegations indicating public order disturbances or undue advantage, essential for classification as a "gang." Procedural lapses in the gang-chart approval highlighted a lack of independent assessment by authorities. Consequently, the proceedings were quashed, and guidelines for proper implementation of the Act were issued.

**RAJENDRA BIHARI LAL VS STATE OF U.P. [W.P.(CRL.) NO.-000123 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

FIR No. 224/2022 was invalid as it was lodged by an incompetent person under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, leading to its quashing along with all related proceedings. FIR Nos. 55/2023 and 60/2023, being linked to the same incident, were also quashed. Writ petitions challenging FIR Nos. 224/2022 and 47/2023 were deemed maintainable and subsequently quashed. FIR No. 54/2023 was quashed due to insufficient credibility in the investigation. Allegations in FIR No. 538/2023 under the Uttar Pradesh Conversion Act were deemed unsustainable, but allegations under the Indian Penal Code require separate consideration, prompting the need for a distinct hearing regarding its authenticity and chargesheet.

**PERIYAMMAL (DEAD THR. LRS.) VS V. RAJAMANI AND ANR. ETC [C.A. NO.-003640-003642 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Pankaj Mithal**

The orders of the High Court and the Executing Court that upheld objections against the execution of a decree for specific performance and delivery of possession in favor of the appellants were found to be

erroneous. The respondents, nephews of the judgment debtors, were acting in collusion with the vendors to obstruct the decree. The Executing Court was directed to ensure that the appellants receive vacant and peaceful possession of the suit property within two months.

**BANK OF INDIA VS M/S SRI NANGLI RICE MILLS PVT. LTD. [C.A. NO.-007110-007110 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Pankaj Mithal**

The dispute between the Bank of India and Punjab National Bank is governed by Section 11 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act). This section requires resolution of disputes related to securitization and non-payment between banks, financial institutions, and asset reconstruction companies through arbitration or conciliation, regardless of any written arbitration agreement. Section 11 is mandatory, preventing the parties from seeking alternative recourse. The Debt Recovery Tribunal (DRT) lacks jurisdiction over such disputes, which must be addressed through the prescribed arbitration route. The dispute regarding the priority of charges over the borrower's assets is within the scope of Section 11, leading to the resolution of the matter through arbitration.

**THE COSMOS CO OPERATIVE BANK LTD. VS CENTRAL BANK OF INDIA [C.A. NO.-001565-001565 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court of India held that the High Court erred in rejecting the writ petition filed by the appellant bank and affirming the order of the Debt Recovery Appellate Tribunal (DRAT). The Court found that the appellant bank had a valid legal mortgage by deposit of the share certificate, which takes priority over the respondent bank's prior equitable mortgage by deposit of unregistered agreements of sale. The Court set aside the High Court's order and directed the DRT to disburse the recovery proceeds in favor of the appellant bank.

**M/S SHRI SENDHURAGRO AND OIL INDUSTRIES VS KOTAK MAHINDRA BANK LTD. [T.P.(CRL.) NO.-000608 - 2024]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Discharge of the appellants from charges under Sections 420 and 120B IPC was valid due to a lack of evidence for deliberate withholding of information or conspiracy to deceive. The AICTE approved the 'Business School of Delhi' while aware of the bank loan and land mortgage, with no implicated officials. The CBI's petition under Section 482 Cr.P.C. was maintainable but not the right approach given the availability of a statutory remedy under Section 397 Cr.P.C. The power to transfer a case under Section 406 Cr.P.C. requires exceptional circumstances, not mere inconvenience. Criminal court jurisdiction is based on the offence, and territorial jurisdiction depends on established facts. Section 142(2) of the Negotiable Instruments Act defines jurisdiction for offences under Section 138, with the relevant bank branch location being key. The non obstante clause of Section 142(1) does not impede the authority to transfer cases under Section 406 Cr.P.C. Ultimately, there were no grounds for transferring the case from Chandigarh, as the Bank's complaint complied with NI Act provisions.

**YERIKALA SUNKALAMMA VS THE STATE OF ANDHRA PRADESH AND ORS. REVENUE DEPARTMENT REPRESENTED BY DISTRICT COLLECTOR [C.A. NO.-004311-004311 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellants established ownership and possession of the disputed land through a registered sale deed and a pattadar passbook, shifting the burden of proof to the State. The State failed to provide credible evidence to challenge the presumption of the appellants' ownership and lacked sufficient documentary proof regarding the land's assignment. Due process was not followed in the alleged resumption proceedings. The State was ordered to pay Rs. 70 lakhs as compensation to the appellants

for unlawfully depriving them of their property.

**THE STATE OF TAMIL NADU VS THE GOVERNOR OF TAMILNADU [W.P.(C) NO.-001239 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court's ruling clarifies the Governor's powers under Article 200, establishing that they have only three options: to assent, withhold assent, or reserve bills for Presidential consideration. The first proviso doesn't create a fourth independent option but modifies the withholding of assent. Significantly, the Court held that Governors cannot reserve a bill for the President after it has been reconsidered and repassed by the state legislature except in limited circumstances, and neither Governors nor Presidents possess "pocket veto" or "absolute veto" powers—both must act expeditiously, with Governors generally following ministerial advice except in constitutionally specified situations. The judgment subjects Gubernatorial discretion to judicial review and prescribes a three-month timeline for Presidential decisions on reserved bills. In the specific case, the Governor's reservation of ten bills was deemed illegal, with assent considered granted when they were repassed by the legislature. This ruling ultimately reinforces parliamentary democracy and cooperative federalism by requiring Governors to respect the elected legislature's will and prioritize public service over political considerations.

**HUSSAIN AHMED CHOUDHURY VS HABIBUR RAHMAN (DEAD) THROUGH LRS [C.A. NO.-005470 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Gift Deed executed by the plaintiff's grandfather was valid, granting the plaintiff right, title, and possession of the suit property. The plaintiff was not required to seek cancellation of a subsequent sale deed executed by the defendants, as he was not a party to it. The High Court's dismissal of the plaintiff's suit was set aside, restoring the original decree in favor of the plaintiff.

**K.R. SURESH VS R. POORNIMA [C.A. NO.-005822-005822 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The forfeiture of the advance payment of Rs. 20 lakhs paid by the appellant under the sale agreement was valid, as it constituted earnest money and the appellant failed to pay the remaining sale consideration within the required 4-month period. The appellant was not entitled to a refund of the earnest money, as a specific request for such relief was not included in the original suit, in accordance with Section 22(2) of the Specific Relief Act, 1963.

**AMAN BHATIA VS STATE(GNCT OF DELHI) [CRL.A. NO.-002613-002613 - 2014]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Licensed stamp vendors are classified as "public servants" under the Prevention of Corruption Act, 1988, due to their government remuneration and public duties. However, the prosecution did not prove the demand for illegal gratification and its acceptance beyond reasonable doubt, resulting in the conviction under Sections 7 and 13(1)(d) read with Section 13(2) of the PC Act being set aside.

**ASF BUILDTECH PRIVATE LIMITED VS SHAPOORJI PALLONJI AND COMPANY PRIVATE LIMITED [C.A. NO.-005823-005823 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The arbitral tribunal can implead non-signatories to the arbitration agreement based on the 'group of companies' doctrine and principles of mutual consent under the Arbitration and Conciliation Act, 1996. The assessment of whether a non-signatory is bound by the arbitration agreement is separate from the existence of the agreement, which limits the referral court's examination under Section 11. The tribunal is the appropriate forum for determining the mutual intention of parties, including non-signatories, to be bound by the agreement. Additionally, the lack of notice under Section 21 does not prevent the tribunal from involving a party that is determined to be bound by the agreement.

**M/S DHANBAD FUELS PRIVATE LIMITED VS UNION OF INDIA [C.A. NO.-006846-006846 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Section 12A of the Commercial Courts Act, 2015 requires mandatory pre-institution mediation, applicable only to suits filed after 20.08.2022. Suits filed before this date do not face rejection for non-compliance; instead, they can be held in abeyance and parties referred to mediation. The test for determining whether a suit "contemplates any urgent interim relief" is based on the plaintiff's perspective, and non-grant of interim relief does not justify plaint rejection. The power to reject a plaint under Order VII Rule 11 can be exercised at any stage of the suit if criteria are met.

**M/S. GAYATRI PROJECT LIMITED VS MADHYA PRADESH ROAD DEVELOPMENT CORPORATION LIMITED [C.A. NO.-006856-006856 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

An arbitral award under the Arbitration and Conciliation Act, 1996 cannot be set aside for lack of jurisdiction if the objection was not raised before the arbitral tribunal. Although such a plea may be introduced for the first time in Section 34 proceedings, it can be dismissed if the party waived it by not addressing it earlier. In cases with already rendered awards, failure to object to jurisdiction at the relevant stage means the award cannot be annulled solely on that basis.

**POWER GRID CORPORATION OF INDIA LIMITED VS MADHYA PRADESH POWER TRANSMISSION COMPANY LIMITED [C.A. NO.-006847-006847 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Central Electricity Regulatory Commission (CERC) possesses both regulatory and adjudicatory functions under the Electricity Act, 2003. An order allowing the appellant to claim compensation for delays in transmission asset commissioning was within CERC's valid regulatory powers, despite not being explicitly requested in the petition. The lack of specific provisions in regulations does not prevent CERC from making case-specific orders. The High Court incorrectly entertained a writ petition challenging the CERC's order, as an alternative statutory remedy was available.

**SULTHAN SAID IBRAHIM VS PRAKASAN [C.A. NO.-007108-007108 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's dismissal of the appellant's petition challenging his impleadment as a legal heir of the original defendant was upheld. The impleadment under Order XXII Rule 4 became final as the appellant did not object at the appropriate time, and his later application under Order I Rule 10 was barred by res judicata. The appellant's claim of tenancy rights over the suit property was rejected since he did not prove exclusive possession or tenancy since the 1996 agreement to sell. It was noted that a decree for specific performance implies the transfer of possession, and the executing court must ensure vacant possession is delivered to the original plaintiff within two months.

**OLD JALUKAI VILLAGE COUNCIL VS KAKIHO VILLAGE [SLP(C) NO.-009897-009897 - 2016]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The procedure for recognizing villages in Nagaland as outlined in the Office Memorandums dated 22.03.1996 and 01.10.2005 was not fully complied with. The inter-district boundary dispute did not affect the recognition of the respondent village. Observations made by the High Court regarding the compliance with the OM requirements were set aside due to a lack of awareness of an appellant's objections. State authorities were directed to issue a public notice for the recognition of the respondent village and to consider all objections, including those from the appellant, within six months. The matter remains part-heard for future notification after the six-month period.

**KASIREDDY UPENDER REDDY VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-002808-002808 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The arrest of Kessireddy Raja Shekhar Reddy was deemed valid as the reasons provided for the arrest met constitutional requirements under Article 22(1). The grounds of arrest were detailed and meaningful, allowing the appellant's son to apply for regular bail before the appropriate court.

**TORRENT POWER LIMITED VS U.P. ELECTRICITY REGULATORY COMMISSION [C.A. NO.-023514 - 2017]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

the Uttar Pradesh Electricity Regulatory Commission (UPERC) lacked jurisdiction to entertain the petition filed by the respondent no. 4 under Section 128 of the Electricity Act, 2003, as the petition did not fulfill the statutory requirement of "satisfaction" under that provision. The Court also ruled that the Electricity Regulatory Commissions do not have the jurisdiction to directly review the functioning of a distribution franchisee, as the franchisee is an agent of the distribution licensee and the contractual terms between them are not subject to the ERC's regulatory oversight. This was a judgment delivered by a Bench of two judges - J.B. Pardiwala, J. and R. Mahadevan, J

**BINOD PATHAK VS SHANKAR CHOUDHARY [C.A. NO.-007706-007706 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's decision to allow the defendants' appeal on the ground of abatement was erroneous due to the defendants' pleader not informing the court or the plaintiffs about the deaths of some defendants, violating Order XXII Rule 10A of the Code of Civil Procedure. The principle of 'nullus commodum capere potest de injuria sua propria' was applied, indicating that a party cannot benefit from its own wrongdoing. The matter was remanded for fresh consideration on the merits, with guidance on applicable principles.

**KALLU NAT ALIAS MAYANK KUMAR NAGAR VS STATE OF U P [SLP(CRL) NO.-010010 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Court of Session can summon an accused to stand trial under Section 193 of the Code of Criminal Procedure, even if not charge-sheeted by the police, if there is prima facie evidence of their involvement. Cognizance is taken of the offence, not the offender, allowing the Sessions Court to assume original jurisdiction after a case is committed by the Magistrate. It can summon any person involved based on available evidence without needing a fresh committal order. The argument that cognizance can be taken only once is rejected; the Magistrate's cognizance is for committing the case, while the Sessions Court can take cognizance to summon additional accused persons.

**NARAYAN YADAV VS STATE OF CHHATTISGARH [CRL.A. NO.-003343-003343 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellant's confessional FIR was deemed inadmissible under Section 25 of the Evidence Act, and medical evidence alone was insufficient for conviction. The discovery of facts and the appellant's conduct lacked credible corroboration, leading to the conclusion that the application of Exception 4 to Section 300 of the Indian Penal Code was misapplied. Consequently, the lack of credible evidence resulted in the acquittal of the appellant on all charges.

**OPERATION ASHA VS SHELLY BATRA [C.A. NO.-010048-010048 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellant society, registered under the Societies Registration Act, 1860, qualifies as a 'constructive trust' for Section 92 of the Code of Civil Procedure due to allegations of mismanagement and fund siphoning by the respondents. The requirements for a suit under Section 92 were outlined, including the need for the trust to serve a public charitable purpose and evidence of breach or necessity for directions. Although some plaintiff grievances were personal, the suit's primary aim was to uphold public rights, allowing it to be maintained under Section 92. The High Court was instructed to evaluate the circumstances for imposing a constructive trust and to provide appropriate relief under Section 92(1).

**M/S ARMOUR SECURITY (INDIA) LTD. VS COMMISSIONER, CGST, DELHI EAST COMMISSIONERATE [SLP(C) NO.-006092 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Issuance of summons under Section 70 of the CGST Act does not constitute "initiation of proceedings" as defined in Section 6(2)(b) of the CGST Act; formal proceedings begin with a show cause notice. The "subject matter" in Section 6(2)(b) pertains to tax liability or obligations resulting from specific contraventions. The bar in Section 6(2)(b) applies only if two proceedings involve the same liability. Section 6(2)(a) mandates that a proper officer must issue corresponding orders under the SGST or UTGST Act to maintain uniform adjudication. Guidelines for tax authorities and taxpayers regarding multiple inquiries on the same subject matter emphasize the need for effective data sharing and cooperative federalism in the GST framework.

**DEVENDRA KUMAR VS THE STATE (NCT OF DELHI) [SLP(CRL) NO.-012373 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The complaint against the petitioner, a police officer, under Sections 186 and 341 of the Indian Penal Code is considered prima facie maintainable due to alleged obstruction against a process server. Section 195(1)(a) Cr.P.C. requires a written complaint from the relevant public servant or their superior for offenses under Sections 172-188 IPC, including Section 186. Caution is advised in distinguishing distinct offenses to prevent circumventing the bar under Section 195. The petitioner may raise arguments regarding Section 195's applicability before the trial court if a chargesheet is filed following the investigation ordered by the Chief Metropolitan Magistrate.

**SHIVAMMA (DEAD) BY LRS. VS KARNATAKA HOUSING BOARD [C.A. NO.-011794-011794 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's decision to condone an 11-year delay in the Karnataka Housing Board's second appeal was deemed erroneous, as the explanation for the delay did not meet the criteria for "sufficient cause" under Section 5 of the Limitation Act. Governmental lethargy and bureaucratic inefficiency were not accepted as valid reasons, and it was stated that the State or its entities should not receive preferential treatment over private litigants regarding delay condonation. Execution of the decree in favor of the appellant was directed, along with additional costs imposed on the respondent housing corporation for waste of judicial time.

**COAL INDIA LTD. VS M/S RAHUL INDUSTRIES . AND ORS. [C.A. NO.-011793-011793 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The validity of the Interim Coal Policy from 2006, which raised the coal price by 20% for non-core sector consumers, is upheld. The policy aims to ensure sustainable operation and development of coal mines due to increased operational costs, serving the common good under Article 39(b) of the Constitution. The classification between core and non-core sector consumers is deemed reasonable under the rational nexus test, with the linkage system considered an administrative policy without vested rights for linked industries. The request for a refund is denied, as there is insufficient evidence that the additional costs were not passed to end consumers, and the doctrine of unjust enrichment applies.

**SHANTI DEVI (SINCE DECEASED) THROUGH LRS .GORAN VS JAGAN DEVI [C.A. NO.-011795-011795 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The plaintiff's suit for possession of disputed property was not time-barred under the 12-year limitation period of Article 65 of the Limitation Act, 1963. The sale deed in favor of the defendant was deemed void ab initio due to the plaintiff's lack of execution. As the deed was void, the plaintiff was not required to seek its cancellation and could directly file for possession based on title. Article 65 was applicable, clarifying that Article 59 did not apply in this case. The decision favored the plaintiff.

**MANIKLAL SAHU VS STATE OF CHHATTISGARH [CRL.A. NO.-005578-005578 - 2024]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court erred in changing the appellant's conviction from murder (Section 302 IPC) to attempted murder (Section 307 IPC) based on the deceased's death occurring nine months later due to complications. The injuries sustained by the deceased were deemed sufficient to cause death, directly linking the death to those injuries despite the delay. The analysis emphasized that the nature of the original injuries is the main factor in determining the offence, not the time frame or complications that arise thereafter.

**M. RAJENDRAN VS M/S KPK OILS AND PROTEINS INDIA PVT. LTD. [C.A. NO.-012174-012174 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Under the amended Section 13(8) of the SARFAESI Act, a borrower's right of redemption is extinguished upon the publication of the notice for public auction, tender, or private treaty for the transfer of the secured asset. The SARFAESI Rules require only a single composite notice of sale to be given by the secured creditor, which can be served, published, and affixed simultaneously. The amended provision applies, as the right of redemption is a statutory right.

**ZAINUL VS THE STATE OF BIHAR [CRL.A. NO.-001187-001187 - 2014]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The conviction of the appellants could not be sustained due to the prosecution's failure to prove the case beyond reasonable doubt. Material contradictions and inconsistencies were present in the testimony of prosecution witnesses, including injured eyewitnesses. The statement of PW-20, which led to the FIR registration, was deemed invalid as prior information about the incident had reached the police. The prosecution did not establish the common object of the alleged unlawful assembly or the knowledge of the accused regarding the likelihood of the offence. As a result, the appellants were acquitted.

**JANE KAUSHIK VS UNION OF INDIA [W.P.(C) NO.-001405 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Union of India and the States failed to effectively implement the Transgender Persons (Protection of Rights) Act, 2019, leading to a lack of action in addressing anti-discrimination and inclusion measures for the transgender community. Authorities showed continuous inaction, rendering the legislative framework ineffective. Grievance redressal mechanisms, welfare boards, and protection cells were ordered to combat discrimination in employment, education, and public access. An Advisory Committee was established to create a comprehensive equal opportunity policy and improve implementation of the statutory framework. Compensation was awarded to the petitioner for violations of fundamental rights by private schools and State authorities.

**K. S. MANJUNATH VS MOORASAVIRAPPA @ MUTTANNA CHENNAPPA BATIL SINCE DECEASED BY HIS LRS [C.A. NO.-013507-013508 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court dismissed the appeals and decreed specific performance of the 28.04.2000 ATS, holding that the unilateral termination by notice dated 10.03.2003 was invalid and the subsequent purchasers were not bona fide. The decisive ground was that the ATS, lacking any determinable clause under Section 14 of the Specific Relief Act, 1963, could not be terminated at the vendors' mere convenience; the grounds cited—pendency of OS No.30/2001 and death of a vendor—were extraneous and did not constitute vendees' default. Rejecting the plea that the suit was maintainable only after a declaration invalidating termination, the Court distinguished I.S. Sikandar (Dead) v. K. Subramani (2013) 15 SCC 27 and Sangita Sinha v. Bhawana Bhardwaj 2025 SCC OnLine SC 723 on facts, reaffirming Brahm Dutt v. Sarabjit Singh 2018 SCC OnLine SC 3961 that unilateral cancellation of a non-determinable

agreement is impermissible and need not be separately challenged. The subsequent purchasers, having admitted notice of the ATS and termination yet abstained from verifying with vendees or ascertaining refund, failed the Ram Niwas v. Bano (2000) 6 SCC 685 test of good faith and absence of notice under Section 19(b) of the Act. The vendees proved continuous readiness and willingness under Section 16(c) by substantial payments and active performance. Directions: appellants to execute sale deeds and deliver possession within six months against payment of balance Rs.18,83,001 with 16% p.a. interest from ATS date plus Rs.5,00,00,000 additional compensation.

**JAI BALAJI INDUSTRIES LTD. VS M/S HEG LIMITED [T.P.(CRL.) NO.-001099-001099 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court in Transfer Petition (Crl.) No. 1099/2025 held that territorial jurisdiction for trial of a Section 138 Negotiable Instruments Act complaint lies exclusively with the court within whose local jurisdiction the payee's home branch is situated, applying Section 142(2)(a) as amended in 2015 and overruling the accused-centric ratio of Dashrath Rupsingh Rathod v. State of Maharashtra (2014) 9 SCC 129. The decisive ground is that the Explanation to Section 142(2)(a) creates a deeming fiction whereby a cheque delivered at any branch of the payee's bank is deemed delivered at the branch where the payee maintains the account, thereby anchoring jurisdiction at that home branch and preventing forum shopping. Rejecting the petitioner's plea to retain trial at Kolkata, the Court distinguished Bridgestone India (P) Ltd. v. Inderpal Singh (2016) 2 SCC 75 and declared Yogesh Upadhyay v. Atlanta Ltd. (2023) 19 SCC 404 per incuriam for ignoring this deeming fiction. Applying the principle that once evidence under Section 145(2) has commenced the case should continue at the same court to avoid prejudice, the Court transferred the complaint back to the Metropolitan Magistrate, Kolkata and directed resumption of proceedings from the stage preceding the return order dated 28.07.2016.

**HARSHBIR SINGH PANNU VS JASWINDER SINGH [C.A. NO.-014630-014630 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that termination of arbitral proceedings under Section 38(2) of the Arbitration and Conciliation Act, 1996 for non-payment of fees constitutes an order under Section 32(2)(c), thereby terminating the arbitrator's mandate, and allowed appointment of a substitute arbitrator under Section 15(2) read with Section 11(6). The decisive ground was that Sections 25, 30 and 38 merely enumerate circumstances empowering tribunals to invoke Section 32(2), which alone governs termination orders, rejecting the distinction drawn in SREI Infrastructure Finance Ltd. v. Tuff Drilling Pvt. Ltd. between terminations under different provisions. The Court emphasized that "mandate of the Arbitral Tribunal shall terminate" in Section 32(3) describes cessation of adjudicatory authority regardless of termination ground, and that parties must first seek recall before the tribunal itself under its inherent procedural review power, with Section 14(2) providing the remedy against dismissal of such recall application. Following ONGC Ltd. v. Afcons Gunanusa JV that Fourth Schedule fees require party consent, the Court found the arbitrator's fee revision proper as it merely applied the agreed Schedule to counter-claims, though it granted one final opportunity for fresh arbitration given the five-year delay and legal uncertainty prevailing when proceedings were terminated in 2022, directing the High Court to appoint a substitute arbitrator within two weeks.

**CUDDALORE POWERGEN CORPORATION LTD VS M/S CHEMPLAST CUDDALORE VINYLs LIMITED AND ANR. [C.A. NO.-000372-000373 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The bar under Order II Rule 2 of the Civil Procedure Code does not prevent the institution of a second suit by the respondent. The analysis clarified that the relief of specific performance and cancellation of the sale deed was not available to the respondent during the first suit due to a government order prohibiting registration of sale deeds. A subsequent High Court decision quashed this order, creating a new cause of action. The causes of action in the two suits are considered distinct, allowing the second suit to proceed.

The trial court is instructed to decide the suits on their own merits.

**BALBIR SINGH VS BALDEV SINGH (D) THROUGH HIS LRS [C.A. NO.-000563-000566 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's dismissal of the revision petitions filed by the defendants was upheld. The original decree from the trial court merged with the decree from the High Court after the plaintiffs' second appeals were allowed. Under Section 28 of the Specific Relief Act, the executing court can extend the time for the decree holder to deposit the balance sale consideration, even after the original period has expired. This situation was distinguished from a precedent where the decree holder failed to deposit within the specified time and did not request an extension. The High Court's common order dismissed all revision petitions in this batch matter.

**LIPI BOILERS LTD. THROUGH ITS CHIEF EXECUTIVE VS THE COMMISSIONER OF CENTRAL EXCISE, AURANGABAD [C.A. NO.-000856-000857 - 2011]**

**Bench: Justice J.B. Pardiwala, Justice Sandeep Mehta**

The Supreme Court held that duty-paid bought-out items delivered directly at the buyer's site cannot be included in the assessable value of boilers cleared in CKD condition under Section 4 of the Central Excise Act, 1944. The decisive ground was that the resultant steam generating plant, erected through civil engineering involving concrete, steel reinforcements and grouting, becomes permanently embedded to earth as immovable property, thereby failing the test of "goods" under Section 2(d) read with Section 3. Rejecting the Revenue's contention that assembly created a movable boiler before affixation, the Court emphasized that excise duty under Section 3 is leviable only on movable goods capable of marketability, not on structures that cannot be dismantled without substantial damage. The Court distinguished *Thermax Babcock & Wilcox Ltd. v. CCE (2005)* and applied *Quality Steel Tubes (P) Ltd. v. Collector (1995) 2 SCC 372*, holding that erection and installation of plants cannot be excisable goods. Consequently, the CESTAT's reversal of concurrent findings below was unsustainable. The Court also held the show cause notice invalid as the extended limitation under Proviso to Section 11A(1) requires wilful suppression, which was not established since RT-12 returns disclosed all material facts. The appeals were allowed and the impugned order set aside.

**BPL LIMITED VS MORGAN SECURITIES AND CREDITS PRIVATE LIMITED [C.A. NO.-014565-014566 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Sandeep Mehta**

The Supreme Court dismissed BPL Limited's appeals against the arbitral award enforcing 36% compound interest on defaulted bill-discounting facilities, holding that party autonomy under Section 31(7)(a) Arbitration Act 1996 overrides judicial discretion once parties contractually fix interest. The decisive ground is that the transaction was a commercial bill-discounting arrangement, not a loan, so Usurious Loans Act 1918 and Section 74 Contract Act 1872 are inapplicable; the concessional rate clause (22.5% accelerating to 36% on default) is a primary obligation incentivising timely payment, not a penal secondary obligation. Rejecting arguments of unconscionability, penal interest on interest and absence of withdrawal notice, the Court applied *Cavendish Square Holding BV v Talal El Makdessi [2015] UKSC 67* to hold that sophisticated corporates of equal bargaining power cannot impeach agreed terms unless exorbitant beyond legitimate commercial interest. Precedents *Delhi Airport Metro Express (2022) 9 SCC 286* and *State of Haryana v S.L. Arora (2010) 3 SCC 690* affirm that arbitrators must give effect to contractual interest rates; *contra proferentem* has no place in bilateral commercial contracts. The Court ultimately ruled that the arbitral tribunal and High Court correctly upheld the award of Rs 27.89 crore with 36% p.a. compound interest from due dates till award and 10% p.a. thereafter, leaving parties to bear their own costs.

**VINUBHAI MOHANLAL DOBARIA VS CHIEF COMMISSIONER OF INCOME TAX [C.A. NO.-001977-001977 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Sanjay Karol**

The Supreme Court held that the offence under Section 276CC of the Income Tax Act was committed by the appellant on the day immediately following the due date for filing the return of income, and not on the actual date of late filing. The court examined the definition of "first offence" under the 2014 Compounding Guidelines and held that the offence committed by the appellant prior to the issuance of any show cause notice for prosecution would qualify as a "first offence" that can be compounded. The court rejected the Revenue's argument that the mere act of late filing of return amounts to "voluntary disclosure" of the offence. The court held that the compounding guidelines are not entirely mandatory, and the competent authority has some discretion to consider the conduct of the assessee, the nature and magnitude of the offence, and the facts and circumstances of the case, while deciding the compounding application. The court set aside the High Court's judgment and the order of the Chief Commissioner rejecting the assessee's compounding application, and directed the competent authority to reconsider the assessee's fresh compounding application within the prescribed time, keeping in view the factors mentioned in the judgment.

**SHEELA DEVI VS ORIENTAL INSURANCE COMPANY LIMITED [C.A. NO.-005276-005277 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The liability to pay the statutory penalty under Section 4A(3)(b) of the Employees' Compensation Act, 1923 is solely on the employer, with the penalty not indemnified by the insurer. However, reducing the penalty from 50% of the award to a fixed amount of Rs. 30,000/- lacked justification. The penalty is modified to 30% of the compensation amount, which the insurer can recover from the employer. The insurer is also directed to recover any excess compensation and penalty paid from the claimants.

**SEVENTH DAY ADVENTIST SENIOR SECONDARY SCHOOL VS ISMAT AHMED [C.A. NO.-010649-010649 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

The tenant must deposit undisputed rent arrears or file an application for disputed rent within 30 days of receiving summons to avoid eviction. This 30-day period is mandatory and cannot be extended under the Limitation Act. The 2-month extension in Section 7(2) applies only to rent determined by the court, not the initial deposit/application period. Failure to comply with the 30-day deadline results in the tenant's defense against eviction being struck off, and the suit will proceed. The tenant's application for condonation of delay was rejected.

**IN RE: MS. MEPUNG TADAR BAGE, MEMBER, ARUNACHAL PRADESH PUBLIC SERVICE COMMISSION VS [REF.U/A 317(1) NO.-000001 - 2023]**

**Bench: Justice J.K. Maheshwari, Justice Aravind Kumar**

Charges of misbehavior against Ms. Mepung Tadar Bage, a member of the Arunachal Pradesh Public Service Commission, were not proven. A detailed inquiry revealed that her actions did not meet the threshold for misbehavior under Article 317 of the Constitution. The argument of collective responsibility among APPSC members was rejected, and the allegations against Ms. Bage lacked sufficient evidence. It was recommended that her suspension be revoked, granting her all consequential and monetary benefits.

**THE STATE OF SIKKIM VS DR MOOL RAJ KOTWAL [C.A. NO.-005464-005465 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

An employee who utilized the maximum 300-day leave encashment benefit upon retirement under the Sikkim Government Services (Leave) Rules, 1982 cannot claim leave encashment again upon re-employment. Rule 32 treats re-employed government servants as newly joined, which does not revive the 300-day entitlement under Rule 36. The state's clarification order and cancellation of additional leave encashment are consistent with the leave rules.

**GEETHA V.M. VS RETHNASENAN K. [C.A. NO.-003994-003997 - 2024]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The transfer of DHS employees to DME was characterized as absorption due to a Kerala government policy aimed at abolishing the dual control system, rather than at the employees' request. Consequently, the proviso to Rule 27(a) of the Kerala State and Subordinate Service Rules related to transfers on request is inapplicable. The seniority of the absorbed employees is to be maintained according to Rules 27(a) and 27(c), allowing recognition of their prior service in DHS.

**VIJAY KRISHNASWAMI @ KRISHNASWAMI VIJAYAKUMAR VS THE DEPUTY DIRECTOR OF INCOME TAX (INVESTIGATION) [CRL.A. NO.-003777-003779 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The appeals filed by Vijay Krishnaswami @ Krishnaswami Vijayakumar were allowed, and the order of the High Court of Madras dismissing his quashing petition was set aside. The appellant challenged proceedings initiated under Section 276C(1) of the Income Tax Act, 1961 for an alleged willful attempt to

evade tax, which the High Court had dismissed. The prosecution by revenue authorities was disregarding their own circulars requiring confirmation of penalty imposition by the Income Tax Appellate Tribunal before lodging prosecution. The Settlement Commission had granted the appellant immunity from penalty, acknowledging full cooperation and disclosure of facts. Without a finding of willful evasion of tax, the continuation of prosecution was deemed an abuse of the legal process. Consequently, the complaint filed by the revenue authorities against the appellant was quashed.

**H.S. PUTTASHANKARA VS YASHODAMMA [C.A. NO.-011460-011460 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The appeal was allowed, and the High Court's order was set aside, restoring the Rent Controller's directive for the respondent to vacate the property. The appellant provided prima facie evidence of the landlord-tenant relationship through rent receipts issued to the respondent. The Rent Controller was justified in hearing the eviction case, as the High Court mistakenly focused on the title dispute instead of the evidence of the landlord-tenant relationship.

**KOMAL KRISHAN ARORA VS SANDEEP KUMAR @ SANDEEP CHUGH [CRL.A. NO.-004052-004052 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The welfare and best interest of the minor child Master K is the primary consideration in the custody dispute between the parents. The mother's lack of communication regarding Master K's stay with the maternal grandparents and failure to disclose this to the UK High Court were noted. Given the father's financial and living conditions, along with Master K's current residence, interim custody was granted to the father. Directions regarding visitation rights for the mother and maternal grandparents, as well as measures to monitor the child's wellbeing, were also provided.

**LEGISLATIVE COUNCIL U.P. LUCKNOW VS SUSHIL KUMAR [C.A. NO.-011842-011842 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The High Court's order for a CBI inquiry into the recruitment process for various posts in the Uttar Pradesh Legislative Council Secretariat lacked justification, as it did not meet the high threshold required for such actions. Mere allegations or doubts are insufficient for a CBI investigation; clear evidence of serious criminal offenses is needed. The High Court based its order on vague concerns and "inexplicable details" from the external recruitment agency's master data without specifying the issues. This did not meet the necessary criteria, especially as the original petitioners did not request a CBI inquiry. The order for the CBI inquiry was set aside, and the High Court was instructed to consider the special appeal on its merits.

**GOVIND VS STATE OF HARYANA [CRL.A. NO.-005641-005641 - 2024]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court acquitted the appellant of murder under Section 302 IPC and Arms Act Section 25, holding that conviction founded solely on recovery of an unlicensed pistol and FSL report, absent credible evidence that the weapon was used in the crime, is untenable; the decisive infirmities were that the sole purported eyewitness and first responder turned hostile, no last-seen or identification evidence survived, the pistol was seized from an unlocked iron box in a shared dwelling without independent witnesses, the chain of custody from malkhana to FSL remained unproved, and the alleged motive (quid pro quo with co-accused who were either discharged or acquitted) was speculative. Distinguishing State of Himachal Pradesh v. Jeet Singh (1999) 4 SCC 370 and State of Maharashtra v. Bharat Fakira Dhiwar (2002) 1 SCC 622 where recoveries inside exclusive premises were corroborated by strong circumstances, the Court applied Manjunath v. State of Karnataka (2023) SCC OnLine SC 1421 and Jaikam Khan v. State of U.P. (2021) 13 SCC 716 to hold that objects recovered from places accessible to others, without distinct nexus to the offence, cannot sustain guilt; disclosure statements per Section 27 Evidence Act are irrelevant when the "fact discovered" is not shown to be the crime weapon. The appeal was allowed, convictions set aside, and the appellant directed to be released forthwith.

**DR SOHAIL MALIK VS UNION OF INDIA [C.A. NO.-000404-000404 - 2024]****Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court dismissed Dr. Sohail Malik's appeal and upheld the jurisdiction of the Internal Complaints Committee (ICC) constituted at the Department of Food and Public Distribution to inquire into a sexual harassment complaint under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act), despite the appellant being an officer of the Indian Revenue Service. The decisive ground was that Section 11(1) of the POSH Act uses the phrase "where the respondent is an employee" not as a jurisdictional bar but as a procedural trigger to apply the service rules applicable to the respondent. The Court rejected the appellant's contention that the ICC of the respondent's department alone has jurisdiction, holding that such a restrictive interpretation would defeat the object of the POSH Act as a social welfare legislation aimed at protecting women's constitutional rights under Articles 14, 15 and 21. Relying on *Vishaka v. State of Rajasthan* (1997) 6 SCC 241 and *Medha Kotwal Lele v. Union of India* (2013) 1 SCC 311, the Court emphasized that the definition of "workplace" under Section 2(o)(v) includes any place visited during employment, and the ICC at the aggrieved woman's workplace can conduct a fact-finding inquiry under Section 11, with its report sent to the respondent's employer for disciplinary action under Section 13. The Court directed that the ICC report be transmitted to the appellant's department for further action under the applicable service rules.

**SANJAY KUMAR UPADHYAY VS THE STATE OF JHARKHAND [C.A. NO.-014046-014046 - 2024]****Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court held that the appellant-employee, appointed as Industries Extension Officer through the 1981 common examination, was entitled to the higher pay scale of ₹1600-2780 from his 1992 appointment date, setting aside the Jharkhand High Court Division Bench judgment that had reversed the Single Judge's direction. The decisive ground was that Section 34(4) of the Bihar Reorganisation Act, 2000 deems pre-2000 Patna High Court judgments binding on Jharkhand; hence *Nagendra Sahani v. State of Bihar* (CWJC 8419/1992) and *Alakh Kumar Sinha v. State of Bihar* (CWJC 12301/2004), which granted identical relief to all sixteen posts recruited together, operate as Jharkhand precedents. The Court rejected the State's plea of 20-year delay and cascading financial burden, ruling that denial of pay parity is a continuing wrong under Article 14, each salary month furnishing a fresh cause of action, following *M.R. Gupta v. Union of India* (1995) 5 SCC 628 and *Suprita Chandel v. Union of India* 2024 SCC OnLine SC 3664. It directed compliance within three months, arrears with consequential benefits, and costs.

**RATNANK MISHRA VS HIGH COURT OF JUDICATURE AT ALLAHABAD [C.A. NO.-000428-000428 - 2022]****Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court held that the appellants' denial of regularization despite similarly situated employees being regularized under identical appointment channels violated Articles 14, 16 and 21 of the Constitution. The decisive ground was that all three categories of employees (A, B and C) were appointed through the same channel - exercise of Chief Justice's powers under Rules 8(a)(i), 41 and 45 of the Allahabad High Court Officers and Staff (Conditions of Service and Conduct) Rules, 1976 - rendering the distinction based merely on appointment letter stipulations (ad-hoc versus non-ad-hoc) arbitrary and unreasonable. The Court rejected the High Court's contention that ad-hoc appointments under Rule 45 don't confer regularization rights, noting that Category A employees with ad-hoc appointments were regularized despite similar conditions. Following the principle that equals must be treated equally and relying on the precedent that Constitutional Courts must exemplify model employer standards, the Court invoked Article 142 to direct: (i) reinstatement of appellants; (ii) regularization after one year from appointment; (iii) all consequential benefits except salary for non-working period; (iv) compliance within 8 weeks. The Court clarified these directions are limited to these appeals' peculiar facts and shall not constitute precedent.

**JUPALLY LAKSHMIKANTHA REDDY VS THE STATE OF ANDHRA PRADESH [C.R.L.A. NO.-003951-003951 - 2025]****Bench: Justice B.V. Nagarathna, Justice Joymalya Bagchi**

Allegations under Section 420 IPC (cheating) against the appellant did not demonstrate essential elements of the offense, as the facts established that a fire NOC was not required for the educational institution. There was no evidence that false representation about a fire NOC influenced the education department's recognition or renewal decision. Additionally, there was no proof of fabrication of a fake fire NOC necessary for forgery offenses. Proceedings against the appellant were quashed.

**PRIDE FORAMER S.A. VS COMMISSIONER OF INCOME TAX [C.A. NO.-004395-004397 - 2010]****Bench: Justice Manoj Misra, Justice Joymalya Bagchi**

The appellant, a non-resident company, was deemed to be carrying on business in India during the relevant assessment years despite not having a subsisting business contract. Continuous correspondence with ONGC and a failed bid for an oil exploration contract in 1996 indicated an intention to operate in India. The absence of a permanent establishment did not preclude the appellant from being considered as conducting business under the Income Tax Act. The previous judgments were set aside, and the Assessing Officer was instructed to issue fresh assessment orders based on the Income Tax Appellate Tribunal's directives.

**K.P. KIRANKUMAR @ KIRAN VS STATE BY PEENYA POLICE [C.R.L.A. NO.-005614-005614 - 2025]****Bench: Justice Manoj Misra, Justice Joymalya Bagchi**

The Supreme Court dismissed the appeal and upheld the conviction of K.P. Kirankumar @ Kiran under Sections 366A, 373 and 34 IPC read with Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956, affirming that the prosecution proved beyond reasonable doubt that the appellant procured and exploited a 16-year-old girl for commercial sexual purposes. The decisive ground was the credible testimony of the minor victim (PW-13), corroborated by decoy witnesses (PW-8, PW-12) who testified that money was paid to the appellant for sexual access, and by recovery of cash and condoms during the raid. Rejecting minor contradictions in the victim's narration and the defence plea of procedural breach under Section 15(2) ITPA, the Court held that search conducted in presence of respectable independent witnesses was substantial compliance and any irregularity did not vitiate trial. Emphasising that courts must show sensitivity while assessing testimony of trafficked minors, the Court applied the principles from State of Punjab v. Gurmit Singh that a victim is not an accomplice and her deposition, if inspiring confidence, can sustain conviction without corroboration. Reliance was also placed on Jarnail Singh v. State of Haryana to accept the school certificate as conclusive proof of minority over ossification test. The Court ultimately ruled that the concurrent findings of the Trial Court and High Court were unassailable.

**MANISH VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-001742-001742 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The appeal was allowed, and the criminal proceedings against the appellant were quashed due to the allegations not constituting an offense of cheating under Section 420 of the Indian Penal Code. The representation of being a "reputed, trustworthy and creditworthy" businessman did not amount to deception, even if later breached. Evidence showed the appellant had a regular loan repayment history until 2016 and received a subsequent loan in 2018, indicating no financial distress at the time of the transaction. Failure to repay due to business losses was not enough to imply dishonest intent from the start.

**RAJU NARAYANA SWAMY VS STATE OF KERALA [C.A. NO.-003215-003215 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The Review Committee denied the IAS officer's promotion to Chief Secretary, considering his entire

service record, including adverse entries in his Annual Confidential Reports and recent disciplinary issues like unauthorized absence. Although adverse entries prior to promotion can diminish in significance, they remain relevant if post-promotion behavior reflects similar issues. The officer's threats to file defamation cases against reporting authorities were seen as indicative of a problematic superiority complex detrimental to leadership in civil service. The decision of the Review Committee was deemed reasonable and not subject to interference, leading to the dismissal of the officer's appeal.

**K. VALARMATHI VS KUMARESAN [C.A. NO.-005677-005677 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The High Court erred by rejecting a plaint under Article 227, as its supervisory power should not usurp the trial court's original jurisdiction or bypass the statutory appeal process. The judgment was set aside, allowing the respondent to seek relief before the trial court.

**RENUKA VS STATE OF KARNATAKA [CRL.A. NO.-002309-002309 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The High Court's decision to quash criminal proceedings against the respondent-husband was erroneous due to sufficient evidence, including medical support and an independent witness statement. The High Court's comments on inconsistencies in the evidence and claims of abuse of process related to a matrimonial suit were unwarranted. Additionally, the inconsistency between the High Court's prior refusal to quash proceedings against some in-laws and its later decision to quash against the husband was noted. The proceedings against the respondent-husband were revived.

**UMASHANKAR YADAV VS THE STATE OF UTTAR PRADESH HOME DEPARTMENT CHIEF SECRETARY [CRL.A. NO.-000439-000439 - 2018]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The prosecution against Umashankar Yadav and another under Sections 186 and 353 of the Indian Penal Code was quashed due to lack of evidence showing use of force or assault against public servants, and no intention to obstruct official duties. The actions of the appellants indicated a genuine difference of opinion regarding interrogation. Additionally, the prosecution faced legal issues as prior permission from a Magistrate was needed to register the FIR, and cognizance was taken in violation of the requirements under Section 195 of the Code of Criminal Procedure.

**VIJAYA BANK VS PRASHANT B NARNAWARE [C.A. NO.-011708-011708 - 2016]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The employment contract's clause requiring an employee to pay Rs. 2 lakhs in liquidated damages for leaving before three years is not considered a restraint of trade under Section 27 of the Indian Contract Act, as it is applicable during the employment period. This clause does not violate public policy under Section 23 of the Contract Act or Articles 14 and 19(1)(g) of the Constitution, given the bank's necessity to retain experienced staff and the financial implications of early resignations. The judgment quashing the clause was set aside.

**PNB HOUSING FINANCE LIMITED VS MANOJ SAHA [C.A. NO.-009492-009492 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The tenant's claim of pre-existing tenancy rights under the West Bengal Premises Tenancy Act, 1997 lacked sufficient evidence, as no rent receipts or tax documents were presented to prove continued possession before the demand notice under the SARFAESI Act. The decision to restore possession was overturned, and the securitization application was ordered to be resolved within two months.

**VIJAY KUMAR VS CENTRAL BANK OF INDIA [C.A. NO.-009496-009496 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

Clauses (1) and (2) of Regulation 33 of the Central Bank of India (Employees') Pension Regulations, 1995 must be read together, necessitating prior consultation with the Board of Directors when reducing the full pension of a compulsorily retired employee, regardless of the authority involved. The order reducing the appellant's pension was set aside due to lack of Board consultation. The bank is required to make a new decision after providing the appellant an opportunity for a hearing and consulting the Board.

**THE TRANSMISSION CORPORATION OF TELANGANA STATE LIMITED VS CHUKKALA KRANTHI KIRAN [C.A. NO.-011003-011003 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The High Court's decision to set aside the Transmission Corporation of Telangana's cancellation of earlier recruitment notifications was incorrect. The cancellation and initiation of a new selection process were justified due to delays from litigation and changes in requirements following the state bifurcation. The High Court had previously allowed the Transmission Corporation to decide independently. While selected candidates do not have a vested right to appointment, their legitimate expectations were addressed with age relaxation in the new process. The matter involved multiple appeals.

**DASTAGIRSAB VS SHARANAPPA @ SHIVASHARANAPPA(D)BY LRS. [C.A. NO.-005340-005340 - 2017]**

**Bench: Justice Sandeep Mehta, Justice Joymalya Bagchi**

The sale of the suit land by the first defendant (Karta of the Hindu Undivided Family) to the fifth defendant was deemed necessary to cover the expenses of the Karta's daughter Kashibai's marriage. The fifth defendant was recognized as a bona fide purchaser for valuable consideration. The Trial Court's dismissal of the suit was upheld.

**GURDIAL SINGH (DEAD) THROUGH LR VS JAGIR KAUR (DEAD) AND ANR. ETC. [C.A. NO.-003509-003510 - 2010]**

**Bench: Justice Sanjay Karol, Justice Joymalya Bagchi**

The High Court's judgment was upheld, indicating that the will's non-mention of the testator's wife and the absence of reasons for her disinheritance created suspicious circumstances. The evidence showed that the wife lived with the testator until his death, raising doubts about the validity of the will. The party advocating for the will did not sufficiently explain these suspicions, leading to the conclusion that the will was not a genuine act of the testator. Consequently, the wife was declared the owner of the suit land.

**RAILWAY PROTECTION FORCE VS PREM CHAND KUMAR [C.A. NO.-011716-011716 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi**

Recruitment of Railway Protection Force personnel is governed by standing orders that bar reserved category candidates, who have received relaxations in age, physical measurements, and qualifying marks, from being appointed to unreserved vacancies, even if they achieve higher marks than the last selected unreserved candidate. The modification of Standing Order No. 78 by Standing Order No. 85 overrides previous provisions, preventing such reserved candidates from occupying unreserved posts.

**KIMBERLEY CLUB PVT. LTD. VS KRISHI UTPADAN MANDI PARISHAD [C.A. NO.-013111-013111 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi**

The rejection of the appellant's technical bid was based on the claim that the 'haisiyat praman patra' was not issued by the District Magistrate; however, the tender notice did not specify this requirement. The valuation certificate provided by the appellant, issued by a qualified valuer registered with the Income Tax Department, met the tender requirements. The matter is remanded to the Mandi Parishad to reconsider the appellant's technical bid, taking into account the asset valuation disclosed in the submitted certificate.

**UNION OF INDIA VS SAJIB ROY [C.A. NO.-011718-011719 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi, Justice Ravindra Bhat**

The High Court erred by applying the ratio from *Jitendra Kumar Singh v. State of UP*, as the recruitment process was governed by a 1998 office memorandum that prohibited the migration of reserved candidates who had received concessions to the unreserved category. The principles from *Jitendra Kumar Singh* were specific to its own statutory scheme and differed from the present situation. When recruitment rules explicitly prevent migration of reserved candidates with concessions, those candidates cannot be considered for unreserved positions, regardless of their marks. The availability of such candidates for unreserved seats depends on the specific rules governing the recruitment process. The High Court's judgment was set aside.

**MAHENDRA AWASE VS THE STATE OF MADHYA PRADESH [C.R.L.A. NO.-000221-000221 - 2025]**

**Bench: Justice Abhay S. Oka, Justice B.V. Nagarathna**

Charges under Section 306 IPC (abetment of suicide) against the appellant were deemed unjustified due to insufficient evidence. The requirements to establish "abetment" under Section 107 IPC were not met, as there was no proof of "instigation" or circumstances compelling the deceased to commit suicide. Consequently, the appellant was discharged from the proceedings, and the case was quashed.

**ANMOL VS UNION OF INDIA [C.A. NO.-014333-014333 - 2024]**

**Bench: Justice B.R. Gavai, Justice B.V. Nagarathna**

The Supreme Court held that the denial of admission to the appellant, a person with 58% disability, to the MBBS course was invalid. The court rejected the reports of the Disability Assessment Board and the majority members of the AIIMS medical board, finding that they did not conduct a proper functional assessment of the appellant's abilities and instead focused only on the quantified disability percentage. Relying on its previous judgments, the court accepted the detailed report of Dr. Satendra Singh, who was part of the AIIMS medical board, as it conducted a proper functional assessment and suggested accommodations to enable the appellant to pursue the MBBS course. The court directed the National Medical Commission to formulate revised guidelines in line with the principles of reasonable accommodation under the Rights of Persons with Disabilities Act.

**RAM KISHAN (SINCE DECEASED) THROUGH HIS LRS VS STATE OF HARYANA [C.A. NO.-004772-004773 - 2025]**

**Bench: Justice B.R. Gavai, Justice B.V. Nagarathna**

Compensation for land acquired in Dharuhera is set at ₹1,18,37,668 per acre, along with statutory benefits under the Land Acquisition Act. The base value was established using previous judgments, with adjustments for de-escalation and land potential. Similar land acquisitions in Malpura and Kapriwas for industrial and institutional development were noted as relevant to determining compensation.

**K. SAMBA MOORTHY VS SANJIV CHADHA [C.A. NO.-001023-001023 - 2025]**

**Bench: Justice B.R. Gavai, Justice B.V. Nagarathna**

The appellant is entitled to promotion from Scale-II to Scale-III effective July 28, 2001, due to bias in the disciplinary proceedings that led to the cancellation of his promotion. The respondent-authorities must grant the promotion along with monetary benefits and interest at 6% per annum from the respective due dates. The dismissal of the appellant's contempt petition is set aside, with a four-week compliance period given to the respondents.

**CHANDRABHAN SUDAM SANAP VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-000879-000879 - 2019]**

**Bench: Justice B.R. Gavai, Justice B.V. Nagarathna, Justice Prashant Kumar Mishra**

The appellant's discharge from charges under Sections 420 and 120B IPC was validated due to a lack of evidence for deliberate withholding of information or conspiracy. The CCTV footage was deemed inadmissible without the required certificate, and eyewitness testimonies and extra-judicial confessions were considered unreliable. Infirmities were identified in the recoveries of the motorcycle and victim's belongings. The prosecution was unable to establish the case beyond reasonable doubt, leading to the appellant's acquittal of all charges.

**THE STATE OF GOA VS NAMITA TRIPATHI [C.R.L.A. NO.-001060-001060 - 2025]**

**Bench: Justice B.R. Gavai, Justice K.V. Viswanathan**

The High Court's decision to quash the process against the respondent for violations of the Factories Act,

1948 was deemed erroneous. The respondent's laundry business was classified as a "manufacturing process" under the Act, requiring registration and compliance. The order issued for process and the complaint were reinstated for further legal proceedings.

**RAVINDER SINGH SIDHU VS THE STATE OF PUNJAB [W.P.(CRL.) NO.-000394-000394 - 2024]**

**Bench: Justice B.R. Gavai, Justice K.V. Viswanathan**

Multiple First Information Reports (FIRs) against the petitioner in different states should be consolidated, with the earliest FIR in each state designated as the 'principal FIR.' Subsequent FIRs are to be treated as statements under Section 161 of the Code of Criminal Procedure. The investigating officer for the principal FIR can file supplementary charge-sheets based on findings from the other FIRs. Consolidation was agreed upon after initial opposition from some states, and this decision involves 64 FIRs across 10 states.

**JAMNALAL VS THE STATE OF RAJASTHAN [CRL.A. NO.-003396-003396 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The High Court's order to suspend the sentence of the accused in a POCSO case was set aside due to inadequate reasoning, particularly concerning the evidence and the victim's testimony. The High Court failed to properly assess the evidence, including the accused's prior criminal record, and its arguments for suspension were deemed conjectural. The accused was directed to surrender to the trial court within a specified timeframe, with no comments made on the case's merits to avoid bias.

**GEETA VS THE STATE OF KARNATAKA [CRL.A. NO.-001044-001044 - 2018]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

Geeta was acquitted of abetment of suicide under Section 306 of the Indian Penal Code. Evidence and legal principles showed that her actions, including heated exchanges and physical altercations with the deceased, did not constitute abetment that compelled the victim to take their own life. The requirement to demonstrate specific intent to aid or abet the suicide was not met.

**KOMAL PRASAD SHAKYA VS RAJENDRA SINGH [CRL.A. NO.-001222-001222 - 2018]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

Allegations of forgery, cheating, and conspiracy under Sections 415, 416, 420, 467, 468, 471, and 120B IPC against Rajendra Singh, Amrik Singh, Harvir Singh, and Kiran Jain are substantiated based on the criminal complaint. The previous order quashing the criminal proceedings has been set aside, with instructions for the trial court to conduct the trial expeditiously within one year, without influence from prior findings. The final outcome will depend on the evidence presented at trial.

**SHIVKUMAR @ BALESHWAR YADAV VS THE STATE OF CHHATTISGARH [CRL.A. NO.-004502-004502 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The conviction and sentence of the appellant under IPC Sections 363, 366, 376, 506, Section 4 of the POCSO Act, and Section 3(2)(v) of the SC/ST Act were upheld. The victim's testimony was credible and supported by medical evidence and school records confirming her minor status. The appellant was acquainted with the victim's family and aware of her caste, satisfying the presumption under Section 8(c) of the SC/ST Act.

**BANSAL MILK CHILLING CENTRE VS RANA MILK FOOD PRIVATE LIMITED [CRL.A. NO.-003178-003178 - 2025]**

[↗](#)

**Bench: Justice B.V. Nagarathna, Justice K.V. Viswanathan**

The criminal court can permit amendments to a complaint under Section 138 of the Negotiable Instruments Act after cognizance, provided the amendment addresses a curable irregularity without prejudicing the accused. In this case, a typographical correction in the product description did not alter

the complaint's nature and did not disadvantage the accused, leading to the restoration of the Trial Court's order allowing the amendment.

**SHAHED KAMAL VS M/S. A. SURTI DEVELOPERS PVT. LTD. [C.R.L.A. NO.-002033-002033 - 2025]** [↗](#)

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh, Justice K.V. Viswanathan**

The complaint by the developer against the homebuyers does not establish a case for defamation under Section 500 of the Indian Penal Code. The homebuyers' protest through a banner is protected under the 9th exception to Section 499, as it was made in good faith to safeguard their interests. The banner's language was mild and did not contain offensive words, reflecting their right to free speech under Article 19(1)(a) of the Constitution. The appeal resulted in the quashing of the complaint and summons against the homebuyers.

**P. RADHAKRISHNAN VS COCHIN DEVASWOM BOARD [C.A. NO.-011902-011902 - 2025]** [↗](#)

**Bench: Justice Dipankar Datta, Justice K.V. Viswanathan**

The High Court's additional directions to fix the license fee and conduct an inquiry through the Chief Vigilance Officer exceeded the scope of the writ petition and violated principles of natural justice, as the appellants were not given a chance to be heard. These directions were expunged, but the respondent Board may independently enhance the license fee according to the law. The appellants are required to pay the balance of the enhanced license fee within three months.

**M/S. UNITED SPIRITS LTD. VS THE STATE OF MADHYA PRADESH [C.A. NO.-005113-005113 - 2025]** [↗](#)

**Bench: Justice J. B. Pardiwala, Justice K.V. Viswanathan**

United Spirits Ltd. is liable to pay entry tax under the Madhya Pradesh Sthaniya Kshetra Me Mal Ke Pravesh Par Kar Adhiniyam, 1976 for the entry of Indian Made Foreign Liquor and beer into local areas of Madhya Pradesh. The company caused the entry of goods despite state government warehouses acting as intermediaries. The argument that a notification under Section 3B of the Act was necessary was rejected, as Section 14 offers the framework for tax assessment and collection.

**EPC CONSTRUCTIONS INDIA LIMITED VS M/S MATIX FERTILIZERS AND CHEMICALS LIMITED [C.A. NO.-011077-011077 - 2025]** [↗](#)

**Bench: Justice J. B. Pardiwala, Justice K.V. Viswanathan**

The National Company Law Tribunal and National Company Law Appellate Tribunal's dismissal of EPC Constructions India Limited's application against Matix Fertilizers and Chemicals Limited under Section 7 of the Insolvency and Bankruptcy Code, 2016, was upheld. The Cumulative Redeemable Preference Shares (CRPS) issued to the appellant were determined not to be "financial debt" as defined by the IBC. CRPS are classified as part of share capital under the Companies Act, 2013, and preference shareholders do not have creditor status. The CRPS could only be redeemed from company profits or fresh share proceeds, which did not occur. There was no payment default to justify an insolvency petition. The argument that the transaction was a "borrowing arrangement" was rejected, affirming that the preference share arrangement was intentional. The accounting treatment of the CRPS in financial records did not influence its legal classification, which is based on the underlying transaction documents.

**TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD. VS M/S PENNA ELECTRICITY LTD [C.A. NO.-005700-005700 - 2014]** [↗](#)

**Bench: Justice J. B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court dismissed Tamil Nadu Generation and Distribution Corporation's appeal and upheld APTEL's direction to pay fixed charges for 29.10.2005-30.06.2006, holding that electricity continuously supplied by Penna Electricity's 30 MW open-cycle gas turbine after grid synchronization on 29.10.2005 constitutes "firm power" under the CERC (Terms and Conditions of Tariff) Regulations, 2004 and not

“infirm power” as claimed. The decisive ground is that the amended PPA dated 25.08.2004, executed after the Electricity Act, 2003, was never approved under Section 86(1)(b) and must therefore be aligned with statutory regulations which define COD as the date a unit demonstrates installed capacity through successful trial run; the gas turbine having done so on 29.10.2005, pro-rata fixed charges under Schedule 29 are payable. Rejecting the Corporation’s plea that only variable charges are due before the project-wide COD of 01.07.2006, the Court held that the PPA’s single-COD clause for the combined-cycle “project” conflicts with Regulation 14(x) which treats each unit separately, and correspondence relied upon does not amount to estoppel against statutory entitlement. The precedential value of *Tata Power Co. Ltd. v. Reliance Energy Ltd.*, (2009) 16 SCC 659 and *KKK Hydro Power Ltd. v. HPSEB*, 2025 SCC OnLine SC 1847, affirming that unapproved PPAs cannot override regulations, was applied. The Court directed payment of the balance fixed charges within twelve weeks.

**RAJESWARI VS SHANMUGAM [C.A. NO.-013835-013835 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court held that an assignment deed transferring a decree for specific performance of an immovable property sale agreement does not require compulsory registration under Section 17(1)(e) of the Registration Act, 1908, since such a decree itself creates no right, title or interest in the property but merely confers a right to obtain conveyance through court process. The decisive ground is that neither an agreement to sell nor a decree for its specific performance transfers any ownership; title passes only upon execution and registration of the sale deed, as clarified in *Suraj Lamp & Industries (P) Ltd. v. State of Haryana* (2012) 1 SCC 656 and *Babu Lal v. M/s Hazari Lal Kishori Lal* (1982) 1 SCC 525, which held the decree to be in the nature of a preliminary decree retaining the court’s supervisory control until completion. Rejecting the appellants’ contention that non-registration would enable evasion of stamp duty through successive assignments, the Court emphasised that until the sale deed is executed the assignee acquires no interest in the immovable property, and the assignment merely transfers a chose in action enforceable under Order XXI Rule 16 CPC. Consequently, the appeal was dismissed and the High Court’s order allowing execution in favour of the assignee was upheld.

**HINDUSTAN PETROLEUM CORPORATION LTD. VS BCL SECURE PREMISES PVT. LTD. [C.A. NO.-014647-014647 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court set aside the Bombay High Court’s order appointing an arbitrator under Section 11(4) of the Arbitration and Conciliation Act, 1996, holding that BCL Secure Premises Pvt. Ltd., a non-signatory, failed to establish even a prima facie case of being a “veritable party” to the arbitration agreement between Hindustan Petroleum Corporation Ltd. (HPCL) and AGC Networks Ltd. The decisive ground was the complete absence of privity of contract between HPCL and BCL, compounded by the express prohibition in Clauses 3.17 and 5.c.1 of the tender against assignment or sub-contracting without HPCL’s prior written consent, which was never obtained. Rejecting BCL’s reliance on the 31.10.2023 Settlement-cum-Assignment Agreement and the “claiming through or under” doctrine, the Court emphasized that mere commercial connection or derivative receivables cannot substitute for mutual intent to arbitrate, citing *Cox & Kings Ltd. v. SAP India Pvt. Ltd.* (2024) 4 SCC 1 and *Khardah Co. Ltd. v. Raymon & Co.* (1963) 3 SCR 183. The Court ruled that referral courts must prima facie determine whether a non-signatory is genuinely intended to be bound, and here BCL’s isolated dealings with AGC, sans HPCL’s knowledge or consent, negated any such intent. The Section 11 application was dismissed, leaving BCL to pursue independent remedies.

**NILESH BABURAO GITTE VS THE STATE OF MAHARASHTRA [CRL.A. NO.-001471-001471 - 2013]**

**Bench: Justice K.V. Viswanathan, Justice K. Vinod Chandran**

Nilesh Baburao Gitte was acquitted of matricide charges under Section 302 IPC. The prosecution’s case relied solely on circumstantial evidence, which failed to meet the required proof standards. Issues

included unexplained attempts to cremate the deceased, inconclusive medical evidence regarding homicide, unreliable material object recovery, and unsubstantiated motive. The acquittal of co-accused Balasaheb Gitte further weakened the case. Ultimately, the evidence was insufficient for conviction.

**M/S TORINO LABORATORIES PVT. LTD. VS UNION OF INDIA [C.A. NO.-009540-009540 - 2018]** [↗](#)

**Bench: Justice K.V. Viswanathan, Justice Joymalya Bagchi**

The Employees' Provident Fund authorities justified treating Torino Laboratories Pvt. Ltd. and Vindas Chemical Industries Pvt. Ltd. as a single unit under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. This determination was based on factors such as unity of ownership, management, control, finance, and functional integration, supported by evidence of shared premises and administrative structures. Arguments for separate treatment and claims for infancy protection under the EPF Act were rejected, confirming the decision to consider the two entities as a single integrated whole.

**MURLIDHAR AGGARWAL (D) THR.HIS LR. ATUL KUMAR AGGARWAL VS MAHENDRA PRATAP KAKAN (DEAD) THR. LRS. [C.A. NO.-004275-004275 - 2017]** [↗](#)

**Bench: Justice K.V. Viswanathan, Justice M. M. Sundresh**

The landlord's bona fide need for the premises under Section 21(1)(a) of the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972 was established. The Prescribed Authority found the need to be bona fide, but the Appellate Authority reversed this finding without proper justification, a decision later affirmed by the High Court. The High Court's judgment was set aside, and the tenant was ordered to vacate the premises by 31.12.2025, contingent upon clearing all arrears. The comparative hardship favored the landlord.

**M. VENKATESWARAN VS THE STATE REP. BY THE INSPECTOR OF POLICE [CRL.A. NO.-000379-000379 - 2025]** [↗](#)

**Bench: Justice K.V. Viswanathan, Justice S.V.N. Bhatti**

The conviction of the appellant under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961 was upheld based on overwhelming evidence. The sentence was modified to the period already served, and the appellant was ordered to pay Rs. 3,00,000/- in compensation to the complainant. The ingredients of the offences were established, but factors such as the passage of time, the couple's progression in life, and the appellant's willingness to perform community service influenced the decision.

**IL AND FS FINANCIAL SERVICES LIMITED VS ADHUNIK MEGHALAYA STEELS PRIVATE LIMITED [C.A. NO.-005787 - 2025]** [↗](#)

**Bench: Justice Manoj Misra, Justice K.V. Viswanathan**

The entry in the respondent's FY 2019-20 balance sheet constituted a valid acknowledgment of debt under Section 18 of the Limitation Act, extending the limitation period for the appellant's IBC application. The balance sheet entries indicated a subsisting debtor-creditor relationship, supported by a cash flow statement showing the unpaid debt. The entire period from 15.03.2020 to 28.02.2022 was excluded due to COVID-19, making the IBC application filed on 15.01.2024 timely. A remittance to the adjudicating authority was made to proceed with the IBC application as filed within limitation.

**DAIVSHALA VS THE ORIENTAL INSURANCE CO. LTD. [C.A. NO.-006986-006986 - 2015]** [↗](#)

**Bench: Justice Manoj Misra, Justice K.V. Viswanathan**

The accident resulting in the death of employee Shahu Sampatrao Jadhavar while commuting to work as a night watchman was deemed to have arisen out of and in the course of his employment. The concept of "notional extension" was recognized, linking the circumstances of the accident to the employee's job. Section 51E of the Employees' State Insurance Act, which covers accidents during commutes as employment-related, was interpreted to have retrospective effect and applied similarly to

the Employees' Compensation Act. Compensation awarded to the deceased employee's family was restored.

**HDFC BANK LTD. VS STATE OF MAHARASHTRA [CRL.A. NO.-002843-002843 - 2025]**

**Bench: Justice Manoj Misra, Justice K.V. Viswanathan**

The High Court's decision to quash the complaint against Ranjana Sharma, the director of the accused company, was not justified. The complaint included sufficient averments to establish vicarious liability under Section 141 of the Negotiable Instruments Act, stating that Sharma was responsible for the company's day-to-day affairs and management. This information, alongside other details, fulfilled the necessary legal standards without needing exact statutory language. Prior judgments support that the focus should be on the substance of allegations. The proceedings against Sharma were reinstated for further action in the trial court.

**RAJU @ UMAKANT VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-002377-002377 - 2025]**

**Bench: Justice Sanjay Karol, Justice K.V. Viswanathan**

The appellant's conviction under Sections 366, 342, and 376(2)(g) of the Indian Penal Code was upheld. The conviction under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, was set aside due to lack of evidence regarding the victim's caste status. The sentence for the offence under Section 376(2)(g) was modified from life imprisonment to 10 years rigorous imprisonment to align with the sentence of a co-accused.

**MMTC LIMITED VS ANGLO AMERICAN METALLURGICAL COAL PVT LTD. [C.A. NO.-013321-013321 - 2025]**

**Bench: Justice Sanjay Kumar, Justice K.V. Viswanathan**

The Supreme Court dismissed MMTC's Section 47 CPC objections to execution of the Anglo award, holding that no prima facie case of fraud vitiating the decree was made out. The decisive ground is that the alleged collusion in pegging the 5th-delivery-period price at US \$300 PMT, discovered post-award, fails the "business-judgment rule" test: the price mirrored the contemporaneous SAIL/RINL contract approved by the Empowered Joint Committee on 8-9 May 2008, three months before the Lehman collapse; the MoU of 30-1-2007 and LTA clauses bound MMTC to 4,66,000 MT; the 20-11-2008 Addendum merely restated agreed terms; and the same-day price-reduction letter was a legitimate renegotiation attempt. Rejecting the plea that officials' breach of fiduciary duty rendered the award a nullity, the Court emphasised that Section 47 permits challenge only on jurisdictional infirmity or voidness, not on merits or subsequent allegations of internal fraud, especially after the award has travelled through Section 34, 37 and review proceedings. Reliance on *Electrosteel Steel Ltd. v. ISPAT Carrier* (2025 INSC 525) and *Vasudev Dhanjibhai Modi v. Rajabhai Abdul Rehman* (1970 1 SCC 670) reiterates that fraud must be distinctly pleaded and proved to unravel a decree; mere FIR registration does not stay execution. The appeal against dismissal of the Order XXI Rule 29 stay application is infructuous as the parallel suit has already been rejected under Order VII Rule 11.

**AYYUB VS STATE OF UTTAR PRADESH [CRL.A. NO.-000461-000461 - 2025]**

**Bench: Justice Sanjiv Khanna, Justice B.V. Nagarathna, Justice Sanjay Kumar**

The Supreme Court of India allowed the appeal and quashed the proceedings against the appellants under Section 306 IPC (abetment of suicide). The Court found that the charge-sheet filed by the police does not make out the required ingredients for an offense under Section 306 IPC, as the alleged utterances by the appellants cannot be said to have left the deceased with no other alternative but to commit suicide. The Court also observed several disturbing features in the investigation, including the delay in filing the FIR and the one-sided, partial nature of the probe. Accordingly, the Court ordered a reinvestigation of the unnatural death of the deceased Tanu by a Special Investigation Team and directed the matter to be listed for further directions after the submission of the reinvestigation report.

**NAUSHEY ALI VS STATE OF U.P. [CRL.A. NO.-000660-000660 - 2025]**

**Bench: Justice Surya Kant, Justice K.V. Viswanathan, Justice S.V.N. Bhatti**

The Supreme Court of India, in a judgment delivered by a bench of two judges, held that the present case was a fit one for quashing the criminal proceedings, even though the charges included the non-compoundable offense under Section 307 of the Indian Penal Code. The court distinguished between compounding of offenses and quashing of criminal proceedings on the grounds of settlement, holding that the latter could be done if the ends of justice so require, even for non-compoundable offenses. Analyzing the facts of the case, the court concluded that the nature of the injuries and the weapons used did not warrant the offense being treated as one under Section 307 IPC. At best, it could amount to an offense under Section 326 IPC. The court also noted the delay of over 33 years in the proceedings and the amicable settlement between the parties. Accordingly, the court quashed the criminal proceedings, observing that continuing the trial would be futile and an abuse of process.

**S. SANTHANA LAKSHMI VS D. RAJAMMAL [C.A. NO.-012517-012517 - 2025]****Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Will executed by the plaintiff's father bequeathing property to the plaintiff and her brother was proved, but questions regarding the testator's right to bequeath the property remained. The plaintiff sought injunctions rather than a declaration of title, while the defendant asserted co-ownership. An injunction against alienation was upheld, but the injunction against interference with possession was set aside due to conflicting possession claims. Both parties were given the opportunity to seek a declaration of title and possession within three months, with current findings not affecting rights in any new proceedings.

**AMAL KUMAR VS THE STATE OF JHARKHAND [CRL.A. NO.-005335-005335 - 2025]****Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court quashed FIR No.18/2022 registered at Police Station Kanke, Ranchi, holding it an abuse of process where simultaneous civil suit and criminal complaint contradicted each other regarding alleged dispossession of scheduled caste landowner. The decisive ground was that the First Information Statement claimed forcible construction on 21.01.2022, yet the plaint filed the same date traced cause of action to September 2020–December 2021 without mentioning this incident, while seeking recovery of possession despite no allegation of actual dispossession in the FIR. Rejecting the State's contention that trial should proceed, the Court found no offence under Section 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, since the first appellant's sale deed dated 07.02.2020 established lawful title, nor under Section 3(1)(s) as the alleged casteist slur lacked public view requirement. The Court distinguished State of Haryana v. Bhajan Lal, emphasizing that when civil and criminal proceedings arise from identical facts, inherent power under Section 482 CrPC must prevent harassment where criminal complaint contains inherent improbabilities. Setting aside the High Court's refusal to quash, the Court directed no further proceedings against the appellants, holding the FIR manifestly mala fide.

**M/S NATIONAL INSURANCE COMPANY LTD. VS NEERU DEVI [C.A. NO.-014758-014758 - 2025]****Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court in M/s National Insurance Co. Ltd. v. Neeru Devi & Ors. (Civil Appeal arising from SLP(C) No. 19462/2025) allowed the insurer's appeal and halved the compensation awarded for the 2017 death of a transport contractor, holding that monthly income of ₹95,000 was inferred without evidence and that the business income from two trucks would not cease with his death. Rejecting reliance on Gurpreet Kaur v. United India Insurance Co. Ltd. 2022 SCC OnLine SC 1778 where a young tractor-owning contractor's income was proved through promptly cleared EMIs, the Court distinguished that here no income-tax returns were filed, 15 EMI defaults existed, and the trucks could continue to ply under hired drivers, so the family did not lose the business stream. Applying the Constitution Bench principle in National Insurance Co. Ltd. v. Pranay Sethi (2017) 16 SCC 680 that compensation must neither be a windfall nor a pittance, it fixed loss of dependency at ₹50 lakh (half the Tribunal's figure) on the ₹50 lakh already deposited, ordered 9 % interest from claim-petition date, and awarded additional ₹1.6 lakh collectively for consortium, estate and funeral expenses, holding children also entitled to filial consortium per Magma General Insurance Co. Ltd. v. Nanu Ram (2018) 18 SCC 130; the balance must be paid within one month.

**SHAIK SHABUDDIN VS STATE OF TELANGANA [CRL.A. NO.-005534-005534 - 2025]****Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court partly allowed the appeal of A2 in Shaik Shabuddin v. State of Telangana (Crl. A. @ SLP (Crl.) No. 6850/2024) confirming conviction under Sections 302 & 376D read with Section 34 IPC while setting aside convictions under Sections 404 IPC and 3(1)(w)(i) & 3(2)(v) SC/ST Act, modifying sentence from imprisonment till last breath to 25 years without remission. The decisive ground was that DNA

evidence matching A1 and A2 with seminal stains on victim's saree, medical proof of rape and homicide, presence of accused in vicinity, and failure to establish alibi formed a complete chain of circumstances under Section 106 Evidence Act, though the Court rejected reliance on confession made to PW15 in police custody and recovery under Section 27 Evidence Act as objects were seized on arrest without disclosure of concealment. The Court held that SC/ST Act convictions were unsustainable as prosecution failed to prove accused knew victim's caste status, essential ingredient under Sections 3(1)(w)(i) & 3(2)(v), and Section 404 conviction failed as mobile ownership wasn't established. Following *Bachan Singh v. State of Punjab* on death sentence principles, the Court found case wasn't "rarest of rare" given A2's clean record, family responsibilities, and absence of adverse jail conduct, directing Telangana Legal Services Authority to provide legal assistance to co-accused for filing appeals.

### **OBALAPPA VS PAWAN KUMAR BHIHANI [C.A. NO.-014824-014824 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court allowed the appeal and restored the trial court's dismissal of the suit for permanent injunction, holding that the respondents failed to establish title or identify the suit property. The decisive ground was that the original allotment by BDA in 1993 was based on acquisition of Survey Nos.349/1 and 350/12, which acquisition was subsequently set aside by the High Court in writ proceedings, rendering the foundation of the allotment void. The Court rejected the respondents' reliance on the rectification deed executed after two decades changing survey numbers to 350/9, 350/10 and 350/11, noting that no valid reasons were shown for such rectification and the properties in these survey numbers were not proved to belong to BDA. Following the principle that production of a document is not proof, the Court deprecated the High Court's reliance on an unauthenticated BDA survey conducted behind the appellants' back without examining the concerned officer. The Court emphasized that the sale agreement mandated construction of a residential house within two years as a condition precedent to execution of sale deed, which condition remained unfulfilled even when the suit was filed in 2012. The trial court correctly found that Site No.66 was not identifiable in any survey numbers and the respondents' title was not established.

### **K S DINACHANDRAN VS SHYLA JOSEPH [C.A. NO.-014825-014826 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court allowed the appeals and dismissed the partition suit, holding that the will dated 26.03.1988 was validly proved under Section 63(c) of the Indian Succession Act read with Section 68 of the Indian Evidence Act. The decisive ground was that DW-2, the surviving attesting witness, deposed that both attesting witnesses signed in the testator's presence, a fact elicited through proper cross-examination despite initial omissions in examination-in-chief. The Court rejected the argument that leading questions in cross-examination rendered the evidence unreliable, emphasizing that such questions are permissible and responses carry probative value. Following *Vishnu Ramkrishna Wani v. Nathu Vittal Wani* (AIR 1949 Bombay 266) and *Janaki Narayan Bhoir v. Narayan Namdeo Kadam* (2003) 2 SCC 91, the Court reiterated that one attesting witness must prove both attestations, which DW-2 satisfied. The 24-year delay in recording evidence was deemed natural, citing *H. H. Maharaja Bhanu Prakash Singh v. Tika Yogendra Chandra* (1989 Supp (1) SCC 16). The Court found no suspicious circumstances warranting higher scrutiny, distinguishing *Rani Purnima Debi v. Kumar Khagendra Narayan Deb* (1962) 3 SCR 195, and held the testator's exclusion of one child was his prerogative. The plaintiff's prior knowledge of the will in the 1990 injunction suit did not create estoppel since title wasn't substantially in issue. The Court ultimately ruled that the will validly divested the plaintiff's inheritance rights.

### **KIRAN VS THE STATE OF KARNATAKA [CRL.A. NO.-005587-005587 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice K. Vinod Chandran**

The Supreme Court partly allowed the appeal in *Kiran v. State of Karnataka* (Crl. Appeal arising from

SLP(Crl.) No.15786/2024) and held that a Sessions Court lacks competence to direct life imprisonment till natural life or to deny set-off under Section 428 Cr.PC; the appellant's conviction under Section 302 IPC for burning a resisting widow to death was upheld on the strength of the Magistrate-recorded dying declaration (Ex.P-23) and evidence of the accused fleeing the scene, notwithstanding hostile witnesses. The decisive ground is that only Constitutional Courts can, in lieu of death penalty and after applying the "rarest of rare" test, impose special-category life sentence without remission, as laid down in Swamy Shraddananda (2) v. State of Karnataka (2008) 13 SCC 767 and affirmed by the Constitution Bench in Union of India v. V. Sriharan (2016) 7 SCC 1; a Sessions Court, being a creature of the Cr.PC, cannot curtail statutory remission under Sections 432-435 Cr.PC or constitutional powers under Articles 72/161. Rejecting reliance on Navas v. State of Kerala for similar sentencing by trial courts, the Court deleted the trial court's bar on Section 428 set-off and modified the sentence to ordinary life imprisonment to run concurrently with other convictions, leaving remission to the State.

**ABHINAV MOHAN DELKAR VS THE STATE OF MAHARASHTRA [CRL.A. NO.-002177-002185 - 2024]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

Allegations of continuous harassment, humiliation, and defamation against a deceased Member of Parliament did not support claims of abetment of suicide under Section 306 of the Indian Penal Code. Instances of disrespect and non-invitation to events were noted, but these were not proximate triggers for the suicide, which occurred 10 days after the last incident. Claims of extortion and forced takeover of a college trust mentioned in the suicide note were deemed suspect. No clear case of abetment of suicide was established from the available facts and materials, leading to the quashing of the FIR.

**M/S C.L. GUPTA EXPORT LTD. VS ADIL ANSARI [C.A. NO.-002864 - 2022]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

The National Green Tribunal's imposition of a Rs. 50 crore compensation based on the appellant's turnover lacked a rational connection to the environmental damage caused. The direction to the Enforcement Directorate for investigation under the Prevention of Money Laundering Act was without basis, as no FIR for a scheduled offence was registered, and the NGT had no jurisdiction for such prosecution. However, the requirements for continuous monitoring, auditing, and restoration of environmental compliance by the appellant were upheld.

**THE STATE OF TELANGANA VS KALLURI NAGA NARASIMHA ABHIRAM [C.A. NO.-011217-011269 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

The definitions of 'local candidates' in the Telangana Medical & Dental Colleges Admission Rules of 2017 and the amended 2023 Rules align with the Presidential Order under Article 371D of the Constitution. Attempts to revise these definitions were rejected, affirming that legislative decisions should remain intact unless grossly discriminatory, arbitrary, or unconstitutional. A proviso was added to the amended Rules to address challenges faced by students who studied outside the state due to their parents' employment in certain government sectors. This matter encompasses multiple judgments from the High Court being contested.

**ANILKUMAR @ LAPETU RAMSHAKAL SHARMA VS THE STATE OF MAHARASHTRA [CRL.A. NO.-004335-004335 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

A summary of the court decision states the key issues and outcomes but does not provide procedural details or mention specific actions taken by the court. The decision focuses on the facts of the case and the implications regarding the legal principles involved.

**RAHUL AGARWAL VS THE STATE OF WEST BENGAL [CRL.A. NO.-004456-004456 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

A Judicial Magistrate can order a person, including a witness, to provide a voice sample for investigation, despite the absence of specific provisions in the Criminal Procedure Code. This action does not constitute "testimonial compulsion" and does not infringe on the right against self-incrimination under Article 20(3) of the Constitution. The High Court's order that set aside the Magistrate's decision has been reversed, and the witness is directed to comply with the Magistrate's order. Pending applications related to this matter have also been disposed of.

**SANJAY KUMAR MISHRA VS DISTRICT JUDGE, AMBEDKAR NAGAR [C.A. NO.-012921-012921 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

The termination of four appellants from Class IV positions in the District Judgeship of Ambedkar Nagar was deemed unjustified. The advertisement for the 12 vacancies indicated that numbers could fluctuate, allowing for the maintenance of a waiting list for future vacancies. The appellants should be accommodated in existing or supernumerary vacancies if they had not yet reached superannuation age, or be granted a minimum pension if they had. The decision addressed the unique circumstances of the case and is not intended to set a precedent.

**JALGAON DISTRICT CENTRAL COOP BANK LTD. VS STATE OF MAHARASHTRA . [C.A. NO.-013884-013884 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran**

The Supreme Court held that while the secured creditor-bank's debt under Section 26E SARFAESI Act (w.e.f. 24.01.2020) prevails over unquantified workmen's wage claims, the first charge created by Section 11(2) EPF&MP Act 1952 mandatorily requires provident fund dues—comprising contributions, interest, damages and penalties—to be satisfied first from sale proceeds before the bank's secured debt. The decisive ground is that Section 11(2) creates a statutory first charge on the entire assets of the establishment that overrides subsequent non-obstante clauses conferring mere priority, as established in Maharashtra State Cooperative Bank Ltd. (2009) 10 SCC 123 and affirmed in Central Bank of India v. State of Kerala (2009) 4 SCC 94. Rejecting the bank's reliance on Punjab National Bank v. Union of India (2022) 7 SCC 260, the Court distinguished between priority and first charge, holding that the latter statutory creation in welfare legislation prevails irrespective of temporal sequence. Consequently, the impugned High Court directions are modified: auction proceeds shall first discharge EPF dues under Section 11(2) EPF&MP Act, then satisfy the secured creditor's claim under Section 26E SARFAESI Act; workmen are relegated to seek wage determination under MRTU&PULP Act only if surplus remains thereafter, de hors the Industrial Court's dismissal on delay grounds.

**APEEJAY SCHOOL VS DHIRTI DUGGAL [C.A. NO.-010055-010055 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran, Justice N. V. Anjaria**

There is no express or implied ouster of civil court jurisdiction regarding the recovery of fees charged by private schools. The Haryana School Education Act and Rules provide a remedy for students or parents to challenge capitation fees, not for schools to enforce fee payment. The suits for the recovery of fee increases were not barred by limitation, as the cause of action arose after the state's appeal related to a previous judgment was resolved. The trial court's decision to condition the recovery decree on the FFRC's ruling was appropriate, offering protection against excessive fee levies. However, the appellate court's requirement for a complete refund if the FFRC rules in favor of students or parents was incorrect; refunds should only occur to the degree the FFRC modifies the fee hike. The school's civil appeals were allowed, restoring the trial court's order with an adjustment to the interest rate.

**IN RE : SUMMONING ADVOCATES WHO GIVE LEGAL OPINION OR REPRESENT PARTIES DURING INVESTIGATION OF CASES AND RELATED ISSUES VS [SMW(CRL) NO.-000002-000002 - 2025]**

**Bench: Justice B. R. Gavai, Justice K. Vinod Chandran, Justice N.V. Anjaria**

Investigating agencies cannot summon lawyers representing clients directly, except in specific cases

outlined under Section 132 of the Bharatiya Sakshya Adhinyam. Guidelines were established requiring approval from a superior officer and judicial review for summoning lawyers. In-house counsel who are full-time salaried employees do not benefit from privileges under Section 132.

**GUDIVADA SESHAGIRI RAO VS GUDIAVADA ASHALATHA [CRL.A. NO.-000709-000710 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court, in a batch matter, held that the trial court had erred in considering only the ground of desertion and not the ground of cruelty in the husband's divorce petition. It also found that the trial court had wrongly treated the marriage as per Christian rites, ignoring the evidence provided by the husband. Relying on the principles laid down in the Shilpa Sailesh case, the Supreme Court granted divorce on the ground of irretrievable breakdown of marriage, despite the opposition from the wife. The court directed the husband to pay a lump sum amount of Rs. 25,00,000 to the wife as alimony, in addition to the Rs. 2,00,000 already deposited before the court.

**VIVEK KUMAR CHATURVEDI VS STATE OF U.P. [CRL.A. NO.-000623-000623 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court held that the custody of the minor child should be granted to the father, who is the natural guardian, as it would serve the best interests of the child. While acknowledging the child's comfort with the grandparents, the court observed that the father is an educated and responsible officer, and there is no allegation of any misconduct or abuse. The court, however, recognized the child's separation from the father for over 3 years and permitted the child to complete the current academic year with the grandparents, with visitation rights granted to the father on alternate weekends. After April 30, 2025, the custody of the child will be handed over to the father, with the grandparents retaining visitation rights on certain weekends. The court also noted that the maintainability of a habeas corpus petition for child custody depends on the facts and circumstances of each case, and the proper remedy is generally under the Guardians and Wards Act, 1890. In this case, the court found the habeas corpus petition to be maintainable as the father, the natural guardian, was seeking custody from the grandparents.

**AKULA RAGHURAM VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-000294-000294 - 2015]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court of India acquitted the appellant of the charges under Section 366-A of the Indian Penal Code (procurement of a minor girl). The court found that there was no evidence of any sexual act or advance committed against the victim, and the victim's own testimony contained several inconsistencies that made the prosecution's story unbelievable. The medical evidence regarding the victim's age was also found to be inconclusive, as the ossification test report was not produced, and the doctor's estimate of 16-17 years did not conclusively establish that she was a minor. In the totality of the circumstances, the court found no reason to affirm the conviction and acquitted the appellant.

**THE STATE OF UTTARAKHAND LAW AND JUSTICE VS SANJAY RAM TAMTA @ SANJU@PREM PRAKASH [CRL.A. NO.-000112-000112 - 2014]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court of India held that the prosecution failed to prove the essential ingredient of a

demand of dowry, which is required for invoking Section 304B of the Indian Penal Code (dowry death). The court noted material contradictions in the statements of the witnesses and the testimony of a hostile witness, which weakened the prosecution's case. Since the demand of dowry was not established, the presumption under Section 113B of the Evidence Act could not be applied, and the conviction of the accused under Section 304B was set aside. The court rejected the appeal, confirming the order of acquittal by the High Court, but for different reasons.

**JYOTSHNA SINGH VS THE STATE OF JHARKHAND [C.A. NO.-012184-012184 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The High Court's decision to set aside the disciplinary proceedings against the appellant was based on violations of departmental procedures and a ten-year delay. The appellant is to be promoted to Joint Secretary effective from the date of her immediate junior's promotion, with all associated benefits, including arrears and pension adjustments if retired. The respondents have four months to complete this process; otherwise, the appellant will receive 7% interest on the arrears.

**ALAN MERVYN ARTHUR STEPHENSON VS J. XAVIER JAYARAJAN [ARBIT.PETITON NO.-000021-000021 - 2025]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The arbitration petition filed by Alan Mervyn Arthur Stephenson was dismissed due to his claim for recovery of payments made to J. Xavier Jayarajan being barred by limitation. The analysis included the timeline of the partnership's formation and dissolution, land purchase, and a police complaint from Stephenson. The notice for appointment of an arbitrator was issued on 9 December 2020, which exceeded the limitation period, and the arbitration request was delayed by two years following the initial notice. Consequently, Stephenson's claim was deemed hopelessly barred by limitation.

**ANURAG VIJAYKUMAR GOEL VS THE STATE OF MAHARASHTRA [CRL.A. NO.-005277-005277 - 2024]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N. V. Anjaria**

The marriage between the appellant and the respondent-wife was deemed irretrievably broken and subsequently dissolved. Criminal proceedings against the appellant under Section 498-A IPC were quashed, with the allegations classified as exaggerated marital disputes. A settlement agreement included the appellant gifting his apartment in Mumbai to the respondent, with terms found reasonable considering his financial situation and responsibilities towards his autistic child from a previous marriage. The appellant is required to pay outstanding maintenance charges and execute the gift deed for the divorce to take effect. All civil and criminal proceedings between the parties related to the marriage will be closed, with no further actions permitted.

**JYOTI SHARMA VS VISHNU GOYAL [C.A. NO.-011768-011768 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice K. Vinod Chandran**

The appeal by landlord Jyoti Sharma for recovery of rent arrears and eviction of tenants Vishnu Goyal and another was allowed based on the landlord's bona fide need. Findings from lower courts were set aside, confirming the validity of a will executed by previous landlord Ramji Das in favor of Sharma. Tenants could not contest ownership as they had been paying rent to Ramji Das for over fifty years. The tenancy was deemed properly transferred to Sharma after Ramji Das's death, establishing the bona fide need for eviction. A grace period of six months was granted for the tenants to vacate, contingent upon their undertaking to pay rent arrears within one month.

**NAGAMMA @ NAGARATHNA VS STATE OF KARNATAKA [CRL.A. NO.-000425-000425 - 2014]**

**Bench: Justice K.V. Viswanathan, Justice K. Vinod Chandran**

The accused (A2 to A4) were acquitted of murder under Section 302 read with Section 34 IPC due to the

prosecution's failure to establish a reliable chain of circumstantial evidence. The motive related to a loan dispute was not convincingly proven, and prosecution witnesses lacked reliability. The mere presence of the dead body at the accused's house did not suffice for conviction without corroborating evidence. Additionally, recovery of the weapon under Section 27 was deemed insufficient due to inadequately established disclosure statements. The circumstantial evidence was ultimately found to be neither cogent nor reliable, leading to the acquittal.

**DEVENDRA KUMAR TRIPATHI VS THE ORIENTAL INSURANCE COMPANY LTD. [C.A. NO.-014756-014756 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice Ahsanuddin Amanullah**

The Supreme Court in Devendra Kumar Tripathi v. The Oriental Insurance Company Ltd. (CA arising from SLP(C) No. 2195/2024, decided 15-12-2025) enhanced compensation for death of a 14-year-old schoolboy in a motor accident from Rs.4,70,000/- awarded by the High Court to Rs.8,65,400/-. The Court held that notional income must be fixed at Rs.5,400/- per month under the Minimum Wages Act, 1948 for a Class B city, with 40% addition for future prospects, applying multiplier of 15 as per Reshma Kumari v. Madan Mohan (2013 SCC OnLine SC 284), and deducting 50% for personal expenses. Rejecting reliance on Baby Sakshi Greola v. Manzoor Ahmad Simon (2024 INSC 963) where multiplier of 18 was applied to a disabled child, the Court distinguished that case as involving survival with debilitating conditions versus death compensation to parents. The decisive formula adopted was:  $Rs.5,400 \times 12 \times 140\% \times 15 \times \frac{1}{2} = Rs.6,80,400/-$  for loss of dependency, plus Rs.15,000/- loss of estate, Rs.80,000/- filial consortium (Rs.40,000/- each parent), Rs.50,000/- medical expenses, Rs.15,000/- funeral expenses, and Rs.25,000/- for pain and suffering before death. The Court directed payment within two months with 7.5% interest from the date of order after adjusting amounts already paid.

**SHYAM KALI DUBEY VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-000305-000305 - 2011]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

Shyam Kali Dubey was acquitted of murder charges under Section 302 of the Indian Penal Code due to reasonable doubt about the prosecution's case. Significant inconsistencies in the evidence included discrepancies in the time of death compared to eyewitness accounts, the body being found at a different location from the alleged crime scene, and unexplained injuries on the victim's parents. The dying declaration of the victim was also not given much weight. These factors led to the conclusion that the appellant deserved the benefit of the doubt.

**BRIJ BIHARI GUPTA VS MANMET [C.A. NO.-006338-006339 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

Passengers in a goods vehicle were considered to be accompanying their goods rather than being gratuitous. The driver lacked full ownership of the vehicle since only possession was transferred and the registration transfer was incomplete. Liability for compensation rests with the registered owner, and the insurance company must indemnify this owner under the Motor Vehicles Act. The insurance company had only challenged 3 of 11 claim petitions, a detail overlooked by the High Court.

**SHYAM LAL VS SHRIRAM GENERAL INSURANCE CO LTD [C.A. NO.-005177-005181 - 2022]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

The limitation in the insurance policy regarding carriage of goods does not apply to the utility vehicle involved in the accident, as it was registered as a utility van with a permit to carry both passengers and goods. The insurance company remains liable to indemnify the owner since the policy was issued considering the vehicle's registration and permit. Claims from multiple parties included both passengers and pedestrians affected by the accident, and the issue of multiple claim petitions was addressed in a single judgment.

**ANOOP MAHESHWARI VS ORIENTAL INSURANCE COMPANY LTD. [C.A. NO.-012098-012099 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

The claimant's disability was assessed at 50% based on the medical board's certificate, rejecting previous reductions to 45% and 50%. Income tax returns were accepted to calculate the loss of income, leading to an award of full medical expenses claimed. Additional amounts were granted for pain, suffering, loss of amenities, attendant expenses, and future medical expenses for the prosthetic limb.

**HIND SAMACHAR LTD. (DELHI UNIT) VS NATIONAL INSURANCE COMPANY LTD. [C.A. NO.-012442-012446 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

The insurance company cannot recover compensation paid to the claimants from the truck owner, despite the driver's possession of a fake driving license. The owner provided the license, which was renewed, and there was no evidence of collusion between the owner and the driver. The insurance company did not prove the owner's lack of due diligence in employing the driver.

**SANJAY TIWARI VS YUGAL KISHORE PRASAD SAO [C.A. NO.-013563-013563 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice N. V. Anjaria**

The Supreme Court allowed the appeal and set aside the counter-claim by defendants 2 and 3, holding that under Order VIII Rule 6A CPC a counter-claim must be directed against the plaintiff and cannot lie against a co-defendant; the decisive ground was that the claim for specific performance of the very same land was not only time-barred—having been raised in 2006 long after the cause of action of 02.12.2002—but also lacked the essential averments of readiness and willingness to perform and payment of balance consideration, and the pleading was irreconcilably contradictory, initially asserting an agreement for 50 decimals, then for the entire 0.93 acres, while simultaneously admitting the plaintiff's father had already contracted for 43 decimals. Distinguishing the High Court's reliance on avoiding multiplicity, the Court applied *Rohit Singh v. State of Bihar*, (2006) 12 SCC 734, where a counter-claim against co-defendants after closure of evidence was rejected for absence of a declaration prayer and want of connection with the plaintiff's cause, and *Rajul Mano Shah v. Kiranbhai Patel*, (2025) 10 SCR 152, which held that a defendant must first establish title against the estate before seeking partition as counter-relief against the plaintiff. Consequently, the trial court is left to decide the suit on merits, including possession, but the counter-claim stands extinguished and no liberty to file a fresh suit can be granted.

**THANGAVEL VS THE MANAGING DIRECTOR TAMIL NADU STATE TRANSPORT CORPORATION LIMITED [C.A. NO.-003595-003595 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Tribunal's award of Rs. 8,55,000 in compensation for the death of a 10-year-old boy in a motor vehicle accident was deemed appropriate. The High Court's reduction of this amount was not justified, as the Tribunal correctly assessed the child's monthly income at Rs. 5,000 and applied a multiplier of 15 based on the mother's age. Awards for loss of love and affection, funeral expenses, loss of estate, and other ancillary expenses were upheld. The remaining amount is to be paid to the claimants within one month.

**HASEENA VS THE UNITED INDIA INSURANCE CO. LTD. [C.A. NO.-006621-006621 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The appeal by the claimants was dismissed, as it was not conclusively established that the victim's death, occurring five months after a motor vehicle accident, was a direct result of the injuries from that accident. Medical evidence indicated that the injuries were not serious, and the cause of death, which included pulmonary embolism and acute myocardial infarction, may have resulted from subsequent surgery rather than the accident itself. Proximity in time or potential health issues from extended bed rest

were insufficient to prove a direct connection between the accident and the death.

**MANJULA VS THE BRANCH MANAGER ORIENTAL INSURANCE COMPANY LTD. BIJAPUR [C.A. NO.-011425-011425 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The deceased's monthly income is set at Rs. 12,000, based on qualifications and business activities. The multiplier of 14 and a 25% addition for future prospects are upheld, along with a 1/4th deduction for dependents. Loss of consortium is awarded at Rs. 40,000 each to the wife, children, and parents. Four claim petitions and four appeals, including cross-objections from the Insurance Company, are noted.

**SANJU BAI PRAJAPATI VS THE NEW INDIA ASSURANCE COMPANY LTD. [C.A. NO.-009466-009466 - 2025]**

[↗](#)

**Bench: Justice K. Vinod Chandran, Justice Sudhanshu Dhulia**

The High Court's order that set aside the Tribunal's award was deemed unjustified. The accident was supported by the Murg report from the same day, and the delay in filing the FIR did not undermine eyewitness testimony. The insurance company was directed to disburse the Tribunal-awarded compensation, to be equally divided between the wife and three minor children of the deceased.

**KISAN VITHOBA AAKHADE (D) TH LRS. VS SURESH TUKARAM NERKAR [C.A. NO.-000720-000720 - 2015]**

**Bench: Justice Prashant Kumar Mishra, Justice K. Vinod Chandran**

The plaintiff established ownership and possession of 150 square meters of property, including the disputed open plot 'PCDF' adjacent to his residential building. Evidence showed that manure and waste dumped by the 9th defendant did not signify possession. The 9th defendant's claims of oral partition and common use lacked supporting evidence. The lower courts' decisions rejecting the plaintiff's claims were overturned, and the plaintiff's claim was upheld.

**JAGDISH CHAND MEMORIAL TRUST VS THE STATE OF HIMACHAL PRADESH [C.A. NO.-002585-002585 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court of India held that the withdrawal of the No Objection Certificate (NOC) issued to the appellant trust to commence an Ayurvedic Medical College and Hospital was valid, as the NOC was issued by the department without following the Rules of Business, which required a policy decision to be taken after placing it before the Council of Ministers. The court found that the NOC was issued based on the order of the Minister, bypassing the Cabinet, and therefore, was invalid. The appellant cannot claim any indefeasible right or promissory estoppel based on the invalid NOC, and the court found no violation of principles of natural justice, as the department could not have done anything against the decision of the Council of Ministers, even if an opportunity of hearing was granted.

**WESTERN COAL FIELDS LIMITED VS MANOHAR GOVINDA FULZELE [C.A. NO.-002608-002608 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court of India held that forfeiture of gratuity under Section 4(6)(b)(ii) of the Payment of Gratuity Act, 1972 is permissible if the misconduct of the terminated employee constitutes an offense involving moral turpitude, even without a prior criminal conviction.

The court overruled its previous decision in C.G. Ajay Babu, which had held that a criminal conviction is required for such forfeiture.

In the batch of appeals, the court upheld the forfeiture of the entire gratuity of the PSU employee who had submitted a fraudulent date of birth certificate, but limited the forfeiture to 25% for the MSRTC

employees found guilty of misappropriation of passenger fares, considering the gravity of the misconduct.

**SHANTI VS NATIONAL INSURANCE COMPANY [C.A. NO.-002586-002586 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court of India held that there is a statutory mandate to award 12% simple interest per annum on the default by the employer in making the provisional payment under the Employee's Compensation Act, 1923. The court has the discretion to award a higher rate, but it cannot exceed the maximum lending rate prescribed for scheduled banks. The court noted that the claim petition was earlier dismissed but was later found to be maintainable by the High Court, and the Commissioner has considered the evidence and found the employer-employee relationship to exist. The court modified the award to 12% simple interest per annum from the date of the accident.

**DILEEPBHAI NANUBHAI SANGHANI VS STATE OF GUJARAT [CRL.A. NO.-000972-000972 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court of India held that the discharge application of the appellant (second accused) should have been allowed, as there is no material to even allege demand and acceptance of bribe against him. The Court noted that the prosecution failed to establish the sine qua non of the offence under the Prevention of Corruption Act, 1988, i.e., proof of demand and acceptance of illegal gratification by the public servant. The Court referred to the Constitution Bench decision in Neeraj Dutta, which emphasized that such proof is essential to attract the presumption under Section 20 of the Act, and the mere allegation of misuse of authority is not sufficient. The Court found that the Special Court and the High Court erred in not properly examining the investigation report and pre-charge evidence to assess the case against the appellant specifically, and instead relied on the general finding of a prima facie case against the accused persons.

**K. RAMASAMY VS R. NALLAMMAL [C.A. NO.-003505-003505 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The delay in filing the application to set aside the ex-parte decree for specific performance was not adequately explained by the respondents. Claims about a misplaced file by their lawyer and health issues of a predecessor-in-interest lacked substantiation. The respondents were aware of the ex-parte decree but failed to act promptly. The principle that the law favors the diligent over the indolent was applied, leading to the rejection of the application to set aside the ex-parte decree.

**MADAN LAL VS STATE OF RAJASTHAN [CRL.A. NO.-001247-001247 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The prosecution failed to establish demand and acceptance of a bribe beyond reasonable doubt, with significant inconsistencies in the key witness's testimony about the bribe amount. There were also contradictions between independent and official witnesses regarding the transfer of the bribe money. As a result, the conviction and sentence of the accused were set aside, leading to their acquittal.

**JOTHIRAGAWAN VS THE STATE REP. BY THE INSPECTOR OF POLICE [CRL.A. NO.-001434-001434 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The criminal proceedings against the appellant were deemed an abuse of process and quashed. The examination of the complaint and victim's statements concluded that the sexual relationship was

consensual, regardless of the allegation of a false promise of marriage. A precedent established that consensual relationships cannot be prosecuted as rape based solely on a broken promise of marriage. Consequently, the appeal was allowed and the proceedings before the Sessions Court were quashed.

**STATE OF UTTAR PRADESH VS DR. RITU GARG [C.R.L.A. NO.-001433-001433 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court improperly directed the Central Bureau of Investigation (CBI) to register a case and conduct an investigation in a bail application, as its jurisdiction is limited to deciding on bail matters. Previous precedents caution against overstepping such jurisdiction. The order for the CBI investigation was set aside without examining the underlying facts to avoid interfering with the ongoing investigation.

**SRIKRISHNA KANTA SINGH VS THE ORIENTAL INSURANCE COMPANY LTD. [C.A. NO.-004380-004380 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Negligence was solely attributed to the trailer driver, with no contributory negligence from the scooter driver. The presence of a learner's license or the accident's location did not imply negligence. A total compensation of ₹16,00,000 was awarded to the claimant, who suffered amputation of both legs, with 7% simple interest per annum. The insurance company of the trailer was instructed to pay the full amount within two months.

**RAVINDER KUMAR @RAJU VS STATE OF PUNJAB [C.R.L.A. NO.-001494-001494 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant's conviction under Section 302 of the Indian Penal Code was modified to Section 304 Part I. There was no pre-meditation or motive, and the incident occurred during an altercation initiated by the deceased's group. The act of hitting the deceased with an iron rod, resulting in death, was deemed to be without intent to kill but with intent to cause bodily injury likely to result in death. The sentence was reduced from life imprisonment to 7 years of rigorous imprisonment.

**MAUKAM SINGH VS THE STATE OF MADHYA PRADESH [C.R.L.A. NO.-001741-001741 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The conviction of the three appellants for murder under Section 302 with Section 34 of the Indian Penal Code, along with injuries caused to the deceased's grandchildren under Sections 323 and 324, was upheld. The appellants arrived at the deceased's house with deadly weapons and intended to cause harm, evidenced by a fatal head injury. The life sentence imposed was affirmed.

**HUTU ANSARI @ FUTU ANSAR VS THE STATE OF JHARKHAND [C.R.L.A. NO.-001832-001832 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appeal of the accused persons was allowed, and their convictions under Sections 447 of the Indian Penal Code and 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, were set aside. There were significant inconsistencies between the complaint and the oral evidence, failing to support charges of house trespass, derogatory terms, or forceful eviction. The appellants were acquitted, and any bail bonds executed in the case were cancelled.

**JAGDISH GOND VS THE STATE OF CHHATTISGARH [C.R.L.A. NO.-002605 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The high court reversed a trial court's acquittal without clear evidence of homicide. The accused presented a plausible explanation for his absence during the incident. In the absence of a definitive chain of circumstances indicating guilt, mere suspicion was insufficient for a conviction. The trial court's acquittal was restored.

**UNION TERRITORY OF JAMMU AND KASHMIR VS BRIJ BHUSHAN [SLP(CRL) NO.-012026 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's decision to quash the FIR against the Managing Director of the Jammu and Kashmir Cooperative Housing Corporation was upheld. The land transaction with the landowners, while possibly violating the Agrarian Reforms Act, did not warrant criminal proceedings as there were no allegations of personal benefit or corruption. The land was developed and allotted to members of the JKCHC, and the State took no action to repossess it under the Agrarian Reforms Act.

**THE STATE OF MADHYA PRADESH VS DINESH KUMAR [C.A. NO.-005094-005094 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Additional Collector was authorized to grant permission under Section 165(6) of the Madhya Pradesh Land Revenue Code, 1959 for the sale of land belonging to tribal owners, and this authority was exercised properly in compliance with legal requirements. The issue of limitation regarding the Commissioner's suo motu revisional powers under Section 50 was acknowledged but deemed unnecessary for consideration due to the sustainability of the Additional Collector's order on merits. The appeal by the State of Madhya Pradesh was dismissed, upholding the High Court's interference with the Commissioner's revisional order.

**NEW INDIA ASSURANCE CO LTD VS SUNITA SHARMA [C.A. NO.-005093-005093 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Compensation under the Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 must be excluded from the compensation awarded under the Motor Vehicles Act, 1988. Previous rulings established this principle, and a contrary view from the High Court violated Article 141 of the Constitution by not following established precedent.

**M/S CHATHA SERVICE STATION VS LALMATI DEVI [C.A. NO.-005089-005092 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The driver of the oil tanker lacked the necessary endorsement on his license to transport dangerous goods, violating Rule 9 of the Central Motor Vehicles Rules. The accident resulted from the driver's rash and negligent behavior, and the absence of the endorsement was a significant factor affecting his competence to drive safely. A late submission of a training certificate did not satisfy procedural requirements. The appeals from the oil tanker owner were dismissed, upholding the obligation for the insurance company to compensate the claimants, with recovery sought from the driver and the owner.

**R. BAIJU VS THE STATE OF KERALA [SLP(CRL) NO.-012926 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The conviction of appellant A6 under Section 304 Part II read with Section 120B of the Indian Penal Code was upheld due to strong evidence establishing his role as the main conspirator in an attack that resulted in a death and injuries. His presence at the crime scene, encouragement to other accused to kill, and motive from earlier incidents were significant. Despite the acquittal of co-accused A5, the evidence against A6 remained stronger. The investigation showed attempts to shield A6, who was an influential political leader, but proper witness statements were eventually recorded. A6 was found to have knowledge that the attack was likely to cause death, leading to the dismissal of his special leave petition and the affirmation of his conviction and sentence.

**RELIANCE GENERAL INSURANCE COMPANY LIMITED VS SWATI SHARMA [SLP(C) NO.-024959 - 2019]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The entire liability for the accident rests with the driver of the offending truck. Arguments of contributory negligence by the deceased bike rider were rejected, with eyewitness testimony and the investigation report deemed more reliable. The insurer is required to pay the enhanced award amounts to the claimants, the wife and mother of the deceased, within one month, along with interest.

**LAKHANI HOUSING CORPORATION PVT. LTD. VS THE STATE OF MAHARASHTRA [C.A. NO.-005216-005216 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

MHADA has the jurisdiction to issue an e-tender for the redevelopment of the Guru Tegh Bahadur Nagar land under Regulation 33(9) of the DCPR, which permits joint development with owner consent. The appellants, Lakhani Housing Corporation, lack enforceable rights from unregistered development agreements and failed to prove any claims of investing ₹17 crores or meeting obligations to residents. With majority support from societies and residents for MHADA's redevelopment initiative, the appellants do not have the standing to challenge the e-tender.

**SUBHASH AGGARWAL VS THE STATE OF NCT OF DELHI [CRL.A. NO.-002038-002038 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court upheld the conviction of the accused under Section 302 IPC (murder) and Sections 25/27 of the Arms Act, 1959. The court found that the evidence and circumstances strongly pointed to the guilt of the accused, despite the lack of a clear motive. The key points are: - The gunshot residue found on the right hand of the accused, who was right-handed, and the false explanations provided by him were key incriminating factors. - The medical and ballistic evidence indicated that the gunshot injury was not self-inflicted, despite the accused's claim that it was a suicide. - The court rejected the argument that the absence of motive could lead to the accused's acquittal, holding that motive is not essential if the chain of circumstantial evidence is complete.

- The court found the accused's conduct and statements at the crime scene to be inconsistent with a case of suicide. The judges were unanimous in their decision to uphold the conviction.

**AADITYA KHAITAN@ADITYA KHAITAN VS THE STATE OF JHARKHAND [CRL.A. NO.-002252-002252 - 2025]**



**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's decision not to quash the FIR against the appellants, officers of a company, was found to be erroneous. The company's action of subletting work to the complainant without NBCCL's consent was viewed as a breach of contract, which would lead to an action against the company but not imply any criminal liability for the appellants. The allegations in the complaint did not establish a prima facie offense against the appellants, leading to the quashing of the FIR.

**KAMAL DEV PRASAD VS MAHESH FORGE [C.A. NO.-005667-005667 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The employee, who sustained injuries to multiple fingers of his right hand while operating a forging machine, received a 50% disability assessment under the Employees' Compensation Act, 1923. The previous assessment of 34% was rejected, as the statutory schedule allows for aggregation of multiple digit losses. The serious mutilation of the employee's right hand impaired its effective use, justifying the increased disability rating. Compensation awarded included 12% interest from the accident date and a 50% penalty for the employer's delayed payment.

**AMARVEER KAUR VS RELIANCE GENERAL INSURANCE COMPANY LTD. [C.A. NO.-005662-005663 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The insurance company is liable for the compensation awarded by the Motor Accidents Claims Tribunal, despite claims that the driver's license was fake; it was determined that the license needed to be demonstrably fake to avoid liability. The deceased's monthly income was set at ₹7,500 with a 40% enhancement for future prospects, and 25% was deducted for personal expenses. Additional amounts for loss of consortium were awarded to the deceased's children and parents, resulting in a total compensation of ₹18,36,500.

**MALAKAPPA VS THE IFFCO TOKIO GENERAL INSURANCE COMPANY LIMITED [C.A. NO.-005666-005666 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The motor accident was attributed to the rash and negligent driving of the bike driver. The deceased's husband was considered at least partially dependent on her income despite no specified employment. The deduction for personal expenses was amended from 1/3rd to 1/4th. A 40% addition for future prospects was granted, reduced from the Tribunal's 50%. Loss of consortium was awarded to both the spouse and children. The modified compensation did not exceed the original amount determined by the Tribunal.

**SMT. M. SABITHA VS BRAHMA SWAMULU [C.A. NO.-005706-005706 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Contributory negligence between the deceased car driver and the lorry driver was apportioned equally at 50% each, with the car driver at fault for insufficient care while overtaking and the lorry driver for speeding. Compensation was calculated based on the deceased's income, future prospects, personal expenses, and consortium claims, with claimants receiving half the total amount due to the deceased's contributory negligence.

**RINA RANI MALICK VS SUSIM KANTI MOHANTY [SLP(C) NO.-017267 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Compensation of Rs. 27,03,328/- was deemed adequate for a minor child suffering 55% disability from a motor vehicle accident. Rs. 4 lakhs was considered sufficient for non-pecuniary damages. The total compensation, already higher than amounts in previous cases, did not warrant enhancement. The request for increased compensation was denied.

**KESHAV VS THE STATE OF MAHARASHTRA [CRL.A. NO.-002321-002321 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appeal was allowed, and the accused were acquitted of rape charges due to the lack of credible testimonies from the victims. Inconsistencies in their accounts, gaps regarding their departure from the matrimonial home, contradictions about their stay in Parbhani, and medical evidence undermining claims of forceful sexual intercourse were noted. The prosecution's case was not established beyond reasonable doubt, leading to the setting aside of previous convictions.

**MEERA BAI VS ICICI LOMBARD GENERAL INSURANCE COMPANY LTD. [C.A. NO.-005705-005705 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The filing of an FIR and charge sheet against the owner-driver of an offending vehicle is sufficient to establish negligence, even without eyewitness testimony. The previous High Court order was set aside, and compensation to the claimants was restored based on the Tribunal's decision.

**P. SAKTHI VS THE GOVERNMENT OF TAMIL NADU [C.A. NO.-005835-005835 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant, a police constable, is eligible for promotion to Sub Inspector of Police despite a previous penalty of postponement of increment imposed in 2005, which was overturned by the government in 2009. The appellant cannot be disqualified for promotion based on an invalidated punishment, and thus should be considered for promotion from 2019 with corresponding benefits due to the unjust denial of consideration.

**KANUBHAI GOKALBHAI BARIYA VS JAYDIPSINH GOPALSINH PAREKHIYA [C.A. NO.-006425-006425 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

An appeal by an accident victim led to an enhancement of total compensation to ₹28,79,112.72. The bus driver was assessed as 80% negligent and the bike driver as 20%, with compensation liability apportioned accordingly between insurers. The decision on future income prospects was based on proven income rather than a 40% increase previously granted. Disability was recalibrated to 80% from a prior assessment of 55%. Compensation for pain and suffering, along with attendant charges and special diet costs during hospitalization, was also increased. Insurers were instructed to pay the revised compensation with 9% interest within two months.

**SUNIL KUMAR KHUSHWAHA VS KATRAGADDA SATYANARAYANA [C.A. NO.-006426-006426 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant, a fruit seller, sustained grievous injuries resulting in the amputation of his right leg. An assessment concluded a 60% functional disability, as the appellant was not entirely dependent on his leg for income, demonstrating active business operations and tax returns. Compensation awarded totaled Rs. 32,34,353, covering loss of income at 60% of previous earnings, medical expenses, conveyance charges, pain and suffering, and special diet/attendant costs during recovery. The insurance company must pay this amount within two months, with interest accruing from the claim petition date.

**MAHNOOR FATIMA IMRAN VS M/S VISWESWARA INFRASTRUCTURE PVT. LTD [C.A. NO.-006600-006600 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Appellants did not establish valid title or possession over the 53-acre land. The 1982 sale agreement and subsequent transactions raised doubts about title validity. The 99.07 acres, including the 53 acres, vested in the State under the Land Reforms Act, making State claims difficult to challenge. Definitive findings on possession of the 99.07 acres were not made, indicating that the parties may pursue their claims in appropriate proceedings. The judgment of the learned Single Judge was restored.

**DISHA KAPOOR VS STATE OF UTTAR PRADESH [SLP(CRL) NO.-004485 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's decision to quash criminal proceedings against a husband and his family for offenses under Sections 498A, 325, 506 of the IPC and Sections 3/4 of the Dowry Prohibition Act was upheld. The proceedings were deemed an abuse of the court process due to inconsistencies in the wife's allegations of physical violence and dowry demands. The petitioner's contradictory actions, such as seeking restitution of conjugal rights, contributed to the conclusion that the allegations lacked clear evidence.

**M. SEETHARAMA @ SEETHARAMA GOWDA VS THE MANAGER FUTURE GENERAL INDIA INSURANCE CO. LTD. [C.A. NO.-006557-006557 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The compensation awarded to M. Seetharama for injuries from a road accident was increased. Pain and suffering compensation was raised to Rs. 1,50,000, full medical expenses were granted based on submitted bills, and future income loss was calculated at Rs. 10,000 per month with a 40% increase for future prospects. The total compensation amounted to Rs. 17,06,486, to be paid by the insurance company within two months, with an interest rate of 9% per annum.

**RENUKA PRASAD VS THE STATE REPRESENTED BY ASSISTANT SUPERINTENDENT OF POLICE [CRL.A. NO.-003189-003190 - 2023]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's conviction of the appellants under Sections 302 and 120-B IPC was overturned due to insufficient proof of motive, conspiracy, and preparation for the crime. The prosecution failed to establish

a credible connection between the recoveries and the alleged crime using admissible evidence. Reliance on police statements under Section 161 of the Cr.P.C. and voluntary statements of the accused, deemed inadmissible as substantive evidence, contributed to the decision. The appellants were acquitted, and the Trial Court's order of acquittal was restored as the prosecution did not meet the burden of proof beyond a reasonable doubt.

**P. SHANTHI PUGAZHENTI VS STATE REP. BY. INSPECTOR OF POLICE SPE/CBI/ACB/ CHENNAI [C.R.L.A. NO.-002581-002581 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant's conviction under Section 109 IPC and Sections 13(2) and 13(1)(e) of the Prevention of Corruption Act, 1988, was upheld for abetting her husband in acquiring disproportionate assets. She was found to be actively involved in concealing her husband's wealth by registering assets in her name, which constituted abetment. The appeal was dismissed, and she was directed to surrender within four weeks.

**SHAIKH SADIK SHAIKH RAFIQUE VS RELIANCE GENERAL INSURANCE COMPANY LTD [C.A. NO.-006640-006640 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant, a 25-year-old man who became completely disabled due to an accident in his employer's truck, received a calculated monthly income of Rs. 9,000 and a multiplier of 18, resulting in a loss of future income totaling Rs. 27,21,600. Compensation included Rs. 2,70,000 for medical expenses and Rs. 6,00,000 for pain and suffering, leading to a total of Rs. 35,91,600. The remaining amount, after deducting any previously paid sums, will be disbursed with 8% interest per annum within two months.

**HANSA DEVI VS S.B.I. GENERAL INSURANCE COMPANY LIMITED [C.A. NO.-006885-006885 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Motor Accidents Claims Tribunal's award of Rs. 23,07,000/- to the legal representatives of a deceased driver in a motor accident was upheld. The deceased's monthly income was maintained at Rs. 10,000/- rather than being reduced to the minimum wage rate. Compensation for loss of consortium was granted to the deceased's wife, children, and parents. The Insurance Company was directed to deposit the awarded amounts within the stipulated time.

**THE TATA AIG GENERAL INSURANCE CO. LTD. VS SURAJ KUMAR [C.A. NO.-006880-006880 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The insurance company's liability is limited to monetary compensation and does not extend to non-monetary provisions like prosthetic limbs and a motorized wheelchair. The required compensation for these items was computed, directing the insurance company to pay an additional Rs. 12 lakhs with 6% interest, overturning the previous order.

**V.S.R. MOHAN RAO VS K.S.R. MURTHY [C.A. NO.-006879-006879 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Special Court's decision under the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 was upheld. The provisions of the Act allow for action against land grabbing without the need to prove criminal intent. The applicant established prima facie title over the land, which shifted the burden of proof to the appellant, who failed to rebut the presumption. The appellant's occupation of property in survey number 9, despite documentation referencing a different survey number, constituted land grabbing. The appeal was dismissed.

**SARASWATI DEVI VS SANTOSH SINGH [C.A. NO.-006902-006903 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court misinterpreted the facts and orders in the case, leading to flawed decisions from the executing and revisional courts, which were subsequently set aside. The execution petition was restored to the Civil Judge, Senior Division, for fresh consideration, excluding the issues regarding the sustainability of the decree and the judgment debtor's application for cancellation, which will be addressed by the executing court. A decree granting a perpetual injunction can be enforced at any time, providing the decree-holders with perpetual rights against the judgment debtors and their successors. This matter was not referred to a larger bench.

**SURESH JATAV VS SUKHENDRA SINGH [C.A. NO.-009459-009459 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The appellant, a skilled mason, received an enhanced monthly income of Rs. 6,000 and a total compensation of Rs. 7,19,480 due to a 35% disability assessment. This amount includes Rs. 5,64,480 for permanent disability, Rs. 25,000 for future treatment, Rs. 36,000 for loss of income, Rs. 20,000 for medical expenses, Rs. 50,000 for pain and suffering, and Rs. 12,000 for attendant charges. The insurance company was instructed to deposit the enhanced amount within two months.

**MEENA (DEAD) THR. LRS. VS PRAYAGRAJ [C.A. NO.-009458-009458 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Legal representatives of a deceased claimant can pursue a compensation claim, as the estate is included under "property" in the Act. Total compensation was increased to ₹12,53,770, covering medical bills, special diet, transport charges, pain and suffering, loss of amenities, future treatment, attendant charges, and loss of income. The remaining amount, after deductions of previously paid sums, is to be disbursed to the legal heirs within two months.

**THE ORIENTAL INSURANCE CO. LTD. VS NIRU @ NIHARIKA [SLP(C) NO.-011340 - 2020]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Tribunal's finding of negligence by the truck driver in the motor vehicle accident resulting in the deceased's death was upheld. The compensation awarded was affirmed with a minor adjustment to the exchange rate for the deceased's monthly income. Arguments from the insurance company to reduce the compensation due to the wife's remarriage and alleged delays were rejected. A 9% interest on the compensation was applied due to the prolonged case duration, and the claim for interest on the future prospects component was also upheld. The matter involved two separate special leave petitions.

**VIKRAM BHALCHANDRA GHONGADE VS THE HEADMISTRESS GIRLS HIGH SCHOOL AND JUNIOR COLLEGE, ANJI (MOTHI), TAH. AND DISTT. WARDHA [SLP(C) NO.-019436 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Teachers in aided schools are covered under the Maharashtra Civil Services (Pension) Rules, 1982, rather than the Payment of Gratuity Act, 1972. The nominee of provident fund dues is not required to present a legal heirship certificate as payments to a nominee are considered held in trust for all legal heirs. The claim for death-cum-retirement gratuity (DCRG) must be processed under the Rules of 1982, with simple interest of 7% per year payable from one month after the employee's death.

**MANJUSHA VS UNITED INDIA ASSURANCE COMPANY LTD [C.A. NO.-009848-009848 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The family of the deceased driver is entitled to full compensation of Rs. 25,82,000 under the personal accident cover of the insurance policy, as the issue of limited liability was not raised by the insurance company and the policy document was not produced. The claim pertains to contractual liability rather than statutory liability, leading to the overturning of a prior decision that reduced the liability to Rs. 2,00,000.

**JAGWANT KAUR VS UNION OF INDIA [C.A. NO.-001040-001040 - 2025]** 

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The allotment of the LPG distributorship to the 4th respondent was upheld, with no evidence presented to show that the land offered was the same as that of another applicant. The leased land was identified as separate parcels owned by the same lessor. The 4th respondent faced no disability in the application process, and the acceptance of alternate land due to the lessor's shifting stance complied with guidelines. The appellant's appeal was dismissed.

**GANESHKUMAR RAJESHWARRAO SELUKAR VS MAHENDRA BHASKAR LIMAYE [C.A. NO.-009982-009982 - 2024]**

**Bench: Justice Abhay S. Oka, Justice M. M. Sundresh**

The striking down of Rules 6(1) and 10(2) of the 2020 Rules is affirmed due to violations of separation of powers and the requirement for a minimum 5-year tenure. The Union of India is instructed to create new rules within 4 months that include a 5-year tenure and a Selection Committee with judicial representation. Appointments made by the State of Maharashtra on October 5, 2023, are permitted to continue as candidates acted in good faith. Reappointments for Presidents and Judicial Members of State and District Commissions will not require written exams or interviews, although non-judicial members must take these assessments. Previous directions regarding written exams and viva voce do not apply to specific posts requiring a judicial background. Appointments made before the Limaye-I judgment remain unaffected. Comprehensive directions are established to ensure uniformity and transparency in Consumer Fora operations nationwide.

**THE UNION OF INDIA VS KANHAIYA PRASAD [CRL.A. NO.-000728-000728 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Supreme Court held that the High Court's order granting bail to the respondent, Kanhaiya Prasad, under the Prevention of Money Laundering Act (PMLA) was unsustainable as it did not comply with the mandatory requirements under Section 45 of the PMLA. The High Court failed to record its satisfaction that there were reasonable grounds to believe the respondent was not guilty and unlikely to commit any offense while on bail. The Supreme Court set aside the High Court's order and remanded the matter back to the High Court for fresh consideration by a different bench, clarifying that it had not expressed any opinion on the merits of the case.

**SERIOUS FRAUD INVESTIGATION OFFICE VS ADITYA SARDA [CRL.A. NO.-001872-001872 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

Anticipatory bail was granted to respondents accused of serious economic offenses involving large-scale fraud and misuse of public funds, which was deemed incorrect. The Special Court had issued warrants for non-appearance and initiated proclamation proceedings against them. Economic offenses of this nature require serious consideration, and anticipatory bail should only be granted in exceptional circumstances. The High Court's orders on anticipatory bail were set aside due to non-compliance with mandatory conditions under the Companies Act. Respondents must surrender before the Special Court within one week, and any bail applications will be decided by the Special Court according to the law.

**SHUBHA @ SHUBHASHANKAR VS STATE OF KARNATAKA [CRL.A. NO.-001029-001029 - 2011]**

**Bench: Justice M. M. Sundresh, Justice Aravind Kumar**

The conviction of the appellants under Section 302 with Section 120-B and Section 201 for A-4 was upheld. Circumstantial evidence established motive, conspiracy through call detail records, and recovery of weapons linked the accused to the crime. Although eyewitness testimonies were discredited due to contradictions, the behavior of the accused, particularly A-4's relationship with A-1, and their lack of explanation for communications supported their guilt. Life sentences were confirmed, with an opportunity for the appellants to seek pardon under Article 161 of the Constitution due to the circumstances and time elapsed since the offence.

**OM PRAKASH @ ISRAEL @ RAJU @ RAJU DAS VS UNION OF INDIA [CRL.A. NO.-004229-004229 - 2024]**

**Bench: Justice M. M. Sundresh, Justice Aravind Kumar**

The appellant was recognized as a juvenile at the time of the offense, with procedural errors identified in handling the case. The respondent admitted to the appellant's age, necessitating treatment as a

juvenile. The sentence exceeding the legal limit was set aside, while the conviction was maintained. The state legal services authority was directed to aid the appellant in rehabilitation and reintegration into society upon release.

**THE GOVERNMENT OF TAMIL NADU VS P.R. JAGANATHAN [C.A. NO.-013839-013852 - 2025]**

**Bench: Justice M. M. Sundresh, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that landowners who voluntarily entered into compensation agreements under Section 7(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 are estopped from claiming additional interest under Section 12, as the concluded contract operates as a complete discharge of all claims. The decisive ground was that once parties negotiate and finalize compensation by consent under Section 7(2) and (4), the agreement attains finality and severs all connections with statutory provisions including Section 12, since the legislative intent is to promote negotiated settlements and avoid protracted litigation. The Court rejected the High Court's reasoning that Section 12 applies independently despite a concluded contract, emphasizing that this would violate the doctrine of approbate and reprobate and enable parties to resile from voluntary agreements. Reliance was placed on *Union of India v. N. Murugesan* (2022) 2 SCC 25 holding that parties cannot accept benefits under an instrument while questioning its validity, and *Ranveer Singh v. State of Uttar Pradesh* (2016) 14 SCC 191 establishing that agreed compensation is inclusive of all statutory entitlements including interest. Consequently, the appeals were allowed and the impugned judgment directing payment of Rs 1800 crores as interest from the date of Section 3(2) notice was set aside.

**MD. FIROZ AHMAD KHALID VS THE STATE OF MANIPUR [C.A. NO.-003797-003797 - 2025]**

**Bench: Justice M. M. Sundresh, Justice Rajesh Bindal**

A Muslim Member of the Bar Council serving on the Waqf Board loses board membership upon the expiration of their Bar Council tenure. The interpretation of Section 14 of the Wakf Act, 1995 indicates that eligibility for the Board is linked to positions in Parliament, State Legislative Assembly, or Bar Council, with Explanation II to Section 14(1)(b) stating that vacating membership occurs when a person no longer holds the relevant position. This interpretation is reinforced by Section 14(2) provisos, which mention the electoral college comprising ex-Bar Council members only when there are no current Muslim members. The argument that the mention of Parliament and State Legislative Assembly members excludes Bar Council members was rejected.

**CENTRAL BUREAU OF INVESTIGATION VS SURENDRA PATWA [CRL.A. NO.-002199-002199 - 2025]**

**Bench: Justice M. M. Sundresh, Justice Rajesh Bindal**

A distinction exists between administrative actions by banks under the RBI's Master Directions on Frauds and criminal proceedings initiated by the CBI. Principles of natural justice do not apply at the stage of reporting criminal offenses, as this would undermine the purpose of such proceedings. The High Courts incorrectly quashed FIRs and criminal proceedings without challenges or adequate involvement of the CBI. Appeals were categorized based on specific facts and issues, leading to separate outcomes and directions for each category. Multiple connected appeals were decided together without dissent.

**JAIPUR VIDYUT VITRAN NIGAM LTD. VS ADANI POWER RAJASTHAN LTD. [C.A. NO.-004336 - 2025]**

**Bench: Justice M. M. Sundresh, Justice Rajesh Bindal**

The Notification dated 19.12.2017 by Coal India Limited, which imposed Evacuation Facility Charges, is classified as a 'change in law' under Article 10.5.1(i) of the Power Purchase Agreement. Consequently, the adjustment in monthly tariff payments is effective from the date of the Notification, following established restitutionary principles. The power generator is entitled to carrying costs at the rate of Late Payment Surcharge, compounded from the date of the Notification.

**UNITED INDIA INSURANCE CO. LTD. VS BANSAL WOOD PRODUCTS PVT. LTD. [C.A. NO.-000104-000104 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Manmohan**

The appellant-insurance company is directed to pay the respondent-claimant interest at 12% per annum from March 6, 2010, the date when the Arbitral Tribunal condoned the delay in arbitration.

Although the respondent-claimant delayed the arbitration proceedings, the appellant failed to pay the insurance claim, necessitating legal remedies. The appellant must pay the outstanding balance to the respondent-claimant within four weeks.

**THE STATE OF JHARKHAND VS NISHKANT DUBEY [CRL.A. NO.-005475-005475 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Manmohan**

Offences under Sections 336, 447, and 448 IPC were not established against the accused based on the FIR allegations. The Aircraft Act, 1934, along with its rules, provides a complete framework for civil aviation safety and security. Section 12B specifies that complaints can only be made with prior sanction from authorized aviation authorities, and the local police are limited to forwarding investigation materials to these authorities for further action. The order to quash the FIR was maintained, allowing the state to submit investigation materials to the authorized officer within four weeks.

**SAJITHABAI VS THE KERALA WATER AUTHORITY [C.A. NO.-001420-001422 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The Subordinate Service Rules, 1966 and the Special Rules, 1960 govern separate services. Appointment to the Assistant Engineer position falls under the Subordinate Service Rules, while promotions to higher posts like Assistant Executive Engineer are regulated by the Special Rules. Rule 4(b) of the Special Rules applies to all Assistant Engineers, allowing them to choose between degree or diploma quotas for promotion, regardless of their appointment method. An interpretation suggesting otherwise would result in absurd outcomes. Appeals from the Appellants were favored, resulting in the overturning of the High Court's judgments.

**SANGITA SINHA VS BHAWANA BHARDWAJ [C.A. NO.-004972-004972 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The buyer was unwilling to fulfill the Agreement to Sell dated 25th January 2008, as shown by her encashment of refund demand drafts. The Agreement was cancelled by the seller's letter dated 7th February 2008. The buyer's failure to contest the cancellation made the suit for specific performance non-maintainable. Additionally, her failure to disclose material facts, including the cancellation letter and refund, disqualified her from obtaining specific performance. The buyer is required to refund the balance sale consideration.

**SUMITRABEN SINGABHAI GAMIT VS THE STATE OF GUJARAT [C.A. NO.-005095-005095 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The proviso to Section 26(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 specifies that the market value of the land must be assessed as of the date of the notification under Section 11. The date of commencement of the RFCTLARR Act is not the appropriate date for determining market value. The legislative intent is to ensure fair compensation based on prevailing market rates at the time of acquisition, and courts do not have the discretion to choose a different valuation date.

**PUNIT BERIWALA VS THE STATE OF NCT OF DELHI [CRL.A. NO.-001834-001834 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The High Court's quashing of the FIR against Vikramjit Singh and Maheep Singh was incorrect, as the FIR indicated prima facie cognizable offences under Sections 467, 468, 471, 420, and 120B IPC. The accused

misrepresented Bhai Manjit Singh as the Karta of the HUF, knowing Vikramjit Singh held that position, leading to the complainant relinquishing a significant sum of money. Arguments regarding delay in FIR registration and ongoing civil proceedings were dismissed, necessitating a comprehensive investigation due to conflicting statements from the accused and existing cross-FIRs. The FIR against Vikramjit Singh and Maheep Singh was revived, with findings limited to the quashing context and not binding on lower courts for further proceedings.

**THE STATE OF TELANGANA VS DR. PASUPULETI NIRMALA HANUMANTHA RAO CHARITABLE TRUST [C.A. NO.-005321-005321 - 2025]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The land allotment by the state government to the respondent charitable trust was classified as a conditional allotment under a statutory scheme, not a sale. The statutory conditions imposed on the allotment, which restricted land use, were deemed valid and in the public interest, not violating Section 10 of the Transfer of Property Act. The trust's actions in concealing the allotment conditions and developing a colony on the land against these conditions constituted fraud on the statute.

**ARSHNOOR KAUR VS UNION OF INDIA [W.P.(C) NO.-000772 - 2023]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

Once the induction of women in the JAG branch was permitted under the Army Act, imposing restrictions on the number of women candidates through policy is not permissible. Arguments regarding the JAG branch being primarily combatant and excluding women from frontline roles lack legal backing and have been previously rejected. The recruitment policy, purportedly 'gender-neutral', indirectly discriminates against women candidates, even when they are more meritorious than male counterparts. As the selection criteria for both genders are identical, a combined merit list is necessary. The Respondents must induct the higher-scoring female candidate in the next training course and conduct future recruitment in a 'gender-neutral' manner while publishing a common merit list.

**ORION CONMERX PVT. LTD. VS NATIONAL INSURANCE CO. LTD. [C.A. NO.-003806 - 2020]**

**Bench: Justice Dipankar Datta, Justice Manmohan**

The fire incident was classified as accidental and covered by the terms of the insurance policies, which included provisions for furniture, fixtures, and fittings. The Insured was entitled to the claimed amounts, having substantiated claims for stock loss with documented evidence. The Surveyor's assessment of the stock loss was deemed flawed.

**NAYAN BHOWMICK VS APARNA CHAKRABORTY [C.A. NO.-005167-005167 - 2012]**

**Bench: Justice Manmohan, Justice Joymalya Bagchi**

The Supreme Court in Civil Appeal No. 5167/2012 allowed the husband's appeal and dissolved the marriage under Article 142(1) of the Constitution, holding that 24 years of separation without cohabitation or children constituted irretrievable breakdown. The decisive ground was that prolonged matrimonial litigation since 2003 had perpetuated a paper marriage causing mutual cruelty, where both parties' refusal to accommodate each other's views on the wife's employment had destroyed marital sanctity. Rejecting the wife's contention that desertion wasn't proved under Section 13(1)(i-b) of the Hindu Marriage Act, 1955, the Court observed that assigning fault was futile when marriage had ceased to exist. Following *Shilpa Sailesh v. Varun Sreenivasan* (2023) 14 SCC 231, the Court held its Article 142 power isn't fettered by fault theory and can dissolve marriages that are legal fictions, as reiterated in *Rakesh Raman v. Kavita* (2023) 17 SCC 433 where 25-year separation was held cruel. The Court set aside the High Court's judgment that had reversed the trial court's divorce decree, holding that continuing this dead marriage served no purpose when rapprochement was impossible and no third parties were affected.

**SANJABIJ TARI VS KISHORE S.BORCAR [CRL.A. NO.-001755-001755 - 2010]****Bench: Justice Manmohan, Justice N.V. Anjaria**

Presumptions under Sections 118 and 139 of the Negotiable Instruments Act apply once the execution of a cheque is admitted. The Respondent No.1-Accused did not rebut this presumption. The High Court erred by overturning the concurrent findings of the Trial Court and Sessions Court. Comprehensive guidelines were issued to address the backlog of cheque bouncing cases under Section 138 of the NI Act.

**TUHIN KUMAR BISWAS @ BUMBA VS THE STATE OF WEST BENGAL [CRL.A. NO.-005146-005146 - 2025]****Bench: Justice Nongmeikapam Kotiswar Singh, Justice Manmohan**

The Supreme Court in Criminal Appeal No.5146/2025 allowed the appeal and discharged the appellant-accused Tuhin Kumar Biswas from FIR No.50/2020 under Sections 341, 354C and 506 IPC, holding that the allegations failed to disclose even grave suspicion warranting trial. The decisive ground was that the complainant, claimed to be a tenant, lacked any right to enter the property as she was merely a prospective tenant viewing the premises, and her induction would violate the subsisting civil court injunction dated 29.11.2018 restraining creation of third-party rights. Rejecting the State's contention of prima facie case, the Court found Section 354C IPC inapplicable as no "private act" was alleged; Section 506 IPC failed as no specific threat was averred; and Section 341 IPC was unsustainable since the appellant, son of a co-owner, acted in good faith believing he had lawful right to obstruct entry under the injunction order. Emphasizing that courts must act as filters to prevent abuse of process, the Court relied on Ram Prakash Chadha v. State of UP (2024) 10 SCC 651 and P. Vijayan v. State of Kerala (2010) 2 SCC 398 to reiterate that discharge is mandated where materials, even if accepted, cannot sustain conviction, and that criminal proceedings cannot be permitted to continue merely to exert pressure in civil disputes.

**P.U.SIDHIQUE VS ZAKARIYA [C.A. NO.-013901-013902 - 2025]****Bench: Justice Rajesh Bindal, Justice Manmohan**

The Supreme Court held that when a tenant appeals against a Section 12(3) eviction order under the Kerala Buildings (Lease and Rent Control) Act 1965, the Appellate Authority need not compel the landlord to file a fresh Section 12(1) application; the Authority may, in its discretion and without repeating the four-week drill, refuse to hear the appeal till the admitted arrears fixed by the Rent Controller—here ₹1.45 crore for two Kochi shops—are paid, since Section 12(1) conditions travel with the lis and non-deposit snaps the tenant's right to prosecute. The decisive ground is that once the Controller has passed an eviction under Section 12(3) for default and the Appellate Authority has already granted over seven months, summary cessation or conditional hearing is inherent in Section 18 read with Section 12 and does not amount to re-deciding default; requiring a duplicative application would invert the summary scheme and reward contumacious occupation. The Court rejected the tenant's plea that Zeenath Ibrahim (2024 SCC OnLine Ker 6489 FB) and Manik Lal Majumdar (2005) 2 SCC 400 mandate fresh notice, holding those decisions only enable—not oblige—the Authority to entertain a later Section 12(1) plea where supervening rent accrues. Laws must be interpreted as a force for justice, not absurdity; the High Court erred in restoring the appeal without insisting on deposit. The Authority's 19-03-2025 order is restored; the tenant must vacate by 31-12-2025 on filing an undertaking within two weeks, else execution proceeds immediately.

**SAROJ SALKAN VS HUMA SINGH [C.A. NO.-006389-006389 - 2025]****Bench: Justice Sanjay Karol, Justice Manmohan**

The dismissal of the partition suit was upheld due to insufficient details in the pleadings regarding the existence of a Hindu Undivided Family and the properties being classified as such. The appellant-plaintiff and respondent no. 6 were bound by prior consent decrees that resolved ownership of the properties. The amended Section 6 of the Hindu Succession Act, 1956 did not apply since the properties were partitioned before 2004. Additionally, the ownership of the Anand Niketan house could not be challenged, as it had been transferred to Anup Singh through a registered deed in 1970.

**BISHWAJIT DEY VS THE STATE OF ASSAM [CRL.A. NO.-000087-000087 - 2025]** 

**Bench: Justice Sanjay Karol, Justice Manmohan**

There is no specific restriction under the NDPS Act for the interim release of a seized vehicle during trial. The general powers under Sections 451 and 457 of the Criminal Procedure Code can be invoked to release the vehicle, contingent on the owner providing a bond. The chargesheet does not implicate the vehicle's owner or agent; only a third-party occupant is accused. Keeping the vehicle in police custody may cause deterioration, while its release would benefit the owner, financier, and society.

**M/S POLY MEDICURE LTD. VS M/S BRILLIO TECHNOLOGIES PVT. LTD [C.A. NO.-006349-006349 - 2024]****Bench: Justice J. B. Pardiwala, Justice Manoj Misra**

The Supreme Court dismissed the appeal, affirming that an incorporated company purchasing software to automate export/import documentation processes is not a “consumer” under Section 2(1)(d) of the Consumer Protection Act, 1986, since the acquisition had direct nexus with profit generation. The decisive ground was that “commercial purpose” necessarily covers transactions where the dominant intention is to facilitate profit for the corporate entity, distinguishing unemployed individuals availing goods for self-employment under the Explanation. Rejecting the appellant’s reliance on Sunil Kohli v. Purearth Infrastructure Ltd., (2020) 12 SCC 235 and Paramount Digital Colour Lab v. Agfa India Pvt. Ltd., (2018) 14 SCC 81, the Court held that those cases dealt with individual purchasers seeking livelihood, whereas a company already engaged in commercial activities cannot invoke the self-employment carve-out. The Bench followed National Insurance Co. Ltd. v. Harsolia Motors, (2023) 8 SCC 362, for the principle that goods or services linked to profit generation are for commercial purpose irrespective of end-user status, and relied on Lilavati Kirtilal Mehta Medical Trust v. Unique Shanti Developers, (2020) 2 SCC 265, to emphasise substance over form. State Commission and NCDRC correctly held complaint not maintainable.

**KARAM SINGH VS AMARJIT SINGH [C.A. NO.-012703-012704 - 2025]****Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

The appellant’s suit is not barred by limitation, as it was filed within three years of the 2017 mutation proceedings, with a 12-year limitation period applicable for possession claims based on title. The suit is also not barred under Order 2 Rule 2, since a previous related suit was rejected on technical grounds rather than merits. The order rejecting the plaint is set aside, and the trial court is instructed to proceed with the suit and decide the issues on merits, with the observations only addressing the rejection of the plaint.

**ANNAMALAI VS VASANTHI [C.A. NO.-013076-013077 - 2025]****Bench: Justice J.B. Pardiwala, Justice Manoj Misra**

The High Court’s interference with the first appellate court’s findings regarding the plaintiff-appellant’s payment of an additional Rs. 1.95 lakhs to the defendants was deemed unjustified, indicating the plaintiff’s readiness to perform the contract. A declaratory relief was unnecessary since the defendants waived their right to terminate the contract by accepting the payment. Grounds for declining the discretionary relief of specific performance were found to be unsustainable, as the plaintiff had substantially performed the contract by paying over 90% of the consideration. The appeal was allowed, the High Court’s judgment was set aside, and the decree of specific performance from the first appellate court was restored.

**SHREE NAGANI SILK MILLS PVT. LTD VS L.D INDUSTRIES LTD [CRLA. NO.-003821-003821 - 2025]****Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

Proceedings under Section 138 of the Negotiable Instruments Act against a declared ‘SICK’ company with a BIFR restraint order are not barred. The revisional court incorrectly recalled processes against the accused without inherent power to review summons issuance. The High Court incorrectly upheld this latter order discharging the accused. The appropriate stage to assess the bar of proceedings due to the BIFR order is after evidence is presented, not at the initial stage. This summary pertains to a matter involving seven connected appeals.

**KAILAS VS THE STATE OF MAHARASHTRA [CRLA. NO.-004041-004041 - 2025]****Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The video recording is admissible as electronic evidence under Section 65B of the Evidence Act without needing witness explanation. Non-production of seized contraband is not detrimental if there is credible

evidence regarding its seizure, sampling, and FSL report, and necessary documents under Section 52-A of the NDPS Act are included. Examination of the Chemical Examiner is not mandatory in every NDPS case if the report is admissible under Section 293 of the CrPC. The order for re-trial was set aside, and appeals were restored for fresh consideration in accordance with the law.

**M/S SRI OM SALES VS ABHAY KUMAR @ ABHAY PATEL [CRL.A. NO.-005588-005588 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The Supreme Court in Criminal Appeal No. 5588 of 2025 (arising from SLP(Cr.) 8703/2019) set aside the Patna High Court's 20-06-2019 order that had quashed complaint proceedings under Section 138 of the Negotiable Instruments Act, 1881, holding that the High Court transgressed the permissible limits of Section 482 CrPC by conducting a pre-trial enquiry into whether the dishonoured cheque was issued for discharge of a legally enforceable debt. Emphasising the mandatory presumption under Section 139 NI Act that a cheque is issued for discharge of debt or liability unless the contrary is proved at trial, the Court reiterated that such presumption cannot be rebutted on disputed facts at the threshold and quashing is warranted only where the complaint discloses no prima facie offence or continuance would amount to abuse of process. Reliance was placed on *Maruti Udyog Ltd. v. Narender* (1999) 1 SCC 113, *Rangappa v. Sri Mohan* (2010) 11 SCC 441, *Rajeshbhai Muljibhai Patel v. State of Gujarat* (2020) 3 SCC 794 and *Rathish Babu Unnikrishnan v. State (NCT of Delhi)* (2022) 20 SCC 661 to hold that detailed factual adjudication is the trial court's province. Consequently, the appeal was allowed, the impugned judgment was set aside, and the complaint was restored to the Magistrate for disposal in accordance with law without being influenced by the High Court's findings.

**OIL AND NATURAL GAS CORPORATION LTD VS M/S G AND T BECKFIELD DRILLING SERVICES PVT. LTD. [C.A. NO.-011324-011324 - 2025]**

**Bench: Justice P.S. Narasimha, Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The arbitral tribunal had the authority to award pendente lite interest on the sums awarded, as the agreement between the parties did not explicitly prohibit such interest. An analysis of the relevant clauses, particularly Clause 18.1, showed no implication against granting pendente lite interest. Thus, the award of 12% pendente lite interest by the arbitral tribunal was upheld.

**WAHID VS STATE GOVT. OF NCT OF DELHI [CRL.A. NO.-000201-000201 - 2020]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court of India acquitted the appellants, Wahid and Anshu, of the charges under Sections 392/397/411 of the Indian Penal Code and Section 25 of the Arms Act, finding the prosecution case doubtful. The Court held that the manner of arrest of the accused and the recovery of weapons from them was highly improbable, and the dock identification by a few eyewitnesses was not reliable, as other witnesses had not supported the prosecution's case. In the absence of corroborative evidence, such as recovery of the looted items, the Court extended the benefit of doubt to the appellants and set aside their convictions.

**VINOD @ NASMULLA VS THE STATE OF CHHATTISGARH [CRL.A. NO.-001931-001931 - 2019]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court of India allowed the criminal appeal and set aside the convictions of the appellant under Sections 395, 397 of the Indian Penal Code and Section 25 of the Arms Act. The Court held that the prosecution failed to prove the guilt of the appellant beyond reasonable doubt, as the dock identification by the sole eyewitness PW-9 was unreliable and the manner of the appellant's arrest was doubtful. The Court also noted that the prosecution had withheld the best evidence, such as the bus driver, conductor,

and cleaner who had participated in the test identification parade but were not examined as witnesses. The TIP evidence was rendered meaningless as the identifying witnesses were not produced for cross-examination. The judgment was delivered by a single judge.

**DHIRUBHAI BHAILALBHAI CHAUHAN . VS THE STATE OF GUJARAT [C.R.L.A. NO.-000816-000816 - 2016]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The mere presence of the appellants at the crime scene does not suffice for a conviction of unlawful assembly in the absence of evidence showing their active participation. In cases involving large group clashes, specific evidence of individual roles is necessary rather than relying on general witness statements. Convictions based solely on arrest without evidence of involvement or possession of weapons are insufficient. The appeals have been allowed, and the trial court's order of acquittal has been restored.

**DURGA PRASAD VS GOVT. OF NCT OF DELHI [C.A. NO.-005456-005456 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

Charges against the appellant, the Station House Officer during the 1984 anti-Sikh riots, were not proven. The disciplinary authority failed to provide a reasoned basis for disagreeing with the inquiry officer's exoneration, overlooking key evidence such as limited police resources, the appellant's attempts to manage the situation, and commendations from a senior officer. Due to the significant delay of over 40 years since the incident and the appellant's retirement, the punishment order was quashed, and all consequential benefits, including pension revision, were ordered.

**OFFICE FOR ALTERNATIVE ARCHITECTURE VS IRCON INFRASTRUCTURE AND SERVICES LTD. [C.A. NO.-006620-006620 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

While appointing an arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996, examination is limited to the existence of an arbitration agreement, without making determinations on the arbitrability of claims. A previous High Court order excluding certain claims as non-arbitrable was set aside, and parties were directed to raise issues of non-arbitrability before the arbitral tribunal for resolution without considering the High Court's observations.

**BGM AND M-RPL-JMCT(JV) VS EASTERN COALFIELDS LIMITED [C.A. NO.-009795-009795 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court dismissed the appellant's application for the appointment of an arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996, finding that Clause 13 of the contract did not satisfy the essential requirements of an arbitration agreement. The wording "may" in Clause 13 indicated that there was no binding agreement to arbitrate, only an option for the parties to choose arbitration. The examination under Section 11 was limited to a prima facie assessment of the existence of an arbitration agreement, without conducting a detailed inquiry. Since Clause 13 was not a valid arbitration agreement, the relevance of Clause 32 was negated. The appeal was dismissed, affirming the High Court's rejection of the application.

**SURESH CHANDRA(DECEASED) THR. LRS. VS PARASRAM [C.A. NO.-009791-009793 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The second appeal filed by the legal representatives of Suresh Chandra and Ram Babu abated entirely due to the failure to substitute the legal representatives of deceased co-appellant Ram Babu. The defendants had a joint interest in the suit property derived from a common ancestor, making the decree against them joint and indivisible. Consequently, the abatement of the appeal against one defendant necessitated the abatement of the entire appeal to prevent inconsistent decrees. The provisions

allowing one appellant to continue were not applicable as the appeal was filed jointly.

**MANORMA SINHA VS THE DIVISIONAL MANAGER ORIENTAL INSURANCE COMPANY LIMITED [C.A. NO.-012702-012702 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court incorrectly excluded the deceased's allowances from the monthly income calculation and applied a flat 30% tax deduction instead of the correct applicable tax rate. A 50% addition for future prospects was deemed appropriate due to the deceased's age. The total compensation payable to the appellants was increased to Rs. 74,43,631, with interest at 6% per annum from the date of the claim petition until actual payment.

**KOPARGAON SAHAKARI SAKHAR KARKHANA LTD(NOW KNOWN AS KARMAVEER SHANKARRAO KALE SHAHKARI SHAKHAR KARKHANA LTD) VS NATIONAL INSURANCE CO. LTD. [C.A. NO.-013604-013605 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court set aside NCDRC's dismissal and restored the appellant's boiler-damage claim, ruling that exclusion clause 5 of the BPP policy (defects due to corrosion, wear or tube-slippage unless caused by "explosion or collapse") could not defeat the main indemnity purpose when an explosion during currency of a valid Boiler Inspector's certificate admittedly detached the tubes; once the insurer, after inspecting the certificate and accepting premium, issues cover, it bears the heavy burden under Section 19 of the Contract Act to plead and prove fraudulent non-disclosure or misrepresentation before repudiation, and a survey report belatedly adduced without traverse of the insured's specific plea of explosion is insufficient to discharge this burden. Relying on *Canara Bank v. United India* (2020) 3 SCC 455 (insurer cannot profit from its own pre-policy negligence) and *B.V. Nagaraju v. Oriental Insurance* (1996) 4 SCC 647 (exclusion clauses read down to preserve indemnity), the Court held that latent defects revealed only by the blast do not amount to pre-existing breach of utmost good faith, age of tubes not being a statutorily mandated disclosure, and therefore the claim fell outside clause 5. Appeals allowed; NCDRC to quantify compensation afresh, all other issues closed.

**SURENDRA G. SHANKAR VS ESQUE FINAMARK PVT. LTD. [C.A. NO.-000928-000928 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The appeals by Surendra G. Shankar and Dilip Kumar against the dismissal of their second appeals have been allowed. The order of the Maharashtra Real Estate Appellate Tribunal, which denied condoning the delay in filing their appeals against the RERA Mumbai's orders from July 23, 2019, and October 16, 2019, has been set aside. The delay has been condoned, and the appeals are to be restored for decision on their merits without bias from previous observations. No opinion has been expressed regarding the merits of the RERA orders.

**ROFIQUL HOQUE VS UNION OF INDIA [CRL.A. NO.-002686-002686 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The appellant did not meet the burden of proof under Section 9 of the Foreigners Act, 1946, to demonstrate that he is not a foreigner. His inclusion in the draft NRC does not invalidate the tribunal's declaration of his foreigner status, as established precedent indicates that such a declaration takes precedence over residency claims in Assam. Consequently, the interim release order was discharged, and the appellant is to be treated as a foreigner.

**AKULA NARAYANA VS THE ORIENTAL INSURANCE COMPANY LIMITED [C.A. NO.-013509-013509 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court restored the Motor Accidents Tribunal's award by directing the insurer to satisfy the compensation and recover it from the vehicle owner, holding that acceptance of additional premium for

driver, conductor and cleaner, coupled with the claimant's inability to recover from the absconding owner, compelled invocation of the pay-and-recover principle enunciated in National Insurance Co. Ltd. v. Swaran Singh (2004) 3 SCC 297 and reiterated in Rama Bai v. Amit Minerals 2025 SCC On-Line SC 2067, notwithstanding breach of policy conditions arising from carrying nine passengers in a five-seater vehicle. Rejecting the insurer's plea that gratuitous passengers are not third parties under a statutory policy, the Court applied the consistent line of authority following Shamanna v. Divisional Manager, Oriental Insurance Co. Ltd. (2018) 9 SCC 650 that once the contract of insurance is not disputed, the insurer must pay the awarded amount and seek indemnity from the insured, thereby protecting innocent claimants from the vagaries of owners' solvency while preserving the insurer's ultimate right to recourse.

**SYED SHAHNAWAZ ALI VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-005589-005590 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court held that criminal revision proceedings do not abate upon the death of the revisionist-informant and the victim's legal heir may assist the court, setting aside the Madhya Pradesh High Court orders dated 21.02.2024 and 31.08.2024 that had dismissed Criminal Revision No. 1986 of 2020 as abated. The decisive ground is that revisional jurisdiction under Sections 397 and 401 CrPC is discretionary and suo motu in nature, distinct from appellate proceedings governed by Section 394; once a Rule is issued, the court must determine the legality of the subordinate court's order regardless of the petitioner's survival, as established in Praban Kumar Mitra v. State of West Bengal (1959 SCC OnLine SC 79) and Honnaiah T.H. v. State of Karnataka (2022 SCC OnLine SC 1001). Rejecting the respondents' contention that absence of a substitution provision mandates abatement, the Court emphasized that the definitional contour of "victim" in Section 2(wa) CrPC guides entitlement to assist, and the appellant, being the deceased's son and successor to the disputed property, possesses sufficient interest. Consequently, the appeals are allowed, the revision is restored, and the appellant is permitted to assist the High Court as a victim, which shall decide the matter expeditiously on merits without being influenced by these observations.

**TARACHANDRA VS BHAWARLAL [C.A. NO.-015077-015077 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court allowed the appeal and restored the mutation order in favour of the appellant based on a registered will, setting aside the High Court's judgment that had directed mutation in favour of legal heirs under the Hindu Succession Act, 1956. The decisive ground was that Sections 109 and 110 of the M.P. Land Revenue Code, 1959 do not prohibit mutation based on a will, and the 2018 Mutation Rules expressly recognize will as a valid mode of acquisition. The Court rejected the respondent's contention that mutation cannot proceed without a civil court's adjudication of the will's validity, emphasizing that revenue authorities perform only administrative functions in mutation proceedings and cannot decide disputed questions of title. Following the full bench decision in Anand Choudhary v. State of M.P. (2025 SCC OnLine MP 977), the Court held that Tehsildars cannot reject mutation applications at the threshold merely because they are based on wills, though they must keep the mutation subject to civil court proceedings when serious disputes regarding validity are raised by legal heirs. The Court distinguished Jitendra Singh v. State of M.P. (2021 SCC OnLine SC 802) as not prohibiting mutation based on wills where no dispute is raised by legal heirs. Since no legal heir contested the registered will and the respondent's claim rested merely on an unregistered sale agreement without specific performance decree, the revenue authorities rightly allowed mutation subject to civil court adjudication. The Court ultimately held that the High Court erred in interfering with the administrative mutation order under Article 227 when no jurisdictional error or legal infirmity existed, though the mutation shall remain subject to competent court adjudication.

**DINESH KUMAR JALDHARI VS STATE OF CHHATTISGARH [C.R.A. NO.-004732-004732 - 2025]****Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The Supreme Court affirmed the conviction under Section 9(m) read with Section 10 POCSO Act but reduced the sentence from seven to six years rigorous imprisonment, holding that the totality of cogent ocular evidence, especially the mother's testimony (PW-3) and the four-year-old victim's frightened reaction upon seeing the appellant in court, irresistibly established aggravated sexual assault on a child below twelve years. The decisive ground was that, notwithstanding the medical officer's finding of only vaginal redness without bleeding or external injuries, the consistent conduct of the appellant—found wearing only half-pants beside the sleeping child whose undergarment was pulled down, fleeing when confronted, and being chased by the father—corroborated the mother's immediate complaint and the child's complaint of pain, rendering medical corroboration dispensable. Rejecting the defence plea for benefit of doubt, the Court emphasised that penetration is not a sine qua non for sexual assault under Section 7 POCSO Act and that trauma evidenced by the victim's inability to depose in the accused's presence is compelling under Section 30 Indian Evidence Act. Relying on *State of Punjab v. Gurmit Singh*, (1996) 2 SCC 384, that corroborative testimony of a child victim may be dispensed with when testimony is trustworthy, the Court maintained the fine of Rs 6,000 and default simple imprisonment while modifying sentence to six years RI.

**RADHIKA T. VS COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY [C.A. NO.-015040-015041 - 2025]****Bench: Justice Aravind Kumar, Justice N.V. Anjaria**

The Supreme Court dismissed the appeal holding that when a vacancy arises during the currency of a two-year rank list under Section 31(10) of the Cochin University of Science and Technology Act, 1986, the University is mandatorily required to apply communal rotation under Section 31(11) rather than automatically offer appointment to the next candidate in the wait list. The decisive ground was that harmonious construction of sub-sections (10) and (11) demands simultaneous operation where the rank list's validity period does not suspend the rotation requirement, as rendering Section 31(11) inoperative for two years would reduce it to a "dead letter" violating the maxim *ut res magis valeat quam pereat*. Rejecting the appellant's contention that being second in the Scheduled Caste wait list entitled her to appointment after the first candidate's resignation, the Court held that since Dr. Anitha C. Kumar was actually appointed and completed probation before resigning, the reservation purpose stood satisfied in substance, and the fresh vacancy triggered rotation to Latin Catholic/Anglo Indian category. Following *Gujarat State Dy. Engineers' Assn. v. State of Gujarat* that wait list candidates have no indefeasible right except when selected candidates don't join, and distinguishing *Narayanan v. State of Kerala* where the first candidate never accepted appointment, the Court affirmed that communal rotation must prevail over wait list claims during the rank list's validity period.

**KIRAN VS RAJKUMAR JIVRAJ JAIN [C.R.A. NO.-003867-003867 - 2025]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N.V. Anjaria**

Anticipatory bail was granted to the respondent-accused despite allegations in the FIR indicating offenses under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Section 18 of the SC/ST Act prohibits anticipatory bail unless offenses are not prima facie established. Allegations included casteist slurs, intimidation, and assault, corresponding to specific sections of the SC/ST Act. Evaluation of evidence and witnesses at the anticipatory bail stage was deemed impermissible.

**SWACCH ASSOCIATION, NAGPUR VS THE STATE OF MAHARASHTRA [C.A. NO.-012521-012521 - 2025]****Bench: Justice B.R. Gavai, Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Futala Tank in Nagpur is classified as a man-made waterbody for irrigation, thus not meeting the definition of "wetland" in the Wetlands (Conservation & Management) Rules, 2017. The public trust doctrine applies to man-made waterbodies, ensuring the right to a healthy environment and ecological balance under Article 21 of the Constitution. Authorities are directed to adhere to the spirit of Rule 4(2)(vi)

of the 2017 Rules and to prevent any permanent construction within the Futala Tank.

**KAVERI PLASTICS VS MAHDOOM BAWA BAHRUDEEN NOORUL [C.R.L.A. NO.-004142-004143 - 2025]**

**Bench: Justice B.R. Gavai, Justice N.V. Anjaria**

A notice issued under Proviso (b) to Section 138 of the Negotiable Instruments Act is invalid if the amount stated differs from the amount of the dishonored cheque, even if the discrepancy is due to a typographical error. The notice is a mandatory condition for the offense under Section 138 and must be strictly adhered to. The appeals were dismissed, leading to the quashing of the criminal complaint.

**NATIONAL INSURANCE COMPANY LIMITED VS SUNITA DEVI [C.A. NO.-009854-009854 - 2016]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The National Insurance Company must pay compensation to third-party claimants despite the cancellation of the insurance policy for non-payment of the premium. The "pay and recover" principle applies, meaning the insurer's statutory liability to indemnify third parties remains unless the policy cancellation was communicated to the insured before the accident. The accident occurred more than three months after the policy cancellation was communicated, allowing for the direction to pay the claimants while permitting recovery of the amount from the vehicle owner.

**KULWINDER KAUR VS PARSHANT SHARMA [C.A. NO.-000820-000820 - 2019]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

Appellants/claimants are entitled to additional compensation for the accidental death of the deceased due to the lack of consideration for "future prospects." The revised compensation amount includes a 40% addition for future prospects and adjustments to conventional heads, totaling Rs. 42,95,080/- with 6% interest, to be paid by the respondent insurance company within 4 weeks.

**VANITA VS M/S SHRIRAM INSURANCE COMPANY LTD. [C.A. NO.-006794-006794 - 2025]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The High Court's decision to set aside the Tribunal's judgment and award in favor of the claimants was upheld. The claimants, consisting of the widow and children of the deceased, did not prove the involvement of the Tata Magic vehicle with registration number MH-13-B-2719 in the accident. Key issues included a delayed FIR, non-examination of important witnesses, and inadequate identification of the offending vehicle. Simply naming the "Tata Magic" was insufficient to establish its involvement. The appeal was dismissed, maintaining the High Court's findings.

**RAMA BAI VS M/S AMIT MINERALS THROUGH INCHARGE OFFICER/ COMPETENT OFFICER [C.A. NO.-009669-009669 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The insurance company was entitled to avoid liability for a compensation claim because the driver lacked a valid driving license at the time of the accident. The conditions under the law justified this decision, and the principle of "pay and recover" could not be applied. The insurance company was not required to pay the compensation upfront and then recover it. Instead, it was directed to satisfy the award and could subsequently recover the amount from the vehicle's insured owner.

**RIYAS VS P. N. SHINOSH [C.A. NO.-006544-006544 - 2024]**

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Supreme Court allowed enhancement of motor accident compensation for a 14-year-old student who sustained 77.1% permanent disability, raising the award from the High Court's ₹5,75,883 to a total of ₹15,13,337 by substantially increasing heads for pain and suffering (₹3,00,000), loss of marriage prospects (₹3,00,000), medical expenses (₹50,000), attendant charges (₹40,000), special diet and transportation (₹40,000) while retaining the multiplier of 15 under Section 166 MV Act, monthly income of

₹3,620 plus 40% future prospects, and ₹7,03,337 on disability. The decisive grounds were the principles in *Kajal v. Jagdish Chand* and *K.S. Muralidhar v. R. Subbulakshmi* that higher amounts be paid for intangibles to minors; bystander and diet heads were fixed per Sidram, while disallowing any interest on future treatment outlays; the insurer (respondent 3) was directed to remit the additional ₹7,64,454 with 8% interest within eight weeks by transferring to the appellant's account and file proof before the tribunal. The decision rejected the notion that compensation should be confined only to evidenced bills and reiterated that a claim for out-of-pocket medical expenses and non-pecuniary losses, particularly where a child faces curtailed prospects of education, marriage and amenity, must be liberally assessed.

**NANDKUMAR @ NANDU MANILAL MUDALIAR VS STATE OF GUJARAT [CRL.A. NO.-001266-001266 - 2014]** 

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Supreme Court allowed the appeal in part and converted the appellant's conviction from Section 302 to Section 304 Part I IPC, holding that while the knife attack caused death by septicemia after 13 days, the absence of intention to kill reduced the offence to culpable homicide not amounting to murder. The decisive ground was that though appellant inflicted abdominal injuries sufficient to cause death with knife (muddamla Exhibit-3), the sequence showing evening altercation, late-night provocation and impulsive assault demonstrated knowledge but not intention to cause death per Section 300(2) exceptions. Rejecting prosecution's contention, the Court found Gajraben (PW2) and Rajesh (PW4) though related witnesses reliable as they took deceased to hospital and gave prompt First Information. Applying *Virsa Singh v. State of Punjab* and *Kesar Singh v. State of Haryana* which establish that genus of culpable homicide becomes murder specie only when injury is intentionally inflicted with knowledge it is sufficient to cause death, the Court reasoned that death from septicemia after hospital discharge indicated absence of immediate fatal intention. Consequently, conviction altered to Section 304 Part I IPC and sentence already undergone (14 years) held sufficient, discharging bail bonds.

**RANI @ RAJ KUMARI VS KAMLAKAT GUPTA [C.A. NO.-005224-005224 - 2024]** 

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Supreme Court in *Rani @ Raj Kumari v. Kamlakat Gupta* (Civil Appeal No. 5224 of 2024) enhanced motor accident compensation from Rs. 9,20,500/- to Rs. 20,55,320/- for death of 33-year-old Sobran Singh, holding that monthly income must be assessed at Rs. 8,000/- comprising Rs. 6,000/- salary from stone crusher (proved through employer certificate under Section 166 Motor Vehicles Act, 1988) plus Rs. 2,000/- agricultural income, with 40% future prospects addition. Following *National Insurance Co. v. Pranay Sethi* (2017) 16 SCC 680, the Court applied multiplier of 16 instead of 15 used by High Court, deducted 1/5th for personal expenses considering seven dependants, awarded Rs. 25,000/- treatment costs, Rs. 15,000/- funeral expenses, Rs. 15,000/- loss of estate, and distinct consortium amounts: Rs. 40,000/- spousal, Rs. 1,60,000/- parental (Rs. 40,000/- × 4 children), and Rs. 80,000/- filial (Rs. 40,000/- × 2 parents) totaling Rs. 2,80,000/- under non-pecuniary heads. The Court directed respondent insurance company to deposit additional compensation of Rs. 11,34,820/- with 7% interest within eight weeks, disbursing 75% to widow and children equally and 25% to parents, with consortium paid at Rs. 40,000/- per claimant through direct bank transfer after verification, modifying the High Court's award accordingly.

**RAJ PAL SINGH VS RAJVEER [CRL.A. NO.-000809-000809 - 2014]** 

**Bench: Justice K. Vinod Chandran, Justice N.V. Anjaria**

The Supreme Court dismissed Criminal Appeal No.809/2014 by Raj Pal Singh against the Allahabad High Court's 10.10.2012 acquittal of Rajveer, Dharam Pal and Sudhir for offences under Section 302 read with Section 34 IPC, affirming that the prosecution's narrative—that a serving Army Captain was dragged up a narrow staircase by a 65-year-old cancer patient and then shot—was inherently improbable and riddled with material contradictions. The decisive grounds were: (i) the complainant's belated 12.06.1996 statement omitted the hockey-stick assault attributed to Dharam Pal and contradicted the chowkidar's

contemporaneous report; (ii) no ballistic examination was conducted on Dharam Pal's licensed gun to link it to the pellets recovered; (iii) the location and dimensions of the staircase rendered the dragging of a fit officer by three persons, one allegedly armed with an unexplained country-made pistol, physically incredible; and (iv) the testimonies of PW-1 and PW-2 failed to explain when or how the weapons appeared. Applying the dicta in Shivaji Sahabrao Bobade v. State of Maharashtra (1973) 2 SCC 793 that the distance between "may be" and "must be" guilty is long, and Chandrappa v. State of Karnataka (2007) 4 SCC 415 that an acquittal will not be disturbed where two reasonable views are possible, the Court held the High Court's re-appreciation of evidence was plausible and did not suffer from any perversity warranting interference, thereby reinforcing the double presumption of innocence in favour of the respondents.

**RAJESH UPADHAYAY VS THE STATE OF BIHAR [CRL.A. NO.-005585-005585 - 2025]**

**Bench: Justice Manmohan, Justice N.V. Anjaria**

The Supreme Court set aside the Patna High Court's orders suspending sentence and granting bail to Sheo Narayan Mahto and his son Rajesh Mahto, both convicted under Section 302 read with Section 149 IPC and Section 27 Arms Act for the 11.12.2021 temple murder of Krishna Behari Upadhyay. The decisive ground was that the High Court grievously erred by treating mere instigation as a mitigating factor while ignoring that each convict carried a country-made pistol, participated in the forcible temple entry, fled with the gunman and was part of the unlawful assembly that caused the fatal firearm injury; the Court emphasized that once trial court conviction displaces the presumption of innocence, suspension of life sentence under Section 389 CrPC is permissible only in exceptional cases where a palpable or gross error in the judgment is demonstrated, and delay in sending the FIR to the Magistrate or non-production of the original inquest report are irrelevant considerations that cannot dilute the gravity of a murder conviction. Following State of Haryana v. Hasmat (2004) 6 SCC 175, Shakuntala Shukla v. State of U.P. (2021) 20 SCC 818 and Omprakash Sahni v. Jai Shankar Chaudhary (2023) 6 SCC 123, the Court reiterated that appellate courts must record proper reasons and should not routinely suspend life sentences; both respondents are directed to surrender within ten days and police shall ensure they are taken into custody forthwith.

**K.POUNAMMAL VS STATE REPRESENTED BY INSPECTOR OF POLICE [CRL.A. NO.-001716-001716 - 2011]**

**Bench: Justice N.V. Anjaria, Justice Atul S. Chandurkar**

The conviction of the appellant-Inspector of Central Excise under the Prevention of Corruption Act, 1988 was upheld. The sentence was modified to the period already served, taking into account the 22-year delay since the incident and the appellant's situation as a 75-year-old widow living alone. The fine amount was increased.

**URMILA CHAND VS SONU CHAND [C.A. NO.-001352-001352 - 2023]**

**Bench: Justice N.V. Anjaria, Justice Atul S. Chandurkar**

The appeal was dismissed, upholding the rejection of the review petition against the Motor Vehicle Claims Tribunal's order for compensation disbursement. The appellant accepted a compensation amount of Rs. 1,00,000 without protest and signed the order sheet, acknowledging its contents. The appellant could not contradict her own conduct, and the facts did not warrant interference with the prior decisions.

**SRINIBAS GORADIA VS ARVIND KUMAR SAHU [C.A. NO.-015131-015131 - 2025]**

**Bench: Justice Prashant Kumar Mishra, Justice N.V. Anjaria**

The Supreme Court held that the appellant was a 'workman' under Section 2(s) of the Industrial Disputes Act, 1947, setting aside the High Court's judgment that had reversed the Labour Court's award reinstating him with back wages. The decisive ground was application of the 'dominant nature test' which revealed that despite being designated as 'Front Office Manager' or 'Executive', the appellant's principal duties

were clerical and manual – working as receptionist and handling hotel boys without independent supervisory authority or disciplinary powers over subordinates. The Court rejected the employer's contention that the appellant possessed supervisory powers, noting that mere designation cannot determine workman status and that incidental supervisory elements in essentially clerical work do not exclude an employee from Section 2(s). Applying precedents in *Lloyds Bank Ltd. v. Panna Lal Gupta* (AIR 1967 SC 428) and *National Engineering Industries Ltd. v. Krishan Bhageria* (AIR 1988 SC 329), the Court emphasized that the substantial nature of duties performed, not nomenclature, determines workman status, and that supervisory capacity requires power to issue commands, take independent decisions and exercise disciplinary authority. The Court ultimately ruled that the Labour Court correctly held the appellant to be a workman whose termination violated Section 25-F, and directed compliance with reinstatement and back wages within two weeks.

**DEEPAK KUMAR SAHU VS STATE OF CHHATTISGARH [C.R.A. NO.-003352-003352 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice N.V. Anjaria**

The conviction and sentence of the appellant for offences under Sections 450, 4 of the POCSO Act, and Section 376(2) of the Indian Penal Code were upheld. The victim's testimony was considered credible and corroborated by her younger brother's account. The absence of major injury marks or medical evidence did not undermine the prosecution's case, as reliable testimony can suffice for conviction in sexual offences. The evidence presented was consistent with the circumstances surrounding the incident.

**LIFE INSURANCE CORPORATION OF INDIA VS M.S.JAIN [C.A. NO.-002636-002637 - 2023]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta, Justice N.V. Anjaria**

The Supreme Court overruled *Suhas H. Pophale v. Oriental Insurance Co. Ltd.* (2014) 4 SCC 657 and restored the primacy of *Ashoka Marketing Ltd. v. Punjab National Bank* (1990) 4 SCC 406, holding that the Public Premises (Eviction of Unauthorised Occupants) Act 1971, operative from 16-9-1958 by virtue of Section 1(3), overrides all State Rent Control legislations for premises falling within Section 2(e) once they become "public premises" and are in "unauthorised occupation" as defined in Section 2(g). The decisive ground is that both statutes are special; therefore the later-in-time special statute (PP Act 1971) must prevail under the maxim *leges posteriores priores contrarias abrogant*, and the object of speedy eviction of unauthorised occupants from public assets outweighs rent-control protection. The Court rejected the Pophale distinction between pre-1958 and subsequent tenants, emphasising that occupation is a continuing act and the moment tenancy is validly terminated under Section 106 Transfer of Property Act 1882 the tenant becomes an unauthorised occupant liable to eviction under Sections 4-5 of the PP Act. It re-affirmed *M/s. Jain Ink Mfg. Co. v. LIC* (1980) 4 SCC 435 and directed that all pending proceedings be decided in accordance with *Ashoka Marketing*.

**RAJUMON T.M. VS UNION OF INDIA [C.A. NO.-000998 - 2025]**

**Bench: Justice Abhaya S. Oka, Justice Nongmeikapam Kotiswar Singh**

The discharge of the appellant from service and denial of disability pension was found unsustainable due to a lack of reasons in the Medical Board's opinion regarding the disability. The applicable Regulations require the Medical Board to provide a rationale for its conclusions, and the absence of such reasoning rendered the opinion arbitrary. A liberal interpretation of the disability pension scheme was adopted, especially given the serious nature of schizophrenia. The matter had been pending for 27 years, leading to the decision to grant the appellant disability pension with immediate effect, without arrears beyond the last three years.

**GOVERDHAN VS THE STATE OF CHHATTISGARH [CRL.A. NO.-000116-000116 - 2011]**

**Bench: Justice B.R. Gavai, Justice K.V. Viswanathan, Justice Nongmeikapam Kotiswar Singh**

The conviction of the appellants for murder under Section 302 IPC is based on the credible testimony of sole eyewitness Lata Bai, supported by additional evidence. The conviction was modified to culpable homicide not amounting to murder under Section 304 Part I IPC due to the nature of injuries and case circumstances. The appellants were sentenced to time already served (approximately 10 years) and fined, reflecting the case's facts and circumstances.

**GEDDAM JHANSI VS THE STATE OF TELANGANA [CRL.A. NO.-000609-000609 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court of India held that the criminal proceedings against the appellants, Geddami Jhansi and Geddami Sathyakama Jabali, should be quashed as the allegations against them were of a generalized nature without any specific overt acts attributed, and the evidence gathered during the investigation did not disclose a prima facie case for continuing the proceedings against them. The Court noted that in cases of domestic violence, the allegations and evidence should be specific against each family member accused, as otherwise it may amount to abuse of the criminal process. The Court also considered the fact that the appellants did not live with the complainant and the main accused, and therefore making them co-accused based on generalized allegations may not be tenable. The Court allowed the criminal appeals and quashed the criminal proceedings against the two appellants in the two separate cases. However, the Court clarified that the observations and findings would not have any bearing on the criminal proceedings against the other accused persons.

**GASTRADE INTERNATIONAL VS COMMISSIONER OF CUSTOMS, KANDLA [C.A. NO.-004475-004475 - 2025]**



**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

Evidence and expert opinion were inconclusive in determining if the imported goods were High Speed Diesel (HSD) or Base Oil, with test reports not meeting all specifications under Indian Standard IS 1460:2005 for HSD. The application of "preponderance of probability" for classification was deemed erroneous; the appropriate standard was the "most akin" test under the Customs Tariff Act rules. Due to the inconclusive evidence, the benefit of doubt was given to the appellants, and further testing was deemed potentially futile. Customs authorities were directed to ensure adequate testing facilities for future product classification.

**CHUNNI BAI VS STATE OF CHHATTISGARH [CRL.A. NO.-002265-002265 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The appellant, Chinni Bai, was proven to have committed homicide against her two daughters. However, the prosecution did not establish the necessary intention or mens rea for a murder conviction under Section 302 IPC. The absence of motive and the appellant's claim of being influenced by an "invisible

power," along with insufficient investigation into her mental state, were noted. The conviction was changed to culpable homicide not amounting to murder under Section 304 Part II IPC, leading to a sentence of approximately 9 years and 10 months of imprisonment already served. Guidelines for trial courts regarding cases with unusual circumstances and mental condition pleas were also advised.

**B.N. JOHN VS THE STATE OF UTTAR PRADESH [C.R.L.A. NO.-000050-000050 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

Cognizance taken by the Chief Judicial Magistrate of offenses under Sections 353 and 186 of the Indian Penal Code was found to be inconsistent with legal requirements. No complaint by a public servant was submitted as required for the Section 186 IPC charge. The FIR lacked specific allegations of assault or criminal force concerning Section 353 IPC. Consequently, the initial process was invalid, rendering subsequent proceedings unmaintainable. The criminal proceedings against the appellant were quashed.

**RAMESH VS THE STATE OF RAJASTHAN [C.R.L.A. NO.-000148-000148 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Pamidighantam Sri Narasimha, Justice Nongmeikapam Kotiswar Singh**

Ramesh's appeal resulted in the reversal of his conviction for attempted murder and related offenses under Sections 307, 148, and 149 IPC, while his convictions under Sections 326, 325, 452, and 323 IPC were upheld. The dispute between the conflicting groups had been settled in a related case, and Ramesh's lack of prior criminal history was noted. He was granted the benefit of the Probation of Offenders Act, required to execute a personal bond, and ordered to pay a small fine. This case was connected to a previously decided batch matter.

**HANUMANTHARAJU B (DEAD) BY LR. VS M AKRAM PASHA [C.A. NO.-006844-006845 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Compensation for the motor accident victim was calculated based on a monthly income of Rs. 36,231 without deductions for pension. The victim's disability was accepted as 78%, as assessed by an independent commissioner. An addition of 30% of the annual income was included for future prospects due to the victim's age of 43 at the time of the accident. A multiplier of 14 was used based on age, resulting in total compensation of Rs. 67,36,084, to be paid by the insurance company within 6 weeks, along with 7% simple interest per annum from the date of the claim filing.

**CHETAN VS STATE OF KARNATAKA [C.R.L.A. NO.-001568-001568 - 2013]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Chetan was convicted under Sections 302 and 404 of the IPC and Sections 25 and 27 of the Arms Act, 1959 based on circumstantial evidence. Key evidence included him being last seen with the deceased, the use of a gun owned by his grandfather in the murder, and his subsequent absconding and misleading actions concerning the incident. The appeal was dismissed, except for the conviction under Section 404 IPC regarding the mobile phone, where he received the benefit of the doubt.

**AJMERA SHYAM VS KOVA LAXMI [C.A. NO.-013015 - 2024]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The non-disclosure of a candidate's income for 4 out of the last 5 financial years in the Form 26 Affidavit was identified as a technical defect, not substantial enough to affect the nomination validity or constitute a corrupt practice under the Representation of People Act, 1951. The election petitioner did not raise an objection during the nomination scrutiny and failed to demonstrate any significant impact of the non-disclosure on the election outcome. The election petition challenging the candidate's victory was dismissed.

**M/S FERRO CONCRETE CONSTRUCTION (INDIA) PVT. LTD. VS THE STATE OF RAJASTHAN [C.A. NO.-004723-004723 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha**

The appeal was allowed, setting aside the High Court's judgment. A contractual clause preventing the appellant from claiming interest on payments does not explicitly bar the arbitrator from granting pendente lite interest under the Arbitration Act, 1940. A clear and express clause is necessary to constitute such a bar, and the clause in question was insufficient. The arbitrator retains the authority to award pendente lite interest unless a specific provision excludes this jurisdiction. Therefore, the respondent is to pay 9% pendente lite interest from the date of the arbitrator's reference entry until the date of the arbitral award, within 60 days.

**FILOMENA SALDANHA THROUGH POWER OF ATTORNEY MR. FRAZIER SALDANHA VS SUNIL KOHLI REPRESENTED BY HIS POWER OF ATTORNEY, MR. NAVAL BOWRY. [C.A. NO.-005674-005675 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The High Court's orders to modify a previous order regarding the appellant's writ petition were set aside. The interests of justice necessitated allowing the appellant to contest the modification sought by the respondent. The respondent's application was restored to its original number, and the High Court was instructed to consider and dispose of it on its merits, ensuring both parties had the opportunity to be heard. No opinion was expressed on the merits of the case, leaving that for the High Court to address.

**S.D. JAYAPRAKASH AND ORS. ETC. VS THE UNION OF INDIA [C.A. NO.-005671-005672 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The appeals filed by the appellants, appointed on a contractual basis and later regularized, are partly allowed. Under Rule 17 of the Central Civil Services (Pension) Rules, 1972, the appellants are entitled to have their contractual service counted towards pension benefits upon regularization. The order of the High Court that denied this benefit is set aside, allowing the appellants to exercise the option provided under Rule 17.

**M/S HARCHARAN DASS GUPTA VS UNION OF INDIA [C.A. NO.-006807-006807 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The provisions of the Micro, Small and Medium Enterprises (Development) Act, 2006 (MSMED Act) override the Arbitration and Conciliation Act, 1996 in disputes between an MSME and a buyer. Non-obstante clauses in Section 18 of the MSMED Act give it precedence over the Arbitration Act, including independent arbitration agreements. The Facilitation Council under the MSMED Act can act as an arbitrator, with the seat of arbitration determined by the MSME supplier's location. An appeal by the MSME appellant was allowed, directing arbitral proceedings to be conducted by the Delhi Arbitration Centre, as the appellant is located in Delhi and the respondent ISRO is based in Bengaluru. The arbitrator is permitted to allow parties to raise and argue all legally permissible questions of law and fact.

**PANDURANGAN VS T. JAYARAMA CHETTIAR [C.A. NO.-007743-007743 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The plea of res judicata raised by the defendant to dismiss the plaintiff's suit cannot be resolved at the preliminary stage, as it requires a detailed examination of the previous suit's pleadings, issues, and decisions. Allegations of fraud and collusion in obtaining the ex parte decree, along with the issue of territorial jurisdiction, require thorough investigation. Orders from the lower courts are set aside, and the plaintiff's suit is restored for expeditious disposal, with all grounds, including res judicata, remaining open for final determination.

**ARUN KUMAR SHARMA VS STATE OF MADHYA PRADESH [C.A. NO.-003263-003264 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

Civil appeals challenging the National Green Tribunal's order were dismissed due to the appellants' suppression of a parallel writ petition on the same issue. The NGT had previously dismissed the appellants' application regarding consent to operate a petrol pump, based on findings that nearby residential colonies were unauthorized and there were no schools or hospitals within a 50-meter radius. The appellants' actions were assessed as not bona fide, indicating they were likely initiated to serve the business interests of one of the appellants. The civil appeals were dismissed with costs.

**THE STATE OF HIMACHAL PRADESH VS JSW HYDRO ENERGY LIMITED [C.A. NO.-012883-012883 - 2024]****Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

CERC Regulations, 2019 do not prohibit a generating company from supplying free power to the state government beyond the 13% cap. This cap applies only to tariff determination and does not limit the actual supply of free power. A writ petition by the generating company to align the Implementation Agreement with CERC Regulations was deemed not maintainable, as interpretation of the regulations is within the authority of the CERC regulator. The case involved the state government, the generating company, CERC, and distribution companies, with a noted order indicating that the PPA and PSA were overridden by the 13% cap, but it did not address the Implementation Agreement.

**M/S SONALI POWER EQUIPMENTS PVT. LTD. VS CHAIRMAN, MAHARASHTRA STATE ELECTRICITY BOARD, MUMBAI [C.A. NO.-009524-009532 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The Limitation Act does not apply to conciliation proceedings under Section 18(2) of the MSMED Act, allowing time-barred claims to be referred to conciliation. In contrast, the Limitation Act applies to arbitration proceedings under Section 18(3) of the MSMED Act, consistent with Section 43 of the Arbitration and Conciliation Act. The conclusion is that the special provisions of the MSMED Act take precedence over any conflicting applications from the Arbitration Act. Additionally, the effect of disclosing unpaid amounts under Section 22 of the MSMED Act on extending the limitation period must be assessed on a case-by-case basis.

**RAJUL MANOJ SHAH ALIAS RAJESHWARI RASIKLAL SHETH VS KIRANBHAI SHAKRABHAI PATEL [C.A. NO.-011781-011781 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The defendant's counter-claim against the co-defendant is not maintainable according to established legal principles. The counter-claim was filed years after the issues were framed, which would cause undue delay in the trial. The High Court's decision to allow the counter-claim was incorrect, leading to the rejection of the counter-claim application by the Trial Court being upheld.

**RACING PROMOTION PRIVATE LIMITED VS DR. HARISH [C.A. NO.-002755-002758 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court of India held that the High Court erred in issuing directions (iv), (v), (vi), and (vii) of the impugned order, which interfered with the contractual terms between the State Government's instrumentality (SDAT) and the private entity (Racing Promotions Private Limited) for organizing a Formula 4 racing event in Chennai. The court found that the State Government had the authority to formulate a policy for public-private partnership in hosting sports events, and the contractual terms between the parties were the result of due deliberation, which the High Court should not have disturbed. The Supreme Court partially allowed the appeals and set aside the High Court's directions related to the reimbursement of expenditure, advance deposit, and the State Government's responsibility to conduct the event in the future.

**BANK OF BARODA VS FAROOQ ALI KHAN [C.A. NO.-002759-002759 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court held that the High Court incorrectly exercised its writ jurisdiction under Article 226 to interdict the personal insolvency proceedings initiated by the Bank of Baroda against the respondent under Section 95 of the Insolvency and Bankruptcy Code (IBC). The Court emphasized that the Adjudicating Authority had followed the procedure envisaged under Sections 95 to 100 of the IBC, and the High Court should have allowed the statutory process through the resolution professional and the Adjudicating Authority to take its course. The Supreme Court set aside the High Court's order and restored the proceedings before the Adjudicatory Authority from the stage of its order dated 16.02.2024 directing the resolution professional to submit a report as provided under Section 99 of the IBC.

**SAJID KHAN VS L RAHMATULLAH . [C.A. NO.-017308-017308 - 2017]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Supreme Court of India held that the Diploma in Electrical and Electronics Engineering held by the appellants is equivalent to the Diploma in Electrical Engineering required for the post of Junior Engineer (Electrical), as per the recruitment rules.

The court noted that the recruiting authority had sought a clarification on the equivalence of the two diplomas before the advertisement was issued, and had accepted that they are equivalent.

The court emphasized that it is the prerogative of the employer to decide on the eligibility of candidates based on the required qualifications, and the courts should exercise restraint in determining equivalence of qualifications.

Since the recruiting authority had not objected to the appellants' qualifications and there was no apparent difference, the court set aside the decisions of the CAT and High Court that had terminated the appellants' appointments.

**THE SECRETARY TO GOVERNMENT DEPARTMENT OF HEALTH AND FAMILY WELFARE VS K. C. DEVAKI [C.A. NO.-004356-004356 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The transfer of K.C. Devaki from Staff Nurse to First Division Assistant was made at her request for medical reasons, not in public interest. Her seniority in the new position is to be fixed below the last candidate in the First Division Assistant post, according to the 1989 government order and the 1957 Seniority Rules. Previous decisions granting her seniority from the date of her initial appointment as Staff Nurse in 1979 are set aside.

**STATE REP. BY DEPUTY SUPERINTENDENT OF POLICE VIGILANCE AND ANTI CORRUPTION CHENNAI CITY I DEPARTMEN VS G. EASWARAN [CRL.A. NO.-001405-001405 - 2019]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court erred in quashing criminal proceedings against the respondent under Section 482 Cr.P.C. The Special Court and High Court had previously dismissed the respondent's discharge application, establishing a prima facie case for possessing disproportionate assets. Revisiting earlier findings and concluding the chances of conviction were bleak exceeded established jurisdiction principles. The issue of sanction validity should be examined during the trial, making the High Court's findings premature. The High Court's order was set aside, and the criminal case was restored to the Special Court for an expedited trial.

**SOUMEN PAUL VS SHRABANI NAYEK [C.A. NO.-004977-004977 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

Rule 6(2) of the West Bengal School Teachers Recruitment Rules, 2016 does not specify a cut-off date for possessing minimum qualifications. Eligibility criteria should be applied based on the last date for receiving applications. The recruitment notification dated 21.10.2022 is valid, allowing appellants who obtained qualifications after the initial notification on 29.09.2022 to participate in the selection process.

**IRWAN KOUR VS PUNJAB PUBLIC SERVICE COMMISSION [C.A. NO.-005235-005235 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

Personnel from the Indian Military Nursing Service (IMNS) are eligible for reservation benefits as "ex-servicemen" in Punjab Public Service Commission recruitment, as defined by the Punjab Recruitment of Ex-Servicemen Rules, 1982. IMNS is recognized as part of the Indian military and armed forces, allowing its personnel to qualify as "ex-servicemen." The respondent released from the IMNS must be considered for appointment under this category if meritorious, without impacting the appellant's current service.

**ADAVYA PROJECTS PVT. LTD. VS M/S VISHAL STRUCTURALS PVT. LTD. [C.A. NO.-005297-005297 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

Service of a notice invoking arbitration under Section 21 of the Arbitration and Conciliation Act is mandatory, but failure to serve the notice does not prevent a party from being included in the arbitral proceedings. The purpose of a Section 11 application is solely to constitute the arbitral tribunal, without a conclusive decision on party status. The jurisdiction of the arbitral tribunal comes from the parties' consent to the arbitration agreement under Section 7. The determination of whether a person is a party to the arbitration agreement, per Section 16, can be based on their conduct and relationship with the signatory parties, even if they are non-signatories. In this case, respondent nos. 2 and 3, as non-signatories to the LLP Agreement with the arbitration clause, are bound by the arbitration agreement due to their involvement in the transaction, allowing their inclusion in the arbitral proceedings.

**RUTU MIHIR PANCHAL VS UNION OF INDIA [W.P.(C) NO.-000282 - 2021]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

Sections 34(1), 47(1)(a)(i), and 58(1)(a)(i) of the Consumer Protection Act, 2019, establishing the pecuniary jurisdictions of district, state, and national commissions based on the value of goods and services paid as consideration, are constitutional. The legislative framework allows for jurisdictional and pecuniary limits, with valid classification linked to the efficient administration of consumer disputes and aimed at preventing exaggerated claims. A performance audit of the statute's implementation is to be conducted by the Central Consumer Protection Council and the Central Consumer Protection Authority.

**STATE OF UTTAR PRADESH VS GAURAV KUMAR [C.A. NO.-014170 - 2024]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The National Green Tribunal's decision that the State Government's e-auction notice for sand mining was illegal was upheld, as it lacked a valid District Survey Report (DSR). A DSR is mandatory for environmental clearance applications and project appraisals by the District Environment Impact Assessment Authority (DEIAA) and District Expert Appraisal Committee (DEAC). A "draft DSR" is insufficient for granting such clearances, emphasizing the importance of a valid DSR updated every five years to accurately reflect the district's environmental status. Multiple civil appeals by the State of Uttar Pradesh and successful bidders were dismissed.

**SUBHA PRASAD NANDI MAJUMDAR VS THE STATE OF WEST BENGAL SERVICE [C.A. NO.-009913-009916 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Notification dated 24.02.2021 extending the retirement age from 60 to 65 years for employees of

state-aided universities and colleges applies to the appellant, regardless of his prior teaching experience at a university outside West Bengal. The interpretation of "any State-aided University or College" clarifies that the distinction pertains to state-aided versus private institutions, without restricting eligibility based on the location of previous experience. Excluding employees with experience from outside West Bengal, especially those approaching retirement after long service, lacks justification. The appellant is entitled to the benefits of the Notification.

**THE MANAGING DIRECTOR BIHAR STATE FOOD AND CIVIL SUPPLY CORPORATION LIMITED VS SANJAY KUMAR [C.A. NO.-010116-010116 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The dispute between the rice millers and the Bihar State Food and Civil Supplies Corporation is non-arbitrable due to ongoing criminal cases against the respondents. However, invoking the Recovery Act does not prevent proceeding under the Arbitration Act. An application under Section 11(6) of the Arbitration and Conciliation Act, 1996 is not subject to limitation. Issues regarding the legality of arbitral proceedings under Section 11(6) and the Bihar Public Works Contracts Disputes Arbitration Tribunal's decisions remain for the arbitral tribunal to resolve. This matter involves multiple civil appeals.

**SEROSOFT SOLUTIONS PVT LTD VS DEXTER CAPITAL ADVISORS PVT LTD [C.A. NO.-000051-000052 - 2025]**

[↗](#)

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court's interference with the Arbitral Tribunal's decision on the timing for cross-examination was improper. The Tribunal had given sufficient opportunities for cross-examination, and the request for an extension was deemed excessive. The justification for the High Court's order was lacking, leading to its dismissal, and the Arbitral Tribunal is instructed to resume and conclude proceedings promptly.

**NBCC (INDIA) LTD. VS THE STATE OF WEST BENGAL [C.A. NO.-003705-003705 - 2024]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Pankaj Mithal**

An MSME can refer a dispute to the Facilitation Council under Section 18 of the MSMED Act, 2006 without having filed a memorandum under Section 8 before entering into a contract with the buyer. Section 18's use of "any party to a dispute" is interpreted as inclusive of various entities and not limited to registered suppliers. Filing a memorandum under Section 8 is discretionary for micro and small enterprises. Previous rulings, including Silpi Industries and Mahakali Foods, were disagreed with, and the matter will be considered further by a larger bench for clarification on Section 18's interpretation.

**M/S R.K. TRANSPORT COMPANY VS M/S BHARAT ALUMINUM COMPANY LIMITED (BALCO) [C.A. NO.-004763-004763 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Prashant Kumar Mishra**

The respondent's application to set aside an arbitral award under Section 34 of the Arbitration and Conciliation Act was within the 3-month limitation period, calculated from the date the award was received on 09.04.2022. Excluding this date, the period ended on 09.07.2022, a day when the court was closed. The application filed on 11.07.2022 was therefore deemed timely. The interpretation of the limitation as 90 days rather than 3 calendar months was rejected.

**AC CHOKSHI SHARE BROKER PRIVATE LIMITED VS JATIN PRATAP DESAI [C.A. NO.-002227-002227 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The Supreme Court held that the arbitral tribunal had jurisdiction over respondent no. 1 under Bye-law 248(a) of the Bombay Stock Exchange Bye-laws based on an oral contract of joint and several liability with respondent no. 2 for the transactions in her trading account. The Court found the arbitral tribunal's conclusion on joint and several liability to be based on evidence and not perverse. Further, the

adjustment of credit balance from respondent no. 1's account to offset the debit in respondent no. 2's account was held to be valid under the Bye-laws, and did not suffer from patent illegality as found by the High Court in the Section 37 appeal. Consequently, the Supreme Court set aside the impugned High Court order and upheld the arbitral award in its entirety against both respondents.

**LIFECARE INNOVATIONS PVT. LTD. VS UNION OF INDIA [W.P.(C) NO.-001301 - 2021]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The Supreme Court held that the Public Procurement Policy for Micro and Small Enterprises (MSEs) Order 2012, issued under the Micro, Small and Medium Enterprises Development Act, 2006, has the force of law and is enforceable. While there is no individual right for an MSE to demand 25% procurement, the statutory authorities and administrative bodies created under the Act and the Procurement Order are impressed with enforceable duties that are subject to judicial review. The court directed the Review Committee to examine the issue of mandatory 25% procurement from MSEs in the context of the 358 items reserved exclusively for MSEs, and take necessary action for effective implementation of the Policy. On the issue of minimum turnover clauses in tenders, the court held that such clauses cannot undermine or override the Procurement Preference Policy 2012. The court directed the Review Committee and the Grievance Cell to examine the limits of such minimum turnover clauses and issue appropriate policy guidelines. The court emphasized that the judicial review should focus on ensuring the proper constitution and effective functioning of the statutory and administrative bodies created under the Act and the Policy, rather than directly interfering in policy decisions.

**KRISHNA DEVI @ SABITRI DEVI (RANI) M/S S.R. ENGINEERING CONSTRUCTION VS UNION OF INDIA [C.A. NO.-000047-000047 - 2025]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The appeal was allowed, and the High Court's order was set aside. The respondents were made aware of the arbitral award's filing on 21.09.2022, which triggered the 30-day limitation period under Section 14(2) of the Arbitration Act, 1940. Awareness of the award's existence suffices, and a formal notice is not necessary. The application under Section 17 to pronounce judgment according to the award, filed on 10.11.2022, was deemed valid and within the limitation period. This was part of a batch matter.

**MYPREFERRED TRANSFORMATION AND HOSPITALITY PVT. LTD. VS M/S. FARIDABAD IMPLEMENTS PVT. LTD. [C.A. NO.-000336-000336 - 2025]** 

**Bench: Justice Pankaj Mithal**

The High Court's dismissal of the appellants' application under Section 34 of the Arbitration and Conciliation Act, 1996 was upheld as being barred by limitation. Section 4 of the Limitation Act applies only to the 3-month limitation period under Section 34(3) and not to the 30-day condonable period. The 3-month limitation expired on a working day, which meant the appellants could not use Section 4 to file the application after the court's vacation. Section 10 of the General Clauses Act, regarding deadlines falling on holidays, does not apply since the Limitation Act governs Section 34 proceedings. Despite concerns about the strict nature of limitation provisions potentially restricting the ability to challenge arbitral awards, the application was deemed barred by limitation.

**THE STATE OF MAHARASHTRA VS PRISM CEMENT LIMITED [C.A. NO.-013928-013928 - 2015]****Bench: Justice Pamidighantam Sri Narasimha, Justice Pankaj Mithal**

The Supreme Court of India held that the tax exemption granted to the assessee-respondent, Prism Cement Limited, under the Package Scheme of Incentives (PSI) 1993 through the Eligibility and Entitlement certificates issued prior to the 2002 amendment of Section 8(5) of the Central Sales Tax (CST) Act could not be retrospectively withdrawn by the State of Maharashtra on the ground of the assessee-respondent's failure to submit declarations in Form C or D. The court observed that the assessee-respondent had accrued a substantive right to the tax exemption under the pre-existing PSI 1993 scheme, and the 2002 amendment to Section 8(5) of the CST Act, which introduced the requirement of Form C or D, was prospective in nature and did not apply retrospectively to the pre-existing exemption granted to the assessee-respondent. The court held that the State's action in issuing notices to revise the assessments and demand the exempted tax was not justified, as the requirement of submitting Form C or D would apply prospectively after the 2002 amendment and not to the pre-existing exemption. The court accordingly dismissed the State's appeals.

**RAVI VS THE STATE OF PUNJAB [CRL.A. NO.-000633-000633 - 2025]****Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The Supreme Court of India, in a two-judge bench judgment, allowed the appeal of the accused Ravi and set aside his conviction for the murder of his first wife Jamni. The court found that the prosecution had failed to conclusively establish Ravi's guilt based on the circumstantial evidence. The medical evidence was inconclusive, and the key eyewitness and other witnesses had turned hostile. The court held that the burden on the accused under Section 106 of the Evidence Act arises only after the prosecution has established a prima facie case, which was not done here. Considering the totality of the facts and circumstances, the court ruled that the benefit of doubt must be given to the accused, and directed his immediate release from custody.

**HANSRAJ VS THE STATE OF CHHATTISGARH [CRL.A. NO.-001387-001387 - 2012]****Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The Supreme Court of India, in a single-judge judgment, held that the case against the appellant Hansraj for the murder of Ramlal was based solely on circumstantial evidence and did not meet the "golden principles" for convicting someone based on such evidence. The court found that the circumstances, including alleged motive, last seen theory, and recovery of the weapon, were not conclusive enough to prove the appellant's guilt beyond reasonable doubt. Consequently, the court set aside the convictions by the trial court and high court, and acquitted the appellant, who had already served over 10 years in jail.

**SHAIFALI GUPTA VS VIDYA DEVI GUPTA [SLP(C) NO.-004673 - 2023]****Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The issue of whether the suit properties are joint Hindu family properties or individual properties is a disputed question of fact that requires evidence for resolution and cannot be dismissed at the outset. The plea claiming the suit is barred by Section 4 of the Benami Transactions (Prohibition) Act, 1988 was not raised in lower courts and was thus rejected. Similarly, the argument regarding Section 14 of the Benami Act was not considered due to its introduction at the Supreme Court level without prior groundwork in the lower courts. The application under Order VII Rule 11 CPC was properly rejected,

allowing the parties to contest the suit on its merits.

**INDIAN OIL CORPORATION LIMITED VS M/S SHREE NIWAS RAMGOPAL [SLP(C) NO.-001381 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Ahsanuddin Amanullah**

The High Court's decision requires Indian Oil Corporation Limited (IOCL) to continue supplying kerosene to M/s Shree Niwas Ramgopal until the partnership is properly reconstituted, regardless of any civil court orders. The partnership deed and dealership agreement allow the surviving partners to maintain the business and include qualified heirs of the deceased partner. IOCL's demand for all heirs to join the reconstituted firm contradicts the partnership deed and its own guidelines, leading to arbitrary action against the ongoing business.

**KANAHAIYA LAL ARYA VS MD. EHSAN [C.A. NO.-003222-003222 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court of India held that the landlord, Kanahaiya Lal Arya, has established his bona fide need to evict the tenant, Md. Eshsan & Ors., from the disputed premises in order to set up an ultrasound machine business for his two unemployed sons. The court rejected the tenant's arguments that the landlord has other properties available and had previously evicted the tenant partially for a different purpose, finding that the landlord's decision on which premises to use for his bona fide need cannot be questioned. The court also held that the previous compromise decree between the parties did not preclude the landlord from initiating the current eviction proceedings. Accordingly, the Supreme Court allowed the landlord's appeal, set aside the lower court judgments, and decreed the landlord's eviction suit.

**A. KARUNANITHI VS THE STATE REPRESENTED BY INSPECTOR OF POLICE [CRL.A. NO.-003482-003482 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

A-1, the Village Administrative Officer, was convicted under Sections 7 and 13(1)(d) of the Prevention of Corruption Act, 1988, for demanding and accepting a bribe of Rs. 500, with sufficient evidence supporting this. A-2, the Village Assistant, was not convicted due to lack of evidence connecting him to the demand or collusion with A-1. The sentence for A-1 was reduced from three and two years to one year for both offences, taking into account the small bribe amount and the lengthy trial delay.

**VINOD KUMAR PANDEY VS SEESH RAM SAINI [C.A. NO.-011740-011740 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

The High Court's decision to direct the registration of FIRs against CBI officers Vinod Kumar Pandey and Neeraj Kumar was upheld, based on complaints alleging cognizable offenses under the IPC and evidence of irregularities in their official duties. The order was modified to have the investigation conducted by the Delhi Police, allowing the CBI officers to participate without coercive measures unless absolutely necessary. The preliminary inquiry report was clarified as not conclusive, requiring the investigating officer to conduct the investigation independently.

**THAMMINENI BHASKAR VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-004623-004623 - 2024]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

The appeal by Thammineni Bhaskar was allowed, and his convictions for murder and kidnapping were set aside. The prosecution failed to prove the charges beyond a reasonable doubt, as key witnesses provided unsubstantiated testimonies. There was no direct or reliable circumstantial evidence linking him to the crimes, and the prosecution did not meet the required standards for circumstantial evidence. Bhaskar was acquitted of all charges and directed to be released unless involved in another case.

**AIRPORTS AUTHORITY OF INDIA VS COMMISSIONER OF SERVICE TAX [C.A. NO.-017405 - 2017]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

The service tax liability on the Airports Authority of India (AAI) for handling export cargo at airports was upheld. Although "cargo handling service" excludes "handling of export cargo" under the Finance Act, 1994, the broader definition of "taxable service" includes any service provided by AAI at airports. Services rendered by AAI in this context fall under the "Airport Services" category as defined in the Act, effective from September 10, 2004. The appeal by AAI was dismissed without error found in prior decisions.

**RAJENDRA SINGH AND ORS. ETC. VS STATE OF UTTARAKHAND [C.R.L.A. NO.-000476-000477 - 2013]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

The identity of the appellants as the individuals who assaulted and killed the deceased was not conclusively established. Eyewitness testimonies were contradictory, and key witnesses' presence at the crime scene was questionable. Recovery of weapons based on the appellants' disclosures was insufficient to link them to the crime. The appeals were allowed, the conviction was set aside, and the appellants were acquitted based on reasonable doubt, with the Trial Court's acquittal deemed more reliable than the High Court's reversal.

**K.S. SHIVAPPA VS SMT. K. NEELAMMA [C.A. NO.-011342-011342 - 2013]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

A transaction involving the immovable property of a minor, executed by the minor's guardian without prior court permission under the Hindu Minority and Guardianship Act, 1956, is voidable at the minor's instance. The minor can repudiate such a transaction either by filing a suit or through unequivocal conduct, such as transferring the property upon reaching majority. Filing a suit is not mandatory. The plaintiff failed to prove valid title over the property, resulting in the dismissal of the suit.

**MANILAL SHAMALBHAI PATEL (DECEASED) THROUGH HIS LEGAL HEIRS VS OFFICER ON SPECIAL DUTY (LAND ACQUISITION) [C.A. NO.-014670-014670 - 2015]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

Compensation for the government-acquired land should be set at Rs. 95/sq. mt., based on the GIDC allotment letter for a nearby plot priced at Rs. 180/sq. mt., with appropriate deductions for development costs and land size. No additional compensation for fruit-bearing trees was awarded due to insufficient evidence of income from them.

**SAMTOLA DEVI VS THE STATE OF UTTAR PRADESH [C.A. NO.-004442-004442 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

Eviction of Krishna Kumar from his residence was deemed unnecessary. Kallu Mal had transferred parts of the house to his daughters and sold land, indicating he no longer owned the entire property. Krishna Kumar claimed a 1/6th share in the property and contested the gifts and sales made by his father. He resided in a small portion of the house and operated the family business without disrupting his parents' lives. Maintenance payments were deemed sufficient to address the situation, and eviction was viewed as excessive. The decision to set aside the eviction order was upheld, along with other conditions imposed.

**NIKHILA DIVYANG MEHTA VS HITESH P. SANGHVI [C.A. NO.-005180-005180 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The civil suit to declare the will and codicil of the plaintiff's late father null and void was barred by limitation under Article 58 of the Limitation Act. The cause of action arose either on the date of execution of the will (04.02.2014) or when the plaintiff became aware of it in November 2014. The suit, filed on 21.11.2017, exceeded the 3-year limitation period. Arguments regarding limitations as a mixed question of

law and fact and distinctions between "knowledge" and "full knowledge" were dismissed. The trial court's order rejecting the plaint due to limitation was restored.

**THE STATE OF HIMACHAL PRADESH VS SHAMSHER SINGH [CRL.A. NO.-000476-000476 - 2015]** 

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The accused-respondent was convicted under Section 307 IPC for attempted murder and Section 27 of the Arms Act, 1959, overturning a prior acquittal. Evidence indicated that the accused indiscriminately fired an AK-47 service weapon at colleagues, demonstrating intent to cause death, which is essential for the offense. Intention to cause death is prioritized over the degree of injury in this context.

**ANURAG BHATNAGAR VS STATE (NCT OF DELHI) [SLP(CRL) NO.-018084 - 2024]** 

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The Magistrate improperly entertained a direct application under Section 156(3) CrPC before the informant exhausted remedies under Sections 154 and 154(3), but this procedural irregularity did not invalidate the order. The order to register the FIR was well-reasoned and the High Court appropriately refused to quash it. The investigation was complete with chargesheets filed, justifying the High Court's refusal to quash the FIR at that stage. The dispute involved both civil and criminal elements that required evidence for resolution. Although the current FIR had similarities to a previous one, it was not identical, allowing for the possibility of a successive FIR absent a conviction or acquittal in the earlier case.

**RAJO DEVI VS MANJEET KAUR [C.A. NO.-007001-007002 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Prasanna B. Varale**

The accident resulted from the sole negligence of the Alto car driver, with no contributory negligence attributed to the deceased motorcyclist, Gautam. Compensation amounts for both Gautam and Harpal Singh were increased, overturning previous deductions for contributory negligence. The assessment of income and the multiplier for compensation calculations was analyzed in detail. The site plan, previously excluded from consideration, was deemed crucial evidence for determining the accident's cause.

**DINESH SHARMA VS EMGEE CABLES AND COMMUNICATION LTD. [CRL.A. NO.-002138-002139 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The High Court's order quashing the FIR against a company and its directors for offenses under Sections 420, 406, and 120B of the Indian Penal Code was set aside. The FIR alleged the creation of shell companies and deceptive monetary transactions by the directors, indicating intent to deceive. Economic offenses are recognized for their potential to undermine public confidence. The trial court is instructed to proceed with the matter in accordance with the law, unaffected by prior observations.

**THE PRINCIPAL CHIEF CONSERVATOR OF FOREST VS SURESH MATHEW [C.A. NO.-005542-005544 - 2025]**

[↗](#)

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Divisional Forest Officer had the authority to cancel the previous tender and call for a new one, provided the decision was not made in bad faith or arbitrarily. The High Court's interference with this decision was incorrect, as judicial restraint is necessary in reviewing administrative decisions related to contracts and tenders. Government authorities possess the expertise and discretion for such decisions, and courts should not override them unless proven to be made in bad faith or unreasonable.

**M/S SRI VENKATESWARA CONSTRUCTIONS VS THE STATE OF ODISHA [C.A. NO.-005540-005540 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Tahasildar and Sub-Collector's acceptance of the petitioner's bid was deemed reasonable and lawful, with the petitioner having substantially complied with tender conditions regarding the income tax return and GST no dues certificate. The interpretation of these conditions by revenue authorities was justified, and there was no material irregularity or arbitrariness in their decision-making. The petitioner's bid was notably higher than the next highest bidder, and its acceptance was seen as beneficial to the public exchequer.

**DISTRICT APPROPRIATE AUTH. VS KAUSHIK BABULAL SHAH [CRL.A. NO.-001969-001970 - 2017]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The appeals by the District Appropriate Authority were dismissed, upholding the decision to unseal a seized sonography machine. Keeping the machine sealed indefinitely after the respondent's acquittal was deemed unjustified, as the PC & PNDT Act does not specify a retention period for such records. The directive to retrieve data from the machine in the respondent's presence addressed the authority's concerns. The decision emphasized the respondent's right to use the machine for livelihood and the absence of substantial reasons for continued sealing.

**PARSHOTTAM SHANTILAL CHADDARWALAA VS THE STATE OF GUJARAT [CRL.A. NO.-000838-000838 - 2011]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The dismissal of the appellant's Special Criminal Application was justified, as the alleged offences did not fall under Section 195 CrPC. The tampering involved occurred after the civil suit proceedings and did not directly affect the administration of justice. Consequently, the trial court could take cognizance of the offences based on the police chargesheet.

**AASHISH YADAV VS YASHPAL [CRL.A. NO.-002573-002573 - 2025]**

**Bench: Justice K.V. Viswanathan, Justice Prasanna B. Varale**

The High Court's order granting bail to Yashpal and Raman, accused in the conspiracy to murder Aman, was set aside. The High Court's decision was based on parity with other co-accused who were not the main conspirators. Evidence indicated that Yashpal and Raman conspired to eliminate Aman and hired a contract killer for the execution during a marriage procession. Eyewitness accounts and the recovery of the murder weapon implicated them significantly. The lack of overt acts in the FIR did not justify bail, particularly for a serious offense under Section 302 IPC. Claims of a sudden fight were dismissed as the events pointed to a premeditated conspiracy.

**THE STATE OF BIHAR NOW JHARKHAND VS NILU GANJHU @ NILKANT RAM GANJHU [CRL.A. NO.-003382-003382 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Prasanna B. Varale**

The High Court's acquittal of Nilu Ganjhu and Mahboob Ansari was based on erroneous evidence assessment, as the prosecution proved charges beyond reasonable doubt through eyewitness testimony and circumstantial evidence. The trial court's conviction was upheld, resulting in the High Court's judgment being set aside. However, Dhanushdhari Ganjhu was acquitted due to a verified alibi supported by documentary evidence of his hospitalization during the incident.

**LOK MAL @ LOKU VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000325-000325 - 2011]**

**Bench: Justice Sandeep Mehta, Justice Prasanna B. Varale**

The conviction of the appellant for rape and voluntarily causing hurt under the Indian Penal Code was upheld. The testimony of the prosecutrix was deemed trustworthy and reliable, with the absence of major injuries and delay in lodging the complaint not discrediting her account. Claims of false implication due to enmity were rejected, and the character of the prosecutrix's mother was ruled irrelevant to the case. Consideration for remission of sentence was directed according to state policy.

**ATUL TIWARI VS REGIONAL MANAGER, ORIENTAL INSURANCE COMPANY LIMITED [C.A. NO.-000151-000151 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prasanna B. Varale**

Compensation for the appellant, who sustained serious injuries resulting in 60% permanent disability from a motor accident, was enhanced to Rs. 48,00,000. The initial compensation awarded by the High Court was found inadequate, particularly regarding medical expenses, attendant charges, and non-pecuniary damages, despite the correct adjustment under 'Loss of Income'. Principles for assessing compensation in motor accident cases, including the multiplier method and future prospects, were reiterated.

**RAJU NAIDU VS CHENMOUGA SUNDRA [C.A. NO.-003616-003616 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice Prasanna B. Varale**

The High Court's dismissal of the appellant's revision petition was upheld. The decree of the trial court merged with the appellate court's decree, meaning the executing court was not bound by the trial court's conditions. The appellant's claim under Section 53A of the Transfer of Property Act was deemed inapplicable due to the appellant's knowledge of the pending litigation at the time of entering the property.

**NAGANNA (DEAD) BY LRS. / SMT DEVAMMA VS SIDDARAMEGOWDA (SINCE DECEASED) BY LRS. [C.A. NO.-003688-003688 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice Prasanna B. Varale**

The decision allowed the defendant's second appeal, setting aside the lower courts' findings. The plaintiff

failed to conclusively establish ownership and possession of the disputed property through documentary evidence, including revenue record extracts. Ambiguities regarding the property were noted, and the plaintiff did not prove ownership in a separate case. The reasoning of the High Court was agreed upon, and the plaintiff's appeal was dismissed.

**EDAKKANDI DINESHAN@ P.DINESHAN . VS STATE OF KERALA [CRL.A. NO.-000118-000118 - 2013]**

**Bench: Justice Sudhanshu Dhulia, Justice Prasanna B. Varale**

The High Court's judgment convicting A1, A2, A3, A11, and A12 under Sections 302 read with 149 of the Indian Penal Code was upheld. Minor contradictions in witness testimonies did not undermine their overall credibility. The argument regarding faulty police investigation was rejected, as evidence still supported the prosecution's case. A3 was also convicted under the Explosive Substances Act for throwing a bomb during the incident. The High Court's reasoning was affirmed, maintaining the convictions and acquittals of the accused.

**SAKINA SULTANALI SUNESARA (MOMIN) VS SHIA IMAMI ISMAILI MOMIN JAMAT SAMAJ [C.A. NO.-006681-006682 - 2023]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

A party disputing a compromise recorded under Order XXIII Rule 3 of the Code of Civil Procedure must first approach the Trial Court instead of filing a first appeal under Section 96, which is barred for consent decrees. The 1976 amendments to the CPC eliminated the ability to appeal orders related to compromises and introduced provisions that do not grant an independent right of appeal but allow arguments regarding the validity of the compromise in existing appeals. No further appeal lies against a Lok Adalat award under the Legal Services Authorities Act.

**BABAN SHANKAR DAPHAL VS THE STATE OF MAHARASHTRA [CRL.A. NO.-001675-001675 - 2015]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The High Court convicted Accused Nos. 1-4 under Section 302 read with Section 34 of the Indian Penal Code, reversing the Trial Court's acquittal. The High Court found that the Trial Court placed undue emphasis on minor inconsistencies in eyewitness testimonies, neglecting the overall credibility and corroborative nature of the evidence. Eyewitness testimonies were deemed reliable and consistent on key facts, with medical evidence supporting the prosecution's case. Minor discrepancies in testimonies do not render them unreliable as long as the core facts remain consistent. Charges against Accused Nos. 5 and 6 were abated due to their passing during the proceedings.

**SHRI. MASAIDEVI VIVIDH KARYAKARI SAHAKARI SEVA SANSTHA MARYADIT WAREWADI VS THE STATE OF MAHARASHTRA [C.A. NO.-004669-004669 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The economic viability of a proposed cooperative society is essential for registration under the Maharashtra Cooperative Societies Act, 1960. The Scrutiny Committee determined that the proposed society failed to meet the required financial criteria, a finding overlooked by the State government when allowing registration. The High Court acknowledged this assessment and set aside the government's order, affirming that the registration would violate the Act and government resolutions.

**SITHARA N.S VS SAI RAM GENERAL INSURANCE COMPANY LIMITED THROUGH GM [C.A. NO.-014718-014719 - 2025]****Bench: JUSTICE PRASHANT KUMAR MISHRA, JUSTICE PRASANNA B. VARALE**

The Supreme Court dismissed the appeals by Sithara N.S. & Ors. against Sai Ram General Insurance Company Limited, upholding concurrent findings that the claimants failed to establish under Section 166 of the Motor Vehicles Act, 1988 the involvement of the alleged canter lorry in the 14.08.2013 accident causing the deaths of Sunil Singh and Shivu. The decisive ground was that the star witnesses P.W.1 and P.W.2 admitted they did not see the collision, while P.W.3 and P.W.4 materially contradicted themselves and claimed an improbable post-accident confession of registration numbers by the driver. Rejecting the contention that courts applied a beyond-reasonable-doubt standard, the Court reiterated that preponderance of probabilities governs but still requires cogent evidence linking a specific vehicle to the mishap; here the FIR omitted the lorry number, the spot mahazar was prepared days later without eyewitness foundation, and the Motor Vehicle Inspector's 05.10.2013 report found no damage on the alleged offending vehicle, rendering the late-recovered canter's involvement speculative. Relying on Collector Singh v. L.M.L. Limited, (2015) 2 SCC 410, the Court held that Article 136 interference with concurrent factual findings is warranted only if appreciation is perverse, which it was not, and therefore dismissed the appeals, leaving the insurance company free of liability.

**MUPPIDI LAKSHMI NARAYANA REDDY VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-002137-002137 - 2025]****Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

The criminal case against the sister-in-law, her husband, and father-in-law of the de-facto complainant was quashed due to the absence of specific allegations against them regarding dowry-related matters. The appellants resided in a different city from the matrimonial home, and the claims made were general and lacked evidence of their active involvement or physical torture of the complainant.

**THE STATE OF HIMACHAL PRADESH VS SANJAY KUMAR [CRL.A. NO.-000595-000595 - 2016]****Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

The High Court's judgment acquitting Sanjay Kumar and Chaman Shukla was upheld due to the prosecution's failure to establish the charges beyond reasonable doubt. Material contradictions in the prosecutrix's testimony regarding the date and place of the alleged rape undermined her credibility, as she did not report the incident to anyone, including Chaman Shukla, with whom she had stayed. Medical evidence was inconclusive, and DNA profiling of the semen samples was not conducted. The assessment of evidence by the High Court was considered reasonable, warranting no interference.

**M/S GODWIN CONSTRUCTION PVT. LTD. VS COMMISSIONER, MEERUT DIVISION [C.A. NO.-007661-007661 - 2014]****Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

The "Security Bond cum Mortgage Deed" executed by the appellant in favor of the Meerut Development Authority and the "Security Bond or Mortgage Deed" executed in favor of the Allahabad Bank are chargeable under Article 40 of Schedule 1-B of the Indian Stamp Act, 1899, rather than Article 57. These instruments meet the characteristics of a mortgage deed as defined in Section 2(17) of the Act, and the appellant, as the principal debtor, does not qualify as a surety under Article 57. The High Court's dismissal of the appellant's writ petitions was affirmed, with no identified infirmities in the judgments.

**SRI SHRIKANTH NS VS K MUNIVENKATAPPA [C.A. NO.-000307-000307 - 2025]****Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The First Appellate Court's orders granting the respondent's applications for the production of the mutation register and for raising additional grounds in the appeal were incorrect. The order to produce the mutation register was set aside since the suit had been dismissed by the Trial Court, meaning the

Appellate Court needed only to examine the validity of the order rejecting the plaint. However, the order allowing the respondent to raise additional grounds in the pending regular appeal was affirmed. Civil appeals were disposed of accordingly.

**RAMACHANDRAIAH VS M. MANJULA [C.R.L.A. NO.-002179-002179 - 2025]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The High Court's order for the Central Bureau of Investigation (CBI) to conduct a thorough investigation into K. Raghunath's suspicious death and property disputes was upheld. Concerns about forgery, undue influence, and the adequacy of the previous investigation justified the CBI's involvement. The challenge to the CBI investigation was dismissed, emphasizing that potential accused individuals have no right to be heard during the investigation phase. The CBI was instructed to complete the investigation within eight months, with assistance from the state government.

**SHYAM NANDAN MEHTA VS SANTOSH KUMAR [C.A. NO.-005679-005679 - 2025]**

**Bench: Justice Dipankar Datta, Justice Prashant Kumar Mishra**

The appeal resulted in the reversal of a High Court order that declared the appointment of the appellant as an Assistant Teacher illegal. An inadvertent mistake was identified in the appellant's TET certificate regarding his caste, which actually confirmed his status as BC (Backward Class) rather than MBC (Most Backward Class). The appellant did not gain any advantage from this classification, as the cutoff marks for both categories were the same, and he scored higher than the writ petitioner in the selection process. The recruitment agency did not cancel the appellant's appointment based on any incorrect information, contrary to the High Court's decision.

**NEELAM KUMARI VS THE STATE OF HIMACHAL PRADESH [C.R.L.A. NO.-000582-000582 - 2013]**

**Bench: Justice Prashant Kumar Mishra, Justice Augustine George Masih**

The conviction of Neelam Kumari for the murder of her infant son under Section 302 of the Indian Penal Code was overturned. The prosecution's case relied mainly on weak extra-judicial confessions that required strong corroboration. The circumstantial evidence did not create a complete chain linking her to the crime. Additionally, her actions after the incident, such as seeking medical help for the child, contradicted the narrative of a premeditated murder. The failure to establish her guilt beyond reasonable doubt resulted in her acquittal.

**P SOMARAJU VS THE STATE OF ANDHRA PRADESH [C.R.L.A. NO.-001770-001770 - 2014]**

**Bench: Justice Prashant Kumar Mishra, Justice Joymalya Bagchi**

The appeal led to the reversal of the High Court's conviction, restoring the trial court's acquittal. The High Court did not adequately apply the principles regarding interference with acquittals and overlooked reasonable grounds for acquittal, including inconsistencies in the prosecution's case, unreliable testimonies, and procedural lapses. The trial court's reasoning was based on evidence and deemed reasonable. It was clarified that an officer's powers to inspect compliance documents are not a means to extort bribes.

**MANOJ @ MUNNA VS THE STATE OF CHHATTISGARH [C.R.L.A. NO.-001129-001129 - 2013]**

**Bench: Justice Prashant Kumar Mishra, Justice Sanjay Karol**

The Supreme Court in Criminal Appeal No. 1129/2013 allowed the appeal and acquitted the appellant of offences under Sections 302 and 201 IPC, holding that conviction cannot rest solely on the "last seen together" circumstance in a circumstantial evidence case. The decisive ground was that the prosecution failed to complete the chain of circumstances as mandated by *Sharad Birdhichand Sarada v. State of Maharashtra* (1984) 4 SCC 116, which requires that circumstances must be conclusive, exclude every hypothesis of innocence, and form a complete chain unerringly pointing to guilt. The Court rejected the High Court's reliance on last seen theory coupled with the appellant's silence under Section 106 Evidence

Act, emphasizing that Section 106 does not shift the primary burden of proof and operates only after the prosecution establishes a prima facie case beyond reasonable doubt, as clarified in *Sabitri Samantaray v. State of Odisha* (2023) 11 SCC 813. Following *Padman Bibhar v. State of Odisha* 2025 INSC 751 and *Rambraksh v. State of Chhattisgarh* (2016) 12 SCC 251, the Court reiterated that last seen together is weak evidence requiring corroboration, and since no other incriminating circumstances were proved, the benefit of doubt must accrue to the accused. The appellant's bail bonds were consequently discharged.

**R. RAJENDRAN VS KAMAR NISHA [C.R.L.A. NO.-001013-001013 - 2021]**

**Bench: Justice Prashant Kumar Mishra, Justice Vipul M. Pancholi**

The Supreme Court set aside the High Court's direction for DNA profiling, holding that Section 112 of the Evidence Act, 1872 operates as a conclusive presumption of legitimacy in favour of a child born during the subsistence of a valid marriage, which can be displaced only by strong, unambiguous evidence of non-access between spouses at the time of conception. The Court found that respondent No.1 failed to plead or prove non-access, merely alleging simultaneous access to the appellant, which is insufficient to rebut the statutory presumption. Rejecting reliance on *Nandlal Wasudeo Badwaik v. Lata Nandlal Badwaik* (2014) 2 SCC 576 and *Dipanwita Roy v. Ronobroto Roy* (2015) 1 SCC 365, the Court distinguished these precedents on facts, noting they dealt with post-consent DNA results or collateral issues in matrimonial disputes, not criminal proceedings seeking to establish paternity to sustain charges under Sections 417 and 420 IPC and Section 4(1) Tamil Nadu Women Harassment Act. Emphasising the right to privacy under Article 21 and the principle in *Goutam Kundu v. State of West Bengal* (1993) 3 SCC 418 that DNA tests cannot be ordered as a matter of course or for roving inquiries, the Court held that no eminent need or investigative nexus existed to justify intrusive testing, especially since the child had attained majority and paternity was collateral to the alleged offences. Consequently, the appeal was allowed and the impugned judgment dated 10.05.2017 was set aside.

**KAPADAM SANGALAPPA . VS KAMATAM SANGALAPPA . [C.A. NO.-000281-000282 - 2015]**

**Bench: Justice Prashant Kumar Mishra, Justice Vipul M. Pancholi**

The Supreme Court dismissed the appeals holding that the appellants failed to discharge their burden of establishing that respondents violated the 01.11.1933 compromise decree governing rotation of Lord Sangalappa Swamy idols between Gungulakunta and Yerrayapilli villages under Clause 2 requiring four trustees and alternate six-monthly custody since the decree-holders could not prove respondents' non-payment of Rs.2000 share or their possession of original idols, particularly when PW-1 admitted absence of accounts, temple income sharing, trustee appointment or knowledge of Rs.2000 payment to ancestors during six decades, thereby rejecting the contention that mere absence of prior disputes proves operational decree. Following the maxim "he who asserts must prove" and distinguishing *Kashibai v. Sharbai* where decree breach was established through documentary evidence, the Court affirmed that execution petitions under Order XXI Rule 31 CPC require cogent proof of judgment-debtor's willful disobedience rather than presumptions, thereby upholding the High Court's reversal of the Executing Court's order that had allowed E.P. No.59 of 2000 without evidence. Consequently, the appeals being devoid of merit stand dismissed with courts relegating parties to their existing positions.

**PADMAN BIBHAR VS STATE OF ODISHA [C.R.L.A. NO.-002748-002748 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Circumstantial evidence against the appellant raised suspicion but was insufficient to convict solely under the "last seen together" theory. The evidence did not complete the necessary chain to establish guilt for offences under Sections 302 and 201 of the Indian Penal Code. The appellant's conviction and sentence were set aside, resulting in acquittal of the charges.

**CHOWDAMMA (DEAD) BY L.R. VS VENKATAPPA (DEAD) BY LRS. [C.A. NO.-011330-011330 - 2011]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The High Court's decision to decree the partition suit in favor of the plaintiffs was upheld. The plaintiffs established the valid marriage between their mother, Bheemakka, and deceased Dasabovi through testimony consistent with the legal presumption of marriage. The defendants did not provide evidence to disprove the marriage, and an adverse inference was drawn against defendant No.1 for her failure to testify. The findings of the High Court were not subject to interference.

**RAVINDRA PRATAP SHAHI VS STATE OF U.P. [CRL.A. NO.-003700-003701 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

A two-judge bench expressed concern over delays in High Courts delivering judgments after reserving cases. It directed all High Courts' Registrar Generals to provide a monthly list of reserved cases not yet pronounced. Chief Justices must notify the concerned Bench about these cases, and if judgments remain undelivered after three months, another Bench shall be assigned. Emphasis was placed on timely judgment delivery as essential for maintaining public confidence in the judicial system.

**V.M. SAUDAGAR (DEAD) THROUGH LEGAL HEIRS VS THE DIVISIONAL COMMERCIAL MANAGER CENTRAL RAILWAY [C.A. NO.-013017-013017 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Charges against the deceased TTE employee were not conclusively proved. Statements from two complainant passengers did not support the allegations, and the primary complainant was not examined during the enquiry. Allegations regarding excess cash and failure to recover fare differences were also unsubstantiated. The judgment restored the order of the Central Administrative Tribunal, directing the release of all consequential monetary and pensionary benefits to the appellant's legal heirs.

**OM PAL . VS STATE OF U.P. (NOW STATE OF UTTARAKHAND) [CRL.A. NO.-001624-001624 - 2011]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The appeals of the appellants were dismissed, upholding their conviction for murder and attempted murder in connection with an unlawful assembly. The prosecution established guilt through reliable testimonies from injured eyewitnesses, the nature of injuries, and the motive for the crime. Arguments regarding the delay in filing the FIR and non-recovery of weapons were deemed inconsequential compared to the evidence presented.

**MUSKAN VS ISHAAN KHAN (SATANIYA) [CRL.A. NO.-004752-004752 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court set aside the High Court's order quashing FIR No.35/2024 under Section 498A IPC and Sections 3-4 Dowry Prohibition Act, holding that the High Court conducted an impermissible mini-trial by discrediting the complainant's allegations merely because earlier complaints omitted two specific incidents dated 22.07.2021 and 27.11.2022. The decisive ground is that at the Section 482 CrPC stage, the Court must only examine whether the FIR discloses a cognizable offence, not assess credibility or genuineness of allegations, following *State of Haryana v. Bhajan Lal* (1992 Supp (1) SCC 335) which limits quashing to rarest cases where allegations are absurd or no offence is disclosed. Rejecting the argument that delayed incorporation of specific dowry demands amounts to afterthought, the Court emphasized that FIRs need not be encyclopedic and prior generic complaints already disclosed continuous dowry harassment. Applying *Neeharika Infrastructure* (2021) 19 SCC 401 and *State of Odisha v. Pratima Mohanty* (2022) 16 SCC 703, the Court held the High Court's reliance on omission of specific dates amounted to prohibited merit-based evaluation. The judgment reiterates that Section 482 power must be exercised sparingly to prevent abuse of process, not to stifle legitimate prosecution, and directs trial court to consider all defences on merits.

**SHANMUGAM @ LAKSHMINARAYANAN VS HIGH COURT OF MADRAS [CRL.A. NO.-005245 - 2024]**

**Bench: Justice Sudhanshu Dhulia, Justice Prashant Kumar Mishra**

The three appellants, Shanmugam @ Lakshminarayanan, M. Muruganandam, and S. Amal Raj, were convicted for contempt of court due to the production of forged interim orders to obstruct the execution of a court decree. Contempt proceedings were initiated within the one-year limitation period under Section 20 of the Contempt of Courts Act, 1971. The required standard of proof was met based on admitted facts. The original sentence of six months was modified to one month of simple imprisonment, taking into account the facts and circumstances of the case.

**JAYA BHATTACHARYA VS THE STATE OF WEST BENGAL [C.A. NO.-003254-003256 - 2025]****Bench: Justice B.R. Gavai, Justice Prashant Kumar Mishra**

The Supreme Court held that the appellant, Jaya Bhattacharya, was unlawfully denied the opportunity to prove her allegations that she was prevented from performing her duties and not paid her salary, as the respondents failed to conduct a departmental inquiry as ordered by the Tribunal earlier. The court determined that the respondents' decision to treat the appellant's unauthorized absence as extraordinary leave and regularize her service cannot be used to deny her pension benefits, as the burden was on the respondents to prove the unauthorized nature of the absence through a proper inquiry. The court directed the respondents to finalize the appellant's pension within 3 months, though without any arrears.

**HIRALAL BABULAL SONI VS THE STATE OF MAHARASHTRA [CRL.A. NO.-000579-000580 - 2012]****Bench: Justice B.R. Gavai, Justice Prashant Kumar Mishra, Justice K.V. Viswanathan**

The Supreme Court of India held that the prosecution failed to establish the guilt of Accused No. 3 (Nandkumar Babulal Soni) beyond reasonable doubt, particularly with respect to the charges under Sections 120B and 411 of the Indian Penal Code. The Court found that the prosecution could not conclusively prove that the seized gold bars were the same as those involved in the fraudulent transactions. The courts below had also acknowledged this gap in the prosecution's case. Further, the Court held that the prosecution did not adequately establish the appellant's knowledge that the gold bars were stolen property, as required under Section 411 IPC. The Court observed that the weakness in the defense or the appellant's failure to substantiate his case cannot substitute the prosecution's burden of proving the case beyond reasonable doubt. Accordingly, the Supreme Court allowed the appeals filed by Accused No. 3 and set aside his conviction. The Court also directed that the seized gold bars be handed over to Accused No. 3. The appeals filed by Vijaya Bank and Hiralal Babulal Soni seeking return of the gold bars were dismissed.

**KISHORE CHHABRA VS THE STATE OF HARYANA [C.A. NO.-008968-008968 - 2013]****Bench: Justice B.R. Gavai, Justice Prashant Kumar Mishra, Justice K.V. Viswanathan**

The appellant's claim for the release of land from acquisition failed due to the absence of a valid Change of Land Use (CLU) certificate necessary for commercial development. The plea of discrimination regarding the release of other lands was rejected, as those cases had distinct facts. Substantial expenditures had already been incurred by the state government for the development of the acquired area, and releasing the appellant's land would disrupt overall planning. However, because the appellant maintained continuous physical possession with an operational factory, compensation was directed to be calculated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as of its commencement date. The writ petition was dismissed, but compensation relief was provided based on the specific circumstances of the case.

**JOGESWAR SAHOO VS THE DISTRICT JUDGE, CUTTACK [C.A. NO.-004989-004989 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Prashant Kumar Mishra**

The appeal by the appellants, Stenographers and Personal Assistants, was allowed, and the orders for them to deposit excess financial benefits were set aside. Recovery was deemed unjustified as the excess payments stemmed from an erroneous interpretation by authorities, not from any wrongdoing by the appellants. As low-paid retirees, recovering the amount would impose undue hardship. Previous judgments cited consistently oppose the recovery of excess payments in such situations.

**S.C. GARG VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000438-000438 - 2018]**

**Bench: Justice Pankaj Mithal, Justice Prashant Kumar Mishra**

The criminal proceedings against S.C. Garg, Managing Director of Ruchira Papers Ltd., were quashed due to their nature as a counter-action to earlier concluded proceedings under Section 138 of the Negotiable Instruments Act, where co-accused Tyagi was convicted and the matter was compromised. The principle of res judicata applied, preventing re-litigation of issues already determined in the previous case. Additionally, Garg could not face vicarious prosecution as the company was not named as an accused in the current case.

**SUSHILA VS STATE OF U.P. [CRL.A. NO.-002020-002020 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The appeal was allowed, and the complaint against the appellants, relatives of the husband, was quashed due to vague allegations lacking specific details. The relationship between the husband and wife had ended before the alleged incident in 2015, preventing proceedings under Section 498A IPC and Section 4 of the Dowry Prohibition Act.

**ANKIT MISHRA VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-002037-002037 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Anticipatory bail was granted to Abdul Razzak, with the decision based on the nature of the offences being triable by a Judicial Magistrate and carrying a sentence of no more than 7 years, despite Razzak's criminal history. He is required to report to the police station on the 1st or 2nd day of each month during the trial and must not engage in any further criminal activity; failure to comply could lead to a motion for bail cancellation.

**SURINDER DOGRA VS STATE THROUGH DIRECTOR CBI [CRL.A. NO.-001020-001020 - 2022]**

**Bench: Justice Sudhanshu Dhulia, Justice Prashant Kumar Mishra**

The Supreme Court upheld the concurrent convictions of the appellant by the trial court and high court for offenses under Sections 420, 468, and 471 of the Ranbir Penal Code and Section 5(1)(d) read with Section 5(2) of the Prevention of Corruption Act, 1988. The key finding was that the appellant, while posted as Traffic Superintendent at Indian Airlines in Jammu, manipulated an infant ticket by forging it into an adult ticket, enabling a passenger Vikram to travel at a lower fare. The courts relied on evidence from a handwriting expert and a witness familiar with the appellant's handwriting to conclude that the relevant ticket coupons were issued under the appellant's handwriting.

**R. NAGARAJ (DEAD) THR. LRS. VS RAJMANI [C.A. NO.-005131-005131 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The High Court's remand of a case concerning a 1965 decree was unjustified, as the suit to set aside the decree and partition property was barred by limitation. Evidence indicated that the respondents were aware of the previous decree and failed to act on their right to challenge it. Limitation must be strictly enforced, particularly to protect the rights of bona fide purchasers. The appeal resulted in the dismissal of the suit by the trial court and first appellate court being restored.

**ANUKUL SINGH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-004250-004250 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

Criminal proceedings against the appellant were deemed an abuse of process and quashed under Section 482 of the Criminal Procedure Code. The underlying dispute was identified as purely civil, concerning a loan transaction and document execution. It was established that the criminal prosecution was initiated with malice and ulterior motives. Criminal law cannot be utilized for settling civil disputes, and the decision allows for the pursuit of civil remedies as permitted by law.

**L.K. PRABHU @ L. KRISHNA PRABHU (DIED) THROUGH LRS VS K.T. MATHEW @ THAMPAN THOMAS [C.A. NO.-014407-014407 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court held that attachment before judgment under Order XXXVIII Rule 5 CPC cannot extend to property already transferred by registered sale deed dated 28.06.2004, six months prior to institution of suit on 18.12.2004, as the essential condition that property must belong to defendant on suit date was absent. The decisive ground was that while Order XXXVIII Rule 8 read with Order XXI Rule 58 CPC permits adjudication of third-party claims, such proceedings cannot be converted into substantive enquiry under Section 53 Transfer of Property Act for fraudulent transfers, which requires independent suit. Rejecting the contention that delay in filing claim petition evidenced collusion, the Court emphasized that burden of proving fraudulent intent under Section 53 lies heavily upon creditor alleging fraud, and suspicion cannot substitute legal proof. Following *Hamda Ammal v. Avadiappa Pathar* (1991) 1 SCC 715 and *Vannarakkal Kallalathil Sreedharan v. Chandramaath Balakrishnan* (1990) 3 SCC 291, the Court reaffirmed that attachment cannot override pre-existing contractual obligations or completed transfers, and bona fide transferee for consideration merits protection. The Court ultimately ruled that the sale deed was valid, set aside High Court judgment dated 13.02.2023, allowed the civil appeal, and directed release of attachment with no order as to costs.

**YOGENDRA PAL SINGH VS RAGHVENDRA SINGH ALIAS PRINCE [CRL.A. NO.-005082-005082 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court allowed the appeal and cancelled the bail granted to Respondent No. 1 in a dowry death case under Sections 304B, 498A IPC and Sections 3, 4 of the Dowry Prohibition Act, holding that the High Court failed to apply the mandatory presumption under Section 113B of the Evidence Act and disregarded the gravity of evidence including dying declarations, post-mortem findings of abrasion and FSL confirmation of aluminium phosphide poisoning. The decisive ground was that the deceased's death within four months of marriage, coupled with consistent allegations of dowry harassment for a Fortuner car and her disclosure of forcible administration of poison, squarely attracted the dowry death presumption which the High Court ignored by mechanically applying general bail principles. Rejecting the respondent's contention of delayed FIR and interested witnesses, the Court emphasized that the complainant-father has locus under *R. Rathinam v. State* to seek annulment of a perverse bail order, and relied upon *Kans Raj v. State of Punjab* to reaffirm that once prosecution establishes ingredients of Section 304B, the statutory presumption under Section 113B becomes mandatory. The Court directed immediate surrender of Respondent No. 1 to custody, clarifying that this judgment is confined to bail cancellation and the trial shall proceed independently on merits.

**LAKSHMANAN VS STATE THROUGH THE DUPUTY SUPERINTENDENT OF POLICE [C.R.L.A. NO.-005628-005631 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice R. Mahadevan**

The Supreme Court set aside the High Court's bail order for accused under Sections 147, 148, 307 IPC and Section 3(2)(va) SC/ST (POA) Act, holding that grant of bail was vitiated by perversity and non-application of mind. The decisive ground was that the High Court ignored prior cancellation of bail after the accused, while on bail, murdered key witness Suresh in Crime No. 202/2022, demonstrating grave misuse of liberty and threat to trial fairness. Rejecting the defence that Section 15A(5) SC/ST Act was satisfied since victim was heard, the Court emphasized that annulment is warranted where bail order ignores supervening circumstances of witness elimination. Following Hariram Bhambhi v. Satyanarayan (2021 SCC OnLine SC 1010) that Sections 15A(3) and (5) are mandatory, and Shabeen Ahmad v. State of U.P. (2025) 4 SCC 172 that bail orders must consider gravity, antecedents and witness safety, the Court held that failure to consider prior bail cancellation, criminal antecedents, and threat to witnesses rendered the order unsustainable. The Court also set aside the illegal direction for joint trial of distinct offences under Sections 218-223 CrPC, holding that separate trials are the rule. The accused were directed to surrender within two weeks.

**ODISHA STATE FINANCIAL CORPORATION VS VIGYAN CHEMICAL INDUSTRIES [C.A. NO.-010047-010047 - 2025]**

**Bench: Justice J. B. Pardiwala, Justice R. Mahadevan**

The suit filed by Respondent No. 1 against the Odisha State Financial Corporation was deemed not maintainable due to the absence of a notice under Section 80 CPC. The repealed Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Act, 1993 was found inapplicable since the supply of goods occurred before the Act's enforcement. The appellant's liability was limited to available funds from the sale of the defaulting industrial unit's assets, with personal properties not subject to attachment. An application under Section 21 of the Limitation Act, 1963 was incorrectly entertained after the decree, as the trial court was no longer in session. The interest awarded by the trial court was deemed excessive and legally unsustainable.

**MAMMAN KHAN VS STATE OF HARYANA [C.R.L.A. NO.-004002-004002 - 2025]**

**Bench: Justice J. B. Pardiwala, Justice R. Mahadevan**

Orders directing the segregation of the appellant's trial from that of co-accused, based solely on the appellant being a sitting MLA, are deemed legally unsustainable. The segregation was imposed without affording the appellant a hearing, violating the right to a fair trial under Article 21 of the Constitution. The offences against the appellant arise from the same transaction as those against the co-accused, necessitating a joint trial under Section 223(d) of the Code of Criminal Procedure unless significant prejudice or delay can be demonstrated. The segregation orders are set aside, and the trial court is instructed to conduct a joint trial, regulating the schedule of proceedings for expeditious disposal while ensuring procedural safeguards and hearing all concerned parties.

**THE STATE OF JHARKHAND VS VIKASH TIWARY @ BIKASH TIWARY @ BIKASH NATH [C.R.L.A. NO.-000240-000240 - 2025]**

**Bench: Justice J.B. Pardiwala**

The order to transfer a life convict from Lok Nayak Jai Prakash Narayan Central Jail, Hazaribagh to Central Jail, Dumka was valid, based on legitimate security concerns and the risk of gang conflicts within the prison due to insufficient staff. The previous decision to overturn the transfer order was disagreed with, and the State of Jharkhand was directed to expedite the creation of a comprehensive Jail Manual aligned with the 2016 Model Prison Manual for effective prison administration.

**GULSHAN KUMAR VS INSTITUTE OF BANKING PERSONNEL SELECTION [W.P.(C) NO.-001018 - 2022]** 

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court of India held that all PwDs, irrespective of the nature or degree of their disability, are entitled to facilities like a scribe and compensatory time during examinations, in line with the principles laid down in Vikash Kumar v. UPSC and Avni Prakash v. NTA. The court found that the guidelines issued by the Ministry of Social Justice and Empowerment (Respondent No. 5) had certain deficiencies, such as restricting the facilities only to candidates with "difficulty in writing" and not extending the same to all PwDs. The court directed Respondent No. 5 to revisit the guidelines and incorporate various measures to ensure their uniform implementation by all the examining bodies, including setting up a grievance redressal mechanism, sensitizing the officials, and providing options for alternative examination modes. The court emphasized the need to strictly comply with the letter and spirit of the RPWD Act, 2016 and the previous judgments, with a focus on the principle of 'reasonable accommodation' for PwDs.

**RAMESH MISHRIMAL JAIN VS AVINASH VISHWANATH PATNE [C.A. NO.-002549-002549 - 2025]** 

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that the agreement to sell dated 03.09.2003 executed between the appellant and the mother of Respondent No.1 is liable for stamp duty under Explanation I to Article 25 of the Bombay Stamp Act, 1958. The Court noted that the agreement provided for transfer of possession of the suit property to the appellant within a specified timeline, even though the appellant was already in possession as a tenant. Accordingly, the Court dismissed the appeal and upheld the orders of the courts below, which had impounded the document and directed it to be sent to the Registrar of Stamps for recovery of the deficit stamp duty and penalty. The Court clarified that the stamp duty already paid, if any, shall be adjusted towards the total duty payable on the eventual sale deed.

**M/S B N PADMANABHAIAH AND SONS VS R N NADIGAR [C.A. NO.-002550-002550 - 2025]** 

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court of India held that the present suit filed by the former students and citizens in a representative capacity challenging the decree of permanent injunction obtained by the appellant in an earlier suit is not maintainable. The court observed that the appellant's decree has attained finality and the plaintiffs, who were not parties to the earlier suit, cannot collaterally challenge it. The court set aside the judgments of the lower courts and dismissed the suit, clarifying that it has not expressed any opinion on the issue of title to the property, which the parties are free to pursue in the competent civil court.

**JAIDEEP BOSE VS M/S BID AND HAMMER AUCTIONEERS PRIVATE LIMITED [CRL.A. NO.-000814-000814 - 2025]** 

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court of India allowed the criminal appeals and quashed the criminal proceedings initiated against the appellants (various journalists and editors) for publishing allegedly defamatory news articles about the respondent company's art auction. The court found that there were procedural irregularities in the issuance of summons, particularly the failure to comply with the mandatory requirement of inquiry under Section 202 CrPC when the accused reside outside the court's jurisdiction. The court emphasized the importance of freedom of speech and expression for the media, and the need for responsible and fair reporting, while cautioning the media against publishing statements that can

damage the reputation of individuals or institutions. The court unanimously quashed the criminal complaint and the impugned orders of the lower courts.

**IN RE RECRUITMENT OF VISUALLY IMPAIRED IN JUDICIAL SERVICES VS THE REGISTRAR GENERAL THE HIGH COURT OF MADHYA PRADESH [SMW(C) NO.-000002 - 2024]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Visually impaired candidates cannot be deemed unsuitable for judicial service, as this contravenes the principles of equality and reasonable accommodation under the Rights of Persons with Disabilities Act, 2016. An amendment to the Madhya Pradesh Judicial Service Rules that excluded visually impaired candidates and a proviso requiring 3 years of practice or 70% marks in the first attempt were struck down as indirect discrimination. Relaxation of minimum qualifying marks for persons with disabilities is permissible, and authorities must maintain separate cut-off marks and merit lists for individuals with benchmark disabilities in judicial service examinations to uphold substantive equality.

**N.P. SASEENDRAN VS N.P. PONNAMMA [C.A. NO.-004312-004312 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The document executed by the defendant in 1985 is a valid gift by way of settlement, not a will. It meets the criteria for a valid settlement, involving a voluntary property disposition based on love and affection. Conditions regarding a life interest do not negate the transfer of absolute ownership to the plaintiff. Lack of physical delivery does not invalidate the transfer, as the document's registration and the plaintiff's acceptance during the defendant's lifetime are sufficient. The unilateral cancellation of the 1985 document by the defendant and a subsequent sale deed to the appellant are invalid. The interpretation of the document aligns with the intention of the executant, affirming its validity as a settlement for the plaintiff.

**I.K. MERCHANTS PVT. LTD. VS THE STATE OF RAJASTHAN [C.A. NO.-004560-004563 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellants are entitled to reasonable compensation in the form of interest due to inadequate share valuation over five decades. Simple interest at 6% per annum is awarded from 8th July 1975 on the enhanced share valuation until the decree date, with 9% per annum interest from the decree date until realization. The compensation reflects the lengthy dispute and substantial share value while considering the financial impact on the State Government.

**RAKESH BHANOT VS M/S GURDAS AGRO PVT. LTD. [CRL.A. NO.-001607-001607 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Proceedings under Section 138 and Section 141 of the Negotiable Instruments Act, 1881 cannot be stayed by invoking the interim moratorium under Section 96 of the Insolvency and Bankruptcy Code, 2016. The moratorium is intended to protect against civil claims for debt recovery and does not apply to criminal proceedings under the NI Act. The objective of the NI Act is to uphold the credibility of commercial transactions, and allowing avoidance of prosecution through the IBC moratorium would undermine this purpose. Appeals and the writ petition were dismissed.

**THE CORRESPONDENCE RBANMS EDUCATIONAL INSTITUTION VS B GUNASHEKAR [C.A. NO.-005200-005200 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The plaint filed by the respondents, based solely on an agreement to sell, does not disclose a cause of action and is barred under Section 54 of the Transfer of Property Act. The respondents, as agreement holders, lack the standing to sue the appellant, who has been in settled possession of the property since 1905. A suit for bare injunction is not maintainable with a disputed title; the respondents needed to seek

declaratory relief confirming their vendors' title. The application under Order VII Rule 11(a) and (d) CPC was allowed, resulting in the rejection of the plaint. Directions were issued regarding the notification of cash transactions above ₹2 lakhs to relevant authorities.

**ANGADI CHANDRANNA VS SHANKAR [C.A. NO.-005401-005401 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The suit property purchased by Defendant No. 1 is classified as his self-acquired property rather than ancestral property. Evidence indicated that the property was acquired through a loan, not joint family funds. The doctrine of blending of self-acquired property with joint family property is not applicable since the suit property differs from property received under a will. Consequently, the judgment of the First Appellate Court is restored, validating the sale deed executed by Defendant No. 1 in favor of Defendant No. 2.

**P. KUMARAKURUBARAN VS P. NARAYANAN [C.A. NO.-005622-005622 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The suit filed by the appellant was not barred by limitation according to Order VII Rule 11(d) of the Code of Civil Procedure. The date of the appellant's knowledge regarding the disputed transactions raised factual questions that required a full trial rather than a summary decision. The High Court's dismissal of the plaint based solely on limitation was incorrect, as it did not adequately assess the appellant's claims about the date of knowledge. The order to reject the plaint was set aside, and the suit was restored for trial on its merits.

**VISA COKE LIMITED VS M/S MESCO KALINGA STEEL LIMITED [C.A. NO.-000357 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The notice dated 31.03.2021 served by the appellant-operational creditor on the key managerial personnel of the respondent-corporate debtor at their registered office constitutes valid service of the statutory demand notice under Section 8 of the Insolvency and Bankruptcy Code (IBC). The notice's purpose is to inform the corporate debtor of unpaid operational debt, and any technical defects in service should not impede the operational creditor's right to initiate the corporate insolvency resolution process (CIRP), provided the corporate debtor was made aware. The determination of a valid default by the corporate debtor or whether the contract was novated is a mixed question of law and fact to be resolved on the merits by the National Company Law Tribunal (NCLT). The appeal was allowed, the orders of the NCLT and the National Company Law Appellate Tribunal were set aside, and the matter was remanded to the NCLT for a fresh decision on the Section 9 petition, allowing reasonable opportunity for the parties.

**PRAGYA PRASUN VS UNION OF INDIA [W.P.(C) NO.-000289 - 2024]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The digital KYC process mandated by the Reserve Bank of India creates accessibility barriers for persons with disabilities, particularly those with facial disfigurements and visual impairments, violating their fundamental rights under the Constitution and the Rights of Persons with Disabilities Act, 2016. The current guidelines rely on visual verification methods, like eye blinking and facial recognition, which are inaccessible to many. There is an obligation to ensure accessibility and reasonable accommodations per the legal framework, including the UN Convention on the Rights of Persons with Disabilities. Directions were issued to relevant authorities, including RBI, TRAI, SEBI, and PFRDA, to revise digital KYC guidelines to ensure accessibility, implement alternative verification methods, and comply with accessibility standards for online services, while establishing grievance redressal mechanisms for persons with disabilities. This case included multiple petitioners who underscored challenges faced in the mandatory digital KYC process.

**TATA STEEL LTD VS RAJ KUMAR BANERJEE [C.A. NO.-000408 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appeal by Respondent No. 1 against the approval of the resolution plan was barred by limitation, having been filed beyond the maximum period of 45 days as prescribed under Section 61(2) of the Insolvency and Bankruptcy Code, 2016. The National Company Law Appellate Tribunal cannot condone delays exceeding the 15-day condonable period, even on equitable grounds. Strict adherence to timelines under the IBC is emphasized to ensure the efficiency of the insolvency resolution process.

**M/S JINDAL STEEL AND POWER LTD VS M/S BANSAL INFRA PROJECTS PVT. LTD. [C.A. NO.-006413-006413 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's interim order restraining the appellants from encashing the bank guarantee was deemed reasonable to protect the interests of both parties amid ongoing Section 9 arbitration proceedings. The Section 9 petition was partly heard, with the respondent's arguments concluded and pending the appellants' arguments. While bank guarantees should generally be honored, the legal issues raised were not decided as the bank guarantee had been extended until the Section 9 petition's disposal. The Commercial Court was directed to resolve the Section 9 petition within 8 weeks, with the bank guarantee remaining valid until then. The appeal was disposed of without costs, leaving legal questions open for later determination.

**VINOD INFRA DEVELOPERS LTD. VS MAHAVEER LUNIA [C.A. NO.-007109-007109 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

An unregistered agreement to sell and a power of attorney executed in favor of Respondent No. 1 cannot grant any title or interest in the property. Sale deeds executed by Respondent No. 1 after the revocation of the power of attorney are considered invalid. Issues of title and ownership of immovable property are exclusively handled by civil courts, not revenue authorities. A plaint cannot be rejected solely for insufficient court fees, and the plaintiff must be allowed to correct any deficiencies. The High Court's order rejecting the plaint has been set aside, and the trial court's order directing the suit to proceed is restored.

**ORISSA HIGH COURT VS BANSHIDHAR BAUG [SLP(C) NO.-011605-011606 - 2021]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's authority to designate Senior Advocates under Section 16(2) of the Advocates Act through suo motu power is upheld. Guidelines from the Indira Jaising judgments apply only to application-based processes, not to suo motu designations. New rules for Senior Advocate designations are to be framed by the High Courts, maintaining the Full Court's suo motu power. The validity of the suo motu designations of Respondent Nos. 5-9 by the High Court is reaffirmed. The matter is referred to a larger bench for a reevaluation of the designation process, highlighting that Senior Advocate status is a privilege governed by fairness, transparency, and objectivity.

**M/S. STEMCYTE INDIA THERAPEUTICS PVT LTD VS C.C.E. AND ST, AHMEDABAD - III [C.A. NO.-003816-003817 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Services related to the enrolment, collection, processing, and storage of umbilical cord blood stem cells qualify as "Healthcare Services" and are exempt from service tax under Entry 2 of Notification No. 25/2012-ST. The show cause notice issued beyond the ordinary period of limitation is time-barred due to lack of evidence for fraud, collusion, willful misstatement, or suppression of facts. The deposit of Rs. 40,00,000/- made by the appellant must be refunded, and the imposition of penalties and interest is deemed unwarranted.

**L. MURUGANANTHAM VS THE STATE OF TAMIL NADU [C.A. NO.-009487-009487 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellant's arrest and initial detention constituted a human rights violation, but prison authorities did not deliberately neglect his needs during incarceration, despite inadequate conditions for prisoners with disabilities. Systemic issues regarding accessibility, reasonable accommodations, and sensitivity toward these prisoners were recognized. Directives were issued to enhance the rights and dignity of prisoners with disabilities, including measures for identifying such prisoners, improving accessibility, ensuring proper healthcare and nutrition, training staff, reviewing the Prison Manual, and maintaining disaggregated data. These measures support constitutional and human rights obligations.

**JAYKISHOR CHATURVEDI VS SECURITIES AND EXCHANGE BOARD OF INDIA [C.A. NO.-001551-001553 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The appellants are liable to pay interest at 12% per annum on the unpaid penalty amounts, starting from the end of the 45-day compliance period after the adjudication orders dated 28.08.2014, rather than from the date of demand notices issued on 13.05.2022. The principle of "legislation by incorporation" was applied, with provisions of the Income Tax Act, 1961 being deemed applicable through Section 28A of the SEBI Act. The case was classified under "legislation by incorporation."

**HYATT INTERNATIONAL SOUTHWEST AISA LTD. VS ADDITIONAL DIRECTOR OF INCOME TAX [C.A. NO.-009766-009766 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Hyatt International Southwest Asia Ltd., a Dubai-based company, has a Permanent Establishment (PE) in India under Article 5(1) of the India-UAE Double Taxation Avoidance Agreement (DTAA). The company established a fixed place of business PE in India through its consultancy services under a long-term Strategic Oversight Services Agreement (SOSA) at hotel premises. Control and supervision over the hotel's operations confirmed the existence of the PE. Arguments that the absence of an exclusive space and the involvement of a separate Indian entity negated the PE were rejected. Income received under the SOSA was deemed taxable in India.

**M/S ASP TRADERS VS STATE OF U.P. [C.A. NO.-009764-009764 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The proper officer must issue a final, reasoned order under Section 129(3) of the CGST Act, 2017, even if the appellant has paid the tax and penalty under protest. This payment does not negate the appellant's right to appeal under Section 107. The absence of a final order impairs this right, necessitating the issuance of a reasoned order in Form GST MOV-09 within one month, after allowing the appellant a chance to be heard.

**UMRI POOPH PRATAPPUR (UPP) TOLLWAYS PVT. LTD. VS M.P. ROAD DEVELOPMENT CORPORATION [C.A. NO.-009920-009920 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Madhya Pradesh Arbitration Tribunal has exclusive jurisdiction over disputes from "works contracts" involving the State Government or its instrumentalities, irrespective of an arbitration clause in the contract. Attempts to invoke private arbitration under the Arbitration and Conciliation Act, 1996, are legally impermissible due to the statutory framework of the Madhya Pradesh Madhyastham Adhikaran Adhinyam, 1983. Claims are either time-barred or cannot be re-agitated after prior withdrawal without seeking leave.

**THE STATE OF KARNATAKA VS SRI DARSHAN ETC. ETC. [C.R.L.A. NO.-003528-003534 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court's bail order for the accused was unsustainable due to inadequate consideration of the severity of the offense under Sections 302 and 120B IPC, the existence of a prima facie case, and the risk of evidence tampering and witness influence. It was noted that bail could be canceled if the original order was flawed or disregarded relevant factors. The accused, especially A2, was seen as influential and capable of undermining the trial. The principle that no individual is above the law was emphasized, leading to the decision to revoke the bail order and take the accused into custody, with observations limited to the bail issue and not affecting the trial's merits.

**PERNOD RICARD INDIA PRIVATE LIMITED VS KARANVEER SINGH CHHABRA [C.A. NO.-010638-010638 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Pernod Ricard India Private Limited and another failed to establish a prima facie case of trademark infringement or passing off against Karanveer Singh Chhabra regarding the use of the mark "LONDON PRIDE" for whisky. A comparison of the competing marks—"BLENDERS PRIDE", "IMPERIAL BLUE", "SEAGRAM'S", and "LONDON PRIDE"—revealed no deceptive similarity likely to confuse consumers. The term "PRIDE" was deemed common and laudatory, with no evidence showing it had acquired distinctiveness linked solely to the appellants' products. Significant differences in the dominant features of the marks and the premium nature of the whisky further reduced any likelihood of confusion. The appeal was dismissed, and the Commercial Court was instructed to proceed with the trial on the main suit within four months.

**M.S. PATER VS STATE OF NCT OF DELHI [C.A. NO.-011796-011797 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Beggars' homes must be recognized as spaces of social justice that uphold the constitutional right to life with dignity. Comprehensive guidelines have been established to ensure humane conditions, preventive healthcare, nutritional standards, vocational training, legal aid, and accountability in these homes nationwide. Improvements are to be implemented across all beggars' homes, and the Union government is tasked with framing model guidelines for uniform application in all states and union territories. Failure to provide humane conditions violates the fundamental right to life with dignity.

**ITC LIMITED VS THE STATE OF KARNATAKA [C.A. NO.-011798-011798 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The search and seizure conducted by the respondent authorities under Section 15 of the Legal Metrology Act, 2009 were illegal due to non-compliance with mandatory procedural safeguards. The authorities failed to secure a search warrant, did not document the "reasons to believe" for the search, and did not ensure the presence of two independent witnesses as required by law. Additionally, the simultaneous issuance of seizure and compounding notices suggested a lack of careful consideration. Consequently, the notices/orders issued by the respondents were quashed, along with the judgment of the Division Bench of the High Court, restoring the order of the Single Judge.

**MANSI BRAR FERNANDES VS SHUBHA SHARMA [C.A. NO.-003826 - 2020]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Mansi Brar Fernandes and Sunita Agarwal were classified as speculative investors rather than genuine homebuyers within the IBC framework, as their agreements and actions indicated an intent to profit from assured returns and buyback options instead of a desire for possession of residential units. The non-applicability of the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2019 was overturned, and it was confirmed that this Ordinance, which set a threshold requirement for initiation of CIRP by allottees, applied to the case. Additionally, directives were issued to enhance the insolvency resolution framework for real estate projects, address speculative practices, and ensure timely project completions for legitimate allottees.

**CONFEDERATION OF REAL ESTATE DEVELOPERS ASSOCIATION OF INDIA (CREDAI) VS UNION OF INDIA [C.A. NO.-010043 - 2024]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The General Conditions under the EIA 2006 Notification do not apply to building and construction projects (Item 8(a)) and township/area development projects (Item 8(b)). The 2025 Notification issued by the MoEF&CC clarified this position, although the exclusion of certain buildings, such as industrial sheds and educational institutions, was deemed arbitrary. There is an emphasis on balancing environmental protection with sustainable development. State-level Expert Appraisal Committees (SEACs) are recognized as competent bodies to appraise these projects. Multiple real estate developers challenged a previous NGT order regarding this matter.

**HINDUSTAN CONSTRUCTION COMPANY LTD. VS BIHAR RAJYA PUL NIRMAN NIGAM LIMITED [C.A. NO.-014409-014409 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that the High Court lacked jurisdiction to review its 18.08.2021 order appointing an arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996, once the arbitral process had commenced and both parties had actively participated for over three years; the review, filed beyond three years without any error apparent on record, amounted to an impermissible appeal in disguise and violated the Act's self-contained code mandating minimal judicial interference. The decisive ground was that Clause 25 of the 2014 contract, despite an invalid unilateral-appointment limb, contained a severable and binding arbitration agreement satisfying Section 7 read with Section 7(4)(c), as evidenced by the respondents' admission, conduct, joint Section 29A extensions and earlier acceptance of an award under the same clause; the void portion being severed under the doctrine of severability and *TRF Ltd v. Energo Engineering Projects Ltd* (2017) 8 SCC 377 / *Central Organisation for Railway Electrification v. ECI SPIC SMO MCML (JV)* (2025) 4 SCC 641, the Court retained power under Section 11(6) to cure the defect by appointing an independent substitute arbitrator. Rejecting the contention that the negative covenant rendered the clause a contingent contract extinguishing arbitration, the Court ruled that such interpretation would enable a public entity to nullify dispute-resolution through an arbitrary veto, offending Article 14 and Section 18; respondents were also estopped under Section 4 from belatedly challenging jurisdiction after seventy hearings. The Court set aside the impugned judgment, directed the High Court to appoint a substitute arbitrator within two weeks to continue proceedings from the stage reached, and cautioned the State PSU to act as a model litigant, warning the then Managing Director against repetition of procedural apathy.

**A A ESTATES PRIVATE LIMITED VS KHER NAGAR SUKHSADAN CO OPERATIVE HOUSING SOCIETY LTD [C.A. NO.-014410-014410 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court dismissed the appeal holding that the termination of Development Agreement dated 16.10.2005 and Supplementary Agreements by Respondent No. 1 Society was valid and effective in law, having been carried out after due notice and prolonged default by the developer. The decisive ground is that these agreements do not constitute "assets" or "property" of the corporate debtor under Section 14 of the IBC as they stood terminated prior to initiation of the second CIRP on 06.12.2022, leaving only a claim for damages. The Court rejected the appellants' contentions that moratorium protection applies and that natural justice was violated, noting that possession always remained with the Society and the developer never commenced substantial work. Applying *Gujarat Urja Vikas Nigam Ltd v. Amit Gupta* (2021) 7 SCC 209 and *Tata Consultancy Services Ltd v. SK Wheels* (2022) 2 SCC 583, the Court held that NCLT cannot interfere with terminations based on defaults unrelated to insolvency. The High Court was justified in entertaining the writ petition under Article 226 to direct statutory authorities to process approvals for Respondent No. 8, as constitutional jurisdiction is not ousted by IBC. The Court directed compliance with High Court's directions within two months, emphasizing that IBC cannot be used to

indefinitely stall redevelopment projects affecting vulnerable residents' right to shelter under Article 21.

**RAJEEB KALITA VS UNION OF INDIA [W.P.(C) NO.-000538 - 2023]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The lack of adequate and accessible toilet facilities in court premises violates the fundamental right to life and dignity under Article 21 of the Constitution. There is a directive for the establishment of committees in each High Court to manage the construction, maintenance, and accessibility of separate toilet facilities for men, women, transgender persons, and persons with disabilities. High Courts and State governments must allocate sufficient funds, ensure regular maintenance, conduct inspections, and establish grievance redressal mechanisms. This judgment aims to enhance basic sanitation and hygiene in the judicial infrastructure nationwide.

**U. SUDHEERA VS C. YASHODA [C.A. NO.-000567-000567 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The High Court cannot grant an interim order in a second appeal under Section 100 of the Code of Civil Procedure without first framing the substantial question of law involved. An order granting interim relief in the form of status quo, issued without formulating a substantial question of law, is contrary to the requirements of Section 100 CPC. This matter involves legal representatives of Defendant No. 5 and Defendant Nos. 1, 3, and 6 challenging the interim order.

**GURDEEP SINGH VS THE STATE OF PUNJAB [CRL.A. NO.-000705-000705 - 2024]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice R. Mahadevan**

Gurdeep Singh, Assistant Superintendent of Central Jail, Ludhiana, was convicted under Sections 307, 353, 332, 225, 186, and 120B of the Indian Penal Code for conspiring to facilitate the escape of undertrial prisoner Kuldeep Singh. Evidence demonstrated a criminal conspiracy involving the appellant and the assailants, supported by consistent testimony from eyewitness Harjit Singh. The appellant's actions, including arranging a private vehicle and his passive behavior during the attack, contributed to an unbroken chain of incriminating circumstances. The conviction and sentencing were deemed legally sustainable given the appellant's responsibility as a public servant.

**ANNA WAMAN BHALERAO VS STATE OF MAHARASHTRA [CRL.A. NO.-004004-004004 - 2025]**

**Bench: Justice Ratnavel Pandian, Justice Y.V. Chandrachud, Justice J.B. Pardiwala, Justice R. Mahadevan**

The anticipatory bail applications of two government officials accused of facilitating fraudulent property transfer were rejected due to the seriousness of the charges and the need for custodial interrogation. Despite this, the officials can apply for regular bail, which will be assessed on its own merits. There are also directions to ensure timely processing of bail applications to protect the constitutional right to personal liberty.

**MAYA SINGH VS THE ORIENTAL INSURANCE CO. LTD. [C.A. NO.-002203-002203 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The Supreme Court of India held that the High Court erred in applying the 'split multiplier' method to calculate the loss of dependency, as this requires recording of specific reasons, which was not done in this case. The Court observed that the Tribunal's approach of applying a single multiplier of 9, without splitting the pre- and post-retirement periods, was the correct method as per the principles laid down in Sarla Verma v. DTC and Sumathi v. M/s. National Insurance Company Ltd. The Court also held that the appellants are entitled to an additional 15% increase on the loss of dependency amount for future prospects. Further, the Court enhanced the compensation for loss of consortium from ₹40,000 to ₹40,000 each for the widow, son, and daughter, in line with the principles laid down in the Constitution bench judgment in National Insurance Company Limited v. Pranay Sethi and Others. Accordingly, the Supreme Court set aside the High Court's order and restored the Tribunal's award, with some modifications, resulting in a total compensation of ₹33,03,300/- to the appellants.

**PARMINDER SINGH VS HONEY GOYAL [C.A. NO.-004299-004299 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

Compensation for the appellant with 100% permanent disability due to a road accident was increased from ₹15,25,600 to ₹36,84,000. The assessed monthly income was raised from ₹5,600 to ₹7,500, applying a future prospects multiplier of 40% to establish a new monthly income of ₹10,500. Additional compensation was awarded for attendant charges, special diet, pain and suffering, future medical expenses, and loss of marriage prospects.

**PALM GROVES COOPERATIVE HOUSING SOCIETY LTD. VS M/S MAGAR GIRME AND GAIKWAD ASSOCIATES [C.A. NO.-005536-005538 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The term "interim order" in Section 25(1) of the Consumer Protection Act, 1986, should be interpreted as "any order" to facilitate the enforcement of final orders from consumer forums like civil court decrees. The 1986 Act serves as a self-contained code, and the 2002 amendment created issues by limiting enforcement to "interim orders." This interpretation ensures effective enforcement of all consumer forum orders. An appeal may be made against execution orders from the District Forum to the State Commission, with no further appeal or revision options available. Similarly, orders from the State Commission in execution proceedings also lack further appeal or revision.

**NAMAMI GANGE AND RURAL WATER SUPPLY DEPARTMENT VS OM PRAKASH SINGH [SLP(C) NO.-004900 - 2023]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The special leave petition by the Namami Gange and Rural Water Supply Department was dismissed due to lack of merit. Payment of Sixth Pay Commission benefits to employees effective January 1, 2006 had already been settled in prior litigation, and orders for compliance had been issued. Additional time for compliance was granted, with warnings of serious consequences for non-compliance. Related special leave and contempt petitions were also dismissed as they were consequential to the main matter.

**SHRI JAIN SHWETAMBER SHRI SANGH PANJIKRIT SANSTHA VS STATE OF RAJASTHAN [C.A. NO.-000206-000206 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The compromise agreement between Shri Jain Shwetambar Shree Sangh and Shri Jain Shwetambar Khartargachh Sangh was upheld. Key terms include the respondent owning the Dadabari complex and

its properties, the appellant owning the two temples in Ajmer and the bank accounts, and the respondent to pay ₹8.11 crore to the appellant. Pending cases between the parties were disposed of as per the agreement.

**JYOSTNAMAYEE MISHRA VS THE STATE OF ODISHA [SLP(C) NO.-013984 - 2023]**

**Bench: Justice J.K. Maheshwari, Justice Rajesh Bindal**

The post of Tracer must be filled 100% by direct recruitment according to the 1979 Orissa Subordinate Architectural Service Rules. The authorities did not follow the required recruitment process and failed to inform the Tribunal and High Court about the relevant statutory rules. This oversight resulted in multiple rounds of litigation. The state authorities exhibited a lackadaisical approach, prompting a directive for the Chief Secretary to implement appropriate corrective measures.

**PARADIP PORT AUTHORITY VS PARADEEP PHOSPHATES LTD. [C.A. NO.-010542-010542 - 2025]**

**Bench: Justice M.M. Sundresh, Justice Rajesh Bindal**

The Paradip Port Authority (PPA) has the unilateral power under the 1963 Act to revise tariff rates without needing consent from Paradeep Phosphates Ltd (PPL). Awards from the Arbitrator, Appellate Authority, and the High Court were set aside due to inadequate consideration of relevant factors for tariff revision. The dispute regarding tariff applicable to PPL for the period from October 1993 to March 1999 is remitted to the Tariff Authority for Major Ports (TAMP) for adjudication. The TAMP's order for the subsequent period is also set aside and requires fresh consideration. An expert appellate body is recommended to handle appeals against TAMP orders, considering the technical nature of tariff fixation matters.

**KALPATARU POWER TRANSMISSION LTD (NOW KNOWN AS KALPATARU PROJECTS INTERNATIONAL LTD.) VS VINOD [C.A. NO.-010882-010888 - 2025]**

**Bench: Justice M.M. Sundresh, Justice Rajesh Bindal**

The High Court's judgment on compensation for landowners affected by transmission lines and towers was flawed as it relied on evidence from only one district while addressing issues in two districts. The methodology for assessing compensation was criticized, leading to the order being set aside and the matter sent back for fresh consideration. Additionally, the lack of effective statutory remedies and appeals in the 1885 Act was noted, prompting a recommendation for examination by the Law Commission and Ministry of Law and Justice.

**KHAJA MOHAIDEEN VS THE STATE OF TAMIL NADU [CRL.A. NO.-003152-003152 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The acquittal of Khaja Mohaideen and another for charges under Sections 498A and 306 of the Indian Penal Code was upheld. The dying declaration did not implicate the appellant-husband, and the evidence suggested the incident was an unfortunate accident due to a gas leak. Referring the matter back for fresh consideration was deemed unnecessary, leading to the upholding of their acquittal.

**M/S. SETHIA INFRASTRUCTURE PVT. LTD. VS MAFATLAL MANGILAL KOTHARI [C.A. NO.-010650-010650 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

An order condoning a delay of 5,250 days in filing for the restoration of a first appeal was set aside. Consideration must be given to potential third-party rights arising from long delays in restoration applications. The matter is remitted for a fresh decision on the delay application, with a requirement to hear the appellant/developer, who asserted that development of the disputed property commenced during the period the appeal was dismissed.

**MAHESH CHAND (DEAD) THROUGH LR(S) VS BRIJESH KUMAR [C.A. NO.-010256-010256 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The Civil Court has jurisdiction to hear the landlord's suit for eviction and recovery of rent, despite the land being initially classified as agricultural. During the litigation, the land was reclassified as non-agricultural under Section 143 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, which did not require formal registration to be valid. The responsibility for registration lies with the authorities, not the landlord. The case has been remitted to the First Appellate Court for a merits-based decision within six months.

#### **STATE BANK OF INDIA VS RAMADHAR SAO [C.A. NO.-010680-010680 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The High Court's interference with the departmental inquiry and punishment imposed on the respondent was erroneous. The disciplinary proceedings adhered to the principles of natural justice, and evidence, including testimonies from loanees, supported the finding of illegal gratification by the respondent for loan sanctions. An indirect admission of guilt was noted when the respondent sought leniency. The punishment of removal from service, along with superannuation benefits, was reinstated.

#### **UNION OF INDIA VS INDRAJ [C.A. NO.-013183-013183 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The Supreme Court allowed the Union's appeal and restored the removal of a Gramin Dak Sevak who, after a flawless departmental inquiry under the Gramin Dak Sevak (Conduct & Engagement) Rules, 2011, admitted misappropriating ₹5,266 from RD and life-insurance accounts by stamping passbooks but withholding corresponding entries; the Court held that the Rajasthan High Court transgressed the narrow Wednesbury limits of judicial review by re-appreciating evidence and treating post-facto restitution as absolution, whereas established precedent in *Union of India v. Parma Nanda* (2005) 10 SCC 263 and *State of Punjab v. Ram Singh* (2015) 4 SCC 88 mandates that courts do not sit as appellate tribunals over quantum of punishment once a fair inquiry is uncontaminated; the respondent's twelve-year experience negated the plea of ignorance of Rule 131 Branch Post Office Manual and Rule 21 integrity requirement, and voluntary deposit does not obliterate the breach of fiduciary trust inherent in a banker-customer relationship, rendering the penalty of removal proportionate; the Tribunal's concurrent findings were thus reinstated and the High Court's reinstatement order set aside.

#### **ASHOK KUMAR DABAS (DEAD THROUGH LEGAL HEIRS) VS DELHI TRANSPORT CORPORATION [C.A. NO.-014660-014660 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The Supreme Court in *Ashok Kumar Dabas (Dead) v. Delhi Transport Corporation* (Civil Appeal arising from SLP(C) No.4818/2023, decided on 09.12.2025) partly allowed the appeal, holding that while resignation entails forfeiture of past service under Rule 26 of the Central Civil Services (Pension) Rules, 1972, gratuity and leave encashment must still be paid. The decisive ground was that Rule 26 explicitly states resignation results in forfeiture of pensionary benefits, distinguishing resignation from voluntary retirement under Rules 48 and 48-A. The Court rejected the argument that the resignation letter should be construed as voluntary retirement, emphasizing that such interpretation would render Rule 26 nugatory and blur the legal distinction between resignation and retirement, as clarified in *BSES Yamuna Power Ltd. v. Ghanshyam Chand Sharma* (2020) 3 SCC 346. However, the Court held that Section 4 of the Payment of Gratuity Act, 1972 mandates payment of gratuity even upon resignation if the employee has rendered five years of continuous service, and the respondent fairly conceded leave encashment. The legal heirs were directed to receive gratuity and leave encashment with 6% interest from resignation date within six weeks, while pension claim was denied.

#### **SUVEJ SINGH VS RAM NARESH [C.A. NO.-014661-014661 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The Supreme Court set aside the Allahabad High Court's remand order in *Sujej Singh v. Ram Naresh*

(Civil Appeal arising from SLP(C) No.1681/2024, judgment dated 09.12.2025), restoring the revenue authorities' concurrent findings that had rejected the private respondents' belated plea under Section 30 of the Uttar Pradesh Revenue Code, 2006 for correction of the revenue map of Plot No.22/3. The decisive ground is that the claim, successively dismissed by the Collector on 27.05.1998 and by the Additional Commissioner on 04.09.2001, had attained finality; the subsequent application filed after seventeen years was not a bona fide request to rectify any "error or omission" within the contemplation of Section 30 but an attempt to secure a more valuable road-facing location for the plot purchased with full knowledge of its existing position. Rejecting the objection that an interlocutory remand order ought not to be interfered with, the Court, following *M.C. Mehta v. Union of India* (1999) 6 SCC 237 and *Krishnadatt Awasthy v. State of M.P.* (2024) SCC OnLine SC 493, emphasized that unnecessary remands generating fresh rounds of litigation must be discouraged; the High Court misread Section 30, overlooked the principle of constructive res judicata, and hence the appeal is allowed with no further remand.

**THE DIRECTOR OF TOWN PANCHAYAT VS M JAYABAL [C.A. NO.-012640-012643 - 2025]**

**Bench: Justice Rajesh Bindal, Justice Manmohan**

The Supreme Court set aside the Madras High Court's direction to appoint respondents as Junior Assistants, holding that compassionate appointment is a humanitarian concession, not a right, and cannot be claimed for higher posts after accepting lower posts. The decisive ground was that once respondents accepted sweeper posts in 2012 and 2007 respectively, their right to compassionate consideration stood consummated, rendering their 2015 writ petitions for higher posts after 3-9 years of service as cases of "endless compassion." Rejecting arguments of ignorance of rights and negative discrimination based on others' similar benefits, the Court emphasized that compassionate appointments under Articles 14-16 exceptions are solely to tide over immediate financial crisis, not to provide career advancement. The Court relied on *Umesh Kumar Nagpal* (1994) 4 SCC 138 establishing compassionate appointment as relief against destitution, *Premlata* (2022) 1 SCC 30 clarifying it as concession not right, and *State of Rajasthan v. Umrao Singh* (1994) 6 SCC 560 holding that consummated compassionate rights cannot be revived for higher posts. The appeals were allowed and writ petitions dismissed, with no costs ordered.

**HARISH KUMAR VS AMAR NATH (DEAD) THROUGH LR. [C.A. NO.-000308-000308 - 2015]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The high court's reversal of the concurrent findings of the trial court and first appellate court was deemed unsustainable. The respondents did not prove a valid agreement of sale, failing to examine attesting witnesses, and their evidence was considered self-serving. They also did not explain the possession of the disputed property or their claim of rent from the appellant. Although the appellant admitted to borrowing Rs. 50,000, there was no proof of debt discharge. The appeal was allowed, with a directive for the appellant to pay Rs. 3,00,000 to the respondents within four weeks.

**C. P. FRANCIS VS C.P.JOSEPH [C.A. NO.-011369-011369 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The High Court erred in introducing an additional substantial question of law without basis in the pleadings or evidence and in applying Section 67 of the Indian Succession Act. The parties had already established the valid execution and proof of the will. Granting a new prayer based on different reasoning was not in accordance with the case presented. The earlier judgment was set aside, and the appellant was directed to compensate the other legatees as outlined in the executed will within three months. It was noted that extraordinary powers under Article 136 should be exercised only in exceptional circumstances.

**MALLEESWARI VS K. SUGUNA [C.A. NO.-011437-011437 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The High Court's review order exceeded its limited review jurisdiction under the Civil Procedure Code by re-appraising the entire case. This effectively acted as an appeal over its previous order. The review order was set aside, restoring the earlier decision that granted the Appellant a 1/3rd share in ancestral properties under the Hindu Succession (Amendment) Act, 2005. The Trial Court was directed to resolve the pending applications within three months.

**EXECUTIVE TRADING COMPANY PRIVATE LIMITED VS GROW WELL MERCANTILE PRIVATE LIMITED [C.A. NO.-012235-012235 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The High Court's order allowing the defendant to file a reply to the summons for judgment in a summary suit, without first applying for leave to defend with a genuine and substantial defense, was procedurally incorrect. This deviation from Order XXXVII Rule 3 of the Civil Procedure Code undermined the distinction between a regular suit and a summary suit. The High Court's order was set aside, and parties were directed to follow the steps outlined in Rule 3 of Order XXXVII.

**JYOTSNA DEVI VS THE STATE OF ASSAM [C.A. NO.-011777-011778 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The civil appeals filed by Jyotsna Devi were allowed, and the High Court's orders regarding the challenge to her appointment as a Lecturer in History were set aside. The application of the 2003 Rules retrospectively to challenge her appointment was deemed illegal, as the 2001 Rules should have been applied. The government's condonation of her overage was a valid exercise of discretion. Jyotsna Devi is to be reinstated within 4 weeks without a break in service, while the services of the respondent, who was later accommodated, will remain unaffected.

**DHARMRAO SHARANAPPA SHABADI VS SYEDA ARIFA PARVEEN [C.A. NO.-012512-012512 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice S.V.N. Bhatti**

The plaintiff's claim of an oral gift of 10 acres from her mother Khadijabee was not validly proved due to the lack of established delivery of possession. The claim of being Khadijabee's daughter and sole heir was not conclusively supported by evidence. Additionally, the suit was barred by limitation, particularly

concerning the relief to set aside the sale deeds in favor of the defendants. The decision resulted in the dismissal of the plaintiff's suit.

**R. LOGESHKUMAR VS P. BALASUBRAMANIAM [C.A. NO.-014621-014621 - 2025]**

**Bench: Justice K.V. Viswanathan, Justice S.V.N. Bhatti**

The Supreme Court in R. Logeshkumar v. P. Balasubramaniam (Civil Appeal arising from SLP(C) 4845/2025) enhanced motor accident compensation from Rs.14,65,617/- awarded by the Madras High Court to Rs.21,75,681/- for a 21-year-old accounts assistant who suffered hemiparesis and brain injuries rendering him 100% functionally disabled. The decisive ground was the High Court's failure to account for future prospects while computing loss of earnings, whereupon the Court applied the principle from Nagappa v. Gurudayal Singh that tribunals must award "just compensation" under the Motor Vehicles Act, 1988, even exceeding claimed amounts. Following Syed Sadiq v. United India Insurance, the Court fixed monthly income at Rs.6,500/- (rejecting the Rs.9,000/- claim for want of evidence) but added 1/3rd towards future loss, arriving at Rs.8,667/- per month, and multiplied by 12 x 16 x 100% to award Rs.16,64,064/- under "Loss of Earnings due to Functional Disability". Additionally, attendant charges were enhanced from Rs.6,000/- to Rs.3,00,000/- considering his lifelong dependency, while actual medical expenses of Rs.1,08,000/- were rejected for non-prosecution. The Court directed payment of the deficit amount with 7.5% interest from claim petition date, disposal of court fee within six weeks, and dismissed pending applications.

**T. RAJAMONI (D) THR. LRS. VS THE MANAGER ORIENTAL INSURANCE CO. LTD. [C.A. NO.-000999-001000 - 2025]**

**Bench: Justice K.V. Viswanathan, Justice S.V.N. Bhatti**

The appellant, who sustained serious head injuries in a road accident, is entitled to compensation of Rs. 12,09,017/- with 7.5% interest per annum. The award that allocated Rs. 3,000 per percentage of disability was deemed unsustainable. A lump-sum compensation of Rs. 7,50,000/- for loss of earning capacity was deemed reasonable, based on the appellant's age and occupation as a mason. Compensation for medical expenses, pain and suffering, and attendant charges was also upheld. The insurer must deposit the remaining compensation within six weeks.

**AYYAVU VS PRABHA [C.A. NO.-003747-003748 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The civil appeal was allowed, and the High Court's judgment in favor of the defendants was set aside. The plaintiff's ownership claim based on the sale deed was validated, while the defendants failed to provide adequate documentation for their claim that the disputed property belonged to the Gram Panchayat. The High Court's error lay in reappreciating facts instead of relying on the sale deed and the commissioner's report that supported the plaintiff's case. The suit for perpetual and mandatory injunction was permitted in favor of the plaintiff.

**J. GANAPATHA VS M/S. N. SELVARAJALOU CHETTY TRUST . [C.A. NO.-004370-004370 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

Padmini Chandrasekaran acquired valid ownership of the disputed property through a 1962 court auction sale, later bequeathing it to a trust and certain individuals in her will. The sale deeds executed by the first defendant to defendants 3-6 were void due to the lack of valid title for conveyance. The plaintiff trust's claim for ownership was rejected, but relief was granted to the executors of Chandrasekaran's will to set aside the void sale deeds and implement will provisions, including those for Vinayagamurthy and his children, to prevent further prolonged litigation in light of the executors' passing and the surviving executor's age.

**ANNAYA KOCHA SHETTY(DEAD) THR. LRS. VS LAXMIBAI NARAYAN SATOSE SINCE DECEASED THROUGH LRS**

**[C.A. NO.-000084-000084 - 2019]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The agreement dated 16.08.1967 between the plaintiff and the first defendant was interpreted as a business conducting arrangement for the hotel, rather than a leave and license agreement that would create a landlord-tenant relationship under the Bombay Rent Act. The interpretation relied on the plain and ordinary meaning of the agreement's clauses. Oral evidence was excluded under the Evidence Act, 1872, preventing any alteration of the written terms. Both the appellate bench and the High Court supported this interpretation, which contradicted the trial court's assessment. The civil appeal filed by the plaintiff was dismissed, upholding the prior findings.

**NEHA ENTERPRISES VS COMMISSIONER, COMMERCIAL TAX, LUCKNOW, UP [C.A. NO.-006553-006553 - 2016]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The disallowance of input tax credit claimed by the appellant dealer on sales to manufacturer-exporters against Form-E was upheld based on Section 13(7) of the Uttar Pradesh Value Added Tax Act, 2008. Input tax credit is not permitted for sales exempt from tax under Section 7(c), regardless of the intent behind the notifications promoting exports. The statutory prohibition in Section 13(7) takes precedence over policy considerations, leading to the denial of input tax credit to the dealer.

**ASHOK KUMAR JAIN VS THE STATE OF GUJARAT [C.R.L.A. NO.-002375-002375 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The appeal led to the quashing of the FIR against the appellant, as the allegations did not constitute offenses under Sections 406 and 420 of the Indian Penal Code. Goods were exported by M/s Oswal Overseas, not directly to the appellant, placing liability for unpaid sale prices on M/s Oswal Overseas. The attempt to implicate the appellant was deemed an abuse of process, with the non-payment being a civil dispute that did not justify criminal proceedings.

**STATE REP. BY INSPECTOR OF POLICE VS ELURI SRINIVASA CHAKRAVARTHI [C.R.L.A. NO.-002784-002794 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The Special Court and High Court erred in discharging the accused based on a letter from the Cotton Corporation of India indicating no loss was caused and compliance with Minimum Support Price guidelines. Lower courts exceeded their jurisdiction by considering documents submitted by the accused instead of relying solely on the chargesheet and accompanying documents. Reconsideration of the discharge petitions is required, without influence from prior observations. The case involves divided opinions among the judges regarding the appeals and discharge orders.

**THE STATE OF TELANGANA VS MIR JAFFAR ALI KHAN (DEAD) THR. LRS. [C.A. NO.-009996-009996 - 2025]**

**Bench: Justice Pankaj Mithal, Justice S.V.N. Bhatti**

The Supreme Court allowed the State's appeal and set aside the orders excluding 102 acres in Survey No. 201/1 from the Gurramguda Forest Block, holding that the Forest Settlement Officer (FSO) exceeded jurisdiction under Section 10 of the Telangana Forest Act by purporting to decide title in a summary inquiry. The decisive ground was that once Jagirs were abolished under the Hyderabad (Abolition of Jagirs) Regulation, 1358F, all lands vested absolutely in the State; the FSO and appellate courts erred in treating unverified copies of the 1954 Jagir Administrator's letter and the 1968 Nazim Atiyat order as divesting Government title, despite binding findings in CCCA No. 84/1982 and Civil Appeal No. 3354/1988 that Jagirdars had only usufructuary rights and could not alienate, and that the State had perfected title by adverse possession since 1953. Rejecting the claimants' reliance on Arazi-Makta status, the Court emphasised that Atiyat Courts post-abolition have jurisdiction only over commutation sums, not immovable property, as clarified in State of A.P. v. A.P. State Waqf Board (2022) 2 SCC 383, and that

exclusion of land from a forest notification after 53 years without prior Section 15 notification does not revive extinguished title. The Court directed the Chief Secretary, Telangana, to issue the final Section 15 notification within eight weeks, treating the land as always Government property.



**NADEEM AHAMED VS THE STATE OF WEST BENGAL [CRL.A. NO.-003573-003574 - 2025]** 

**Bench: Justice Aravind Kumar, Justice Sandeep Mehta**

The trial court's conviction of the accused-appellant was based on insufficient evidence regarding the total quantity of contraband, which did not exceed the commercial quantity. Additionally, there were significant procedural lapses in the seizure, sampling, and inventory processes, including failure to comply with mandatory requirements under the NDPS Act. Consequently, the earlier judgments were quashed, resulting in the acquittal of the accused-appellant.

**ABDUL NASSAR VS THE STATE OF KERALA [CRL.A. NO.-001122-001123 - 2018]** 

**Bench: Justice B.R. Gavai, Justice K.V. Viswanathan, Justice Sandeep Mehta**

The appeals filed by the accused in a rape and murder case involving a 9-year-old child were dismissed, affirming the conviction. A complete chain of incriminating circumstantial evidence, including forensic evidence and eyewitness testimonies, established the accused's guilt. The evaluation of circumstantial evidence requires meticulous examination.

**X VS THE STATE OF BIHAR [CRL.A. NO.-003090-003090 - 2025]** 

**Bench: Justice Hima Kohli, Justice Vikram Nath, Justice Sandeep Mehta**

The High Court's bail order for the superintendent of a women's protection home was deemed a grave error due to serious allegations of sexual exploitation and abuse of power over vulnerable inmates. The bail was granted without hearing the victim and lacked sufficient justification, violating the SC/ST Act. This decision risked tampering and influence on witnesses during the trial. The bail order was quashed, and the accused was directed to surrender within four weeks.

**SHANTI DEVI VS THE STATE OF HARYANA [CRL.A. NO.-002861-002861 - 2025]** 

**Bench: Justice Manoj Misra, Justice Sandeep Mehta**

Shanti Devi and her son Rajbir were acquitted of charges under Sections 302 and 201 of the Indian Penal Code. The prosecution's case relied solely on circumstantial evidence, which did not establish a conclusive link between the accused and the crime. Issues identified included contradictory witness testimonies regarding motive, inadmissible extra-judicial confessions, and forensic evidence that did not support the allegations. The judgments of the trial court and the High Court were quashed, granting acquittal to the non-appealing accused as well.

**SANTOSH SAHADEV KHAJNEKAR VS THE STATE OF GOA [CRL.A. NO.-001991-001991 - 2023]** 

**Bench: Justice Sanjay Karol, Justice Sandeep Mehta**

The appellant's conviction under Section 8(2) of the Goa Children's Act, 2003, and Section 504 of the Indian Penal Code was deemed unsustainable due to the lack of evidence for deliberate maltreatment and insufficient grounds for provoking a breach of peace. However, the conviction for offenses under Sections 323 and 352 of the Indian Penal Code was confirmed, with the appellant ordered to be released on probation for one year, conditioned on maintaining peace and good behavior.

**KANNAIYA VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-000116-000116 - 2012]** 

**Bench: Justice Sanjay Karol, Justice Sandeep Mehta**

The conviction of Kannaiya and three co-accused, Govardhan, Raja Ram, and Bhima, is unsustainable due to the prosecution's failure to convincingly establish the incident's genesis and location. Testimonies from key eyewitnesses Madho Singh and Puniya were found contradictory and unreliable. As a result, the benefit of doubt was extended to the accused and co-accused, including those who did not challenge their conviction.

**GYANENDRA SINGH @ RAJA SINGH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-001257-001257 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appellant's conviction for offences under Sections 376(2)(f) and 376(2)(i) of the Indian Penal Code and Sections 3/4 of the Protection of Children from Sexual Offences (POCSO) Act was justified based on the evidence. The trial court's conviction was upheld, but the High Court's directive that life imprisonment meant imprisonment for the appellant's natural life was found to be incorrect. The life imprisonment sentence for the POCSO Act offences will stand, while for the IPC offences, it is life imprisonment without the requirement of serving the entirety of natural life. Additionally, the appellant must pay a fine of Rs. 5,00,000/- to the victim.

**C. KAMALAKANNAN VS THE STATE OF TAMIL NADU [CRL.A. NO.-001056-001056 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appeal resulted in the quashing of the appellant's convictions due to the prosecution's failure to prove the existence of the disputed postal cover, which was not presented as evidence. The absence of primary evidence rendered the handwriting expert's opinion irrelevant, leading to the conclusion that the appellant was entitled to a clean acquittal.

**RAJNISH SINGH @ SONI VS STATE OF U.P. [CRL.A. NO.-001055-001055 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Criminal proceedings against Rajnish Singh @ Soni were quashed after it was determined that the sexual relations with the complainant, Ms. A, were consensual. Allegations made by Ms. A were found to be contradictory and unbelievable, as their relationship lasted 16 years and she had presented herself as his wife multiple times. The case was characterized as a love affair gone sour, not as sexual exploitation based on a false promise of marriage. Consequently, the FIR and related proceedings against the appellant were dismissed.

**M.S. NAGABHUSHAN VS D.S.NAGARAJA [CRL.A. NO.-001076-001083 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appellant-accused's conviction under Section 138 of the Negotiable Instruments Act for dishonor of post-dated cheques was deemed unjustified, as the respondent-complainant occupied the appellant's flat without paying rent or maintenance after the lease ended. The appellant was entitled to deduct outstanding rent and maintenance from the security deposit before refunding. The high court and appellate court's judgments were set aside, and the trial court's decision was restored, with the appellant ordered to pay Rs. 3,00,000 in compensation to the respondent-complainant.

**CHANDRA SHEKHAR SINGH VS THE STATE OF JHARKHAND [C.A. NO.-010389-010389 - 2024]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The term "degree" in the recruitment advertisement for Food Safety Officer (FSO) includes both bachelor's and master's degrees in specified subjects. The state government lacks the authority to limit qualifications to only bachelor's degrees, as this is governed by the central government under the Food Safety and Standards Act, 2006. The disqualification of appellants with master's degrees in microbiology and food science was overturned. Appellants are to be accommodated in the 2016 recruitment process from the interview stage or provided with supernumerary posts, ensuring the seniority of already selected candidates remains unaffected.

**RAJENDRA ANANT VARIK VS GOVIND B. PRABHUGAONKAR [CRL.A. NO.-002476-002476 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The accused-appellant's conviction under Section 138 of the Negotiable Instruments Act for dishonor of a cheque was contested. The reversal of the initial acquittal by the High Court was deemed erroneous for not sufficiently addressing the applicability of the Goa Money-Lenders Act as a defense. Since the accused-appellant had already settled the cheque amount and imposed fine, approval was granted to

compound the offence and acquit him, with the condition that the deposited amount be paid to the complainant-respondent.

**HANSURA BAI VS THE STATE OF MADHYA PRADESH [C.R.L.A. NO.-002647-002647 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The investigation into the custodial death of Deva Pardhi is to be transferred to the Central Bureau of Investigation due to concerns about the local police's lack of fairness and transparency, with allegations of shielding officers involved in the incident. Gangaram Pardhi, the sole eyewitness, faces multiple false cases designed to hinder his testimony. There is a directive for the High Court to expedite his bail applications, and the state government is required to provide him protection under the witness protection scheme.

**CHANDIGARH ADMINISTRATION VS REGISTRAR GENERAL, HIGH COURT OF PUNJAB AND HARYANA [C.A. NO.-007249-007250 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court's orders for the Chandigarh Administration include the construction of a verandah in front of Court Room No. 1 to protect litigants and lawyers from the elements, and the installation of green paver blocks in the open parking area to control dust pollution and enhance green cover. The verandah construction aligns with UNESCO guidelines for World Heritage sites as it involves minimal structural modification. The proposal, initially rejected in 1956, can now be reconsidered due to changes in court functioning dynamics.

**BATLANKI KESHAV (KESAVA) KUMAR ANURAG VS THE STATE OF TELANGANA [C.R.L.A. NO.-002879-002879 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The discharge of the appellant from charges under Sections 376(2)(n) of the Indian Penal Code and 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act was validated due to a lack of prima facie evidence supporting the allegations of sexual intercourse based on a false promise of marriage. The de-facto complainant exhibited manipulative tendencies, as indicated by chat transcripts. The FIRs against the appellant were quashed in their entirety.

**CENTRAL BUREAU OF INVESTIGATION VS SEKH JAMIR HOSSAIN [C.R.L.A. NO.-002880-002880 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Allegations against the accused included forming an unlawful assembly, attacking the complainant's house, vandalism, and attempting to sexually assault the complainant's wife. The severity of the offenses suggested a risk to a fair trial, leading to the cancellation of bail previously granted. The accused were required to surrender within two weeks, and authorities were tasked with ensuring protection for the complainant and witnesses. The observations made do not impact the upcoming trial.

**G. MOHANDAS VS THE STATE OF KERALA [C.R.L.A. NO.-002992-002992 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appeal was dismissed due to evidence indicating that the appellant and officials of the Thiruvananthapuram Municipal Corporation conspired to misuse a renovation permit for a commercial building in a prohibited zone. The evidence supported charges under the Prevention of Corruption Act, 1988, and the Indian Penal Code. The dismissal of the appellant's petition and the trial court's direction to frame charges against the appellant and officials were upheld.

**MALA CHOUDHARY VS THE STATE OF TELANGANA [C.R.L.A. NO.-003052-003052 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The FIR against Mala Choudhary and her daughter Puttagunta Revathi Choudhary for offenses under

Sections 406 and 420 of the Indian Penal Code was quashed due to false and fabricated allegations. The complainant, an agent of an influential builder, misused the criminal process to falsely implicate the appellants in a civil dispute. Discrepancies were noted between the FIR and the civil suit filed by the complainant. A cost of Rs. 10 lakhs was imposed on the complainant for abuse of process, and police security was mandated for the appellants when visiting Hyderabad/Telangana.

**METPALLI LASUM BAI SINCE DEAD AND ORS. VS METPALLI MUTHAIAH(D) BY LRS [C.A. NO.-005921-005921 - 2015]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The registered will executed by Metpalli Rajanna in favor of his second wife Lasum Bai was deemed genuine and valid. Evidence indicated an oral family settlement for property distribution among Lasum Bai, Muthaiah, and Rajanna's widowed daughter Rajamma. The declaration of Lasum Bai as the exclusive owner of 4 acres 16 guntas of land was justified, leading to the restoration of the trial court's decree and the rejection of the reduced share established by the High Court. Appeals by Lasum Bai's legal representatives were allowed, while those by Muthaiah's representatives were dismissed.

**NIKITA JAGGANATH SHETTY @ NIKITA VISHWAJEET JADHAV VS THE STATE OF MAHARASHTRA [CRL.A. NO.-003088-003088 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Anticipatory bail was improperly granted to the accused, including the appellant's estranged husband, despite serious allegations of forcible dispossession of the appellant from her inherited property, accompanied by threats and the concealment of material facts. The gravity of the offenses and the accused's criminal history were not adequately considered. The order for anticipatory bail was quashed, and the accused must surrender to the trial court within two weeks, with the option to apply for regular bail.

**KHURSHEED AHMAD CHOHAN VS UNION OF TERRITORY OF JAMMU AND KASHMIR [CRL.A. NO.-003092-003093 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

A police constable experienced severe custodial torture, including genital mutilation, supported by medical records. Claims of a suicide attempt by respondents were deemed implausible. Mandatory registration of an FIR was necessary due to the disclosure of cognizable offences, making the direction for a preliminary inquiry by the High Court incorrect. Due to local police's systemic cover-up, the investigation was transferred to the CBI for fairness. A counter-FIR against the constable was quashed as a malicious attempt to protect the offenders. The violation of the constable's constitutional rights led to an interim compensation of ₹50 lakhs to be recovered from the responsible officials.

**SUKDEB SAHA VS THE STATE OF ANDHRA PRADESH [CRL.A. NO.-003177-003177 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The investigation into the unnatural death of a 17-year-old girl at a coaching institute and hostel will be transferred to the Central Bureau of Investigation (CBI) due to significant lapses and irregularities in the local police inquiry. Evidence of an ineffective and biased investigation includes contradictory CCTV footage, unexplained medical lapses, and suppression of critical forensic evidence. This case is recognized as part of a larger issue concerning student suicides, prompting the establishment of guidelines for mental health protection and prevention across educational institutions until suitable legislation is implemented.

**M.C. RAVIKUMAR VS D.S. VELMURUGAN [CRL.A. NO.-003122-003122 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court's order permitting a second quashing petition by the accused-respondents was

unjustified, as it served as a review of the earlier dismissal of the first quashing petition. The grounds for the second petition were available during the first, and it is not permissible for the accused to present new pleas repeatedly under Section 482 of the Code of Criminal Procedure. No change in circumstances justified the second quashing petition, leading to the quashing of the High Court's order and the restoration of the criminal complaint filed by the appellant-complainant.

**SANTHOSH KARUNAKARAN VS OMBUDSMAN CUM ETHICS OFFICER [C.A. NO.-009905-009905 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The orders of the Ombudsman and the High Court were set aside due to concerns over non-transparency in the proceedings. The decision of the Kerala Cricket Association to blacklist the appellant was struck down. The original application filed by the appellant before the Ombudsman was revived, with a directive for a fresh hearing and decision within three months.

**STATE OF RAJASTHAN VS PARMESHWAR RAMLAL JOSHI [CRL.A. NO.-004380-004381 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court erred in recalling and reviewing its January 16, 2025 order that dismissed the complainant's petition for transferring the investigation to an independent agency. Once the writ petition was dismissed on October 23, 2024, a subsequent petition seeking the same relief could not be entertained. A criminal court has no authority to recall or review its judgments, except for clerical corrections, and inherent powers cannot override this restriction. The orders dated January 24, 2025, and February 4, 2025, were quashed, but the complainant can challenge the earlier orders from October 23, 2024, and January 16, 2025, through appropriate legal remedies.

**DENASH VS THE STATE OF TAMIL NADU [CRL.A. NO.-004613-004613 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Narcotic Drugs and Psychotropic Substances (Seizure, Storage, Sampling and Disposal) Rules, 2022 cannot override the rights and safeguards of the NDPS Act, which grants confiscation and interim release powers to Special Courts. Various scenarios for vehicle seizure under the NDPS Act and principles for interim release applications were outlined. In this case, circumstances justified granting interim custody of the vehicle to the appellant, who was recognized as a bona fide owner not connected to the seized drugs. Consequently, the High Court's judgment was set aside, and the Special Court was directed to release the vehicle to the appellant under specified terms and conditions.

**MISSION ACCESSIBILITY VS UNION OF INDIA [W.P.(C) NO.-000206-000206 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court disposed of Writ Petition (C) No. 206/2025 filed by Mission Accessibility, holding that the constitutional promise of equality under Articles 14, 16 and 21 and the Rights of Persons with Disabilities Act, 2016 oblige the UPSC to provide reasonable accommodation to visually-impaired Civil Services candidates. The decisive ground is that formal equality is insufficient; substantive inclusion requires removal of barriers such as inflexible scribe-registration deadlines and absence of screen-reader technology. Rejecting the plea that logistical dependence on external centres justifies indefinite delay, the Court noted that 27 candidates had already sought scribe changes and an in-principle policy for screen readers had been announced without a roadmap. Following the principle from Anil Kumar Gupta v. UPSC (2002) 4 SCC 320 that public examinations must be structured to give PWD candidates a level playing-field, and reiterating the ethos of Rajive Raturi v. Union of India (2018) 10 SCC 417 on digital accessibility, the Court directed: (i) UPSC shall permit scribe-change requests up to seven days before any examination and decide them within three working days; (ii) within two months UPSC must file a compliance affidavit detailing timeline, testing protocol and inter-agency coordination (with DEPwD and NIEPVD) to operationalise screen-reader-enabled laptops and accessible digital question papers from the next examination cycle; (iii) DoPT and Ministry of Social Justice shall render requisite administrative

and technical support; (iv) implementation shall preserve examination integrity while ensuring full accessibility, with a compliance listing on 16 February 2026.

**AKOLA MUNICIPAL CORPORATION VS ZISHAN HUSSAIN AZHAR HUSSAIN [C.A. NO.-012488-012489 - 2024]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court set aside the Bombay High Court's judgment quashing Akola Municipal Corporation's property tax revision for 2017-18 to 2021-22, holding that judicial review cannot substitute the Corporation's fiscal policy decision made after 16 years of stagnation. The decisive ground is that the writ petitioner, a corporator, lacked bona fide public interest litigation locus and had an adequate alternative remedy under Section 406 of the Maharashtra Municipal Corporations Act, 1949; his grievance was merely procedural, never impugning the Corporation's substantive taxing power. Rejecting the contention that revision required prior Standing Committee approval under Section 99, the Court emphasized that only expected letting values were re-assessed, not tax rates, and municipal financial autonomy under Sections 127 and 129 is essential to fulfil constitutional obligations of urban governance, health and infrastructure. Relying on *Shri Sitaram Sugar Co. Ltd. v. Union of India* (1990) 3 SCC 223 (courts must not supplant expert economic judgment) and *BALCO Employees' Union v. Union of India* (2002) 2 SCC 333 (PIL cannot challenge policy wisdom absent constitutional violation), the Court ruled that episodic procedural lapses do not vitiate a reasonable, evidence-based revenue measure. The appeals are allowed and the impugned judgment and review order are set aside; no costs.

**GOVIND MANDAVI VS STATE OF CHHATTISGARH [CRL.A. NO.-005315-005315 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court acquitted Govind Mandavi of murder under Sections 302/34 IPC, holding that the prosecution's sole eyewitness, Sukmai Hidko (PW-2), materially embellished her testimony by belatedly naming the appellant after having initially described only two masked assailants; this fatal omission in the FIR (Exh. P/2) and in her first oral account to father-in-law Heeralal (PW-1) demolishes credibility. The Court rejected the plea that illness explained the four-day delay, noting no medical evidence and the witness's capacity to narrate every other detail; once her identification is discarded, the FSL report detecting untyped human blood on the axe and clothes recovered at the appellant's instance offers no corroboration, nor does the TIP, for a previously known relative. Following *Ram Kumar Pandey v. State of M.P.*, AIR 1975 SC 1026, the Court treated the FIR's omission of a named assailant as a relevant circumstance under Section 11 Evidence Act, fatal when coupled with admitted enmity arising from the deceased's second marriage to the appellant's sister. Setting aside the concurrent findings of the trial court and the Chhattisgarh High Court, the Court directed the appellant's immediate release if not required elsewhere.

**MOIDEENKUTTY VS ABRAHAM GEORGE [C.A. NO.-005405-005405 - 2023]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court allowed the appeal and restored the trial court's decree, holding that the High Court erred in reversing the finding that the defendant-respondent had fraudulently concealed the subsisting equitable mortgage on the suit property while executing the agreement for sale dated 10th September 2008. The decisive ground was that the defendant's admission that he never disclosed the encumbrance to the plaintiff-appellant prior to the agreement, coupled with his failure to reply to the plaintiff's notice alleging suppression, conclusively established deceit; the High Court's reliance on an alleged admission of prior knowledge dated 25th August 2008 was untenable since the parties had not even met then. The Court rejected the defendant's plea of set-off, noting that the subsequent reduction of sale consideration by Rs 35 lakhs itself betrayed consciousness of guilt, and that the plaintiff's conduct in paying further amounts and issuing a post-dated cheque was consistent with bona fide reliance on assurances that the mortgage would be cleared. Applying the principle that a vendor must disclose all

material encumbrances and that a purchaser is entitled to rescind and recover advance paid upon fraudulent concealment, the Court restored the decree for refund of Rs 55 lakhs with interest at 13% per annum from the date of suit till realisation, and dismissed the defendant's counterclaim as barred.

**MANOJBHAI JETHABHAI PARMAR (ROHIT) VS THE STATE OF GUJARAT [C.R.L.A. NO.-002973-002973 - 2023]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court allowed the appeal and acquitted the appellant, Manojbhai Jethabhai Parmar, of charges under Sections 363, 376(2)(i), 201 IPC and Sections 3/4 POC SO Act, holding that the prosecution failed to establish an unbroken chain of circumstantial evidence. The decisive ground was the grave infirmities in the FIR and testimonies: the complainant (PW-1) and journalist (PW-2) omitted the names of the four boys and the appellant from the FIR despite claiming full knowledge, and their unnatural conduct—failing to cover the naked child or involve women—raised suspicion of fabrication. The Court rejected the “last seen together” theory propounded by Arifkhan (PW-3) and Shahejadh Khan (PW-4) as an afterthought, noting contradictions in timing, animosity due to a 2006 criminal case, and the boys’ failure to confront the accused or report promptly. Reliance was placed on *Sharad Birdhichand Sharda v. State of Maharashtra* (1984) 4 SCC 116 for the principle that circumstantial evidence must exclude every hypothesis of innocence, and on *Amar Nath Jha v. Nand Kishore Singh* (2018) 9 SCC 137 and *Ram Kumar Pandey v. State of M.P.* AIR 1975 SC 1026 for the proposition that omission of essential facts from the FIR undermines prosecution credibility. The Court also deprecated the negligent investigation, absence of DNA profiling, unproven house ownership, and tainted recoveries. Consequently, the appellant was directed to be released forthwith, and all trial courts were mandated to append tabulated charts of witnesses, documents, and material objects in judgments for clarity.

**THE STATE OF KARNATAKA VS GANDHI JEEVAN COLLECTIVE FARMING COOPERATIVE SOCIETY LIMITED [C.A. NO.-003661-003661 - 2011]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court allowed the State of Karnataka's appeal against the High Court order directing consideration of the respondent-society's representation for lease renewal of 134 acres of forest land, holding that the original lease itself was illegal ab initio and violated Section 2 of the Forest (Conservation) Act, 1980 which prohibits use of forest land for non-forest purposes without prior Central Government approval. The decisive ground was that granting agricultural lease necessitated clearing of naturally grown trees, constituting "non-forest purpose" under Section 2 explanation, and the State's action in terminating the lease and evicting the society on 23rd January 2007 was lawful restoration of forest land. Rejecting the society's claim of continued possession based on earlier civil court decrees, the Court emphasized that such decrees cannot perpetuate illegality committed in 1976 when forest land was leased without statutory approval, and relied upon its mandamus in *T.N. Godavarman Thirumulpad v. Union of India* (1997) 2 SCC 267 mandating cessation of all non-forest activities without Central Government approval, besides the continuing mandamus in *Centre for Environmental Law, WWF-I v. Union of India* (2000) SCC Online SC 119 prohibiting de-reservation of forests without Supreme Court permission. The Court directed the Forest Department to restore the forest by planting indigenous trees within 12 months in consultation with experts, with compliance report due on 17th December 2026.

**ARATHY RAMACHANDRAN VS BIJAY RAJ MENON [C.A. NO.-005680-005680 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The interim custody arrangement of 15 days per month for each parent was deemed unfeasible for the children's well-being. The custody order for the son was set aside due to potential adverse effects on him. For the daughter, the environment provided by the father was unsuitable as proper care arrangements were lacking. After considering the children's overall well-being, reasonable access for the father was granted on alternate weekends, with the son's custody supervised by a child counsellor.

Expediency was directed for the guardianship petition filed by the mother.

**RAMKIRAT MUNILAL GOUD VS THE STATE OF MAHARASHTRA ETC. [CRL.A. NO.-001954-001955 - 2022]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appeals were allowed and the accused were acquitted due to the prosecution's failure to establish a complete and unbroken chain of incriminating circumstances. Major flaws were identified in the investigation and evidence, including unreliable witness accounts regarding the "last seen together" circumstance, weak and contradictory evidence related to an alleged extra-judicial confession, and an inconclusive forensic report on soil samples. The judgments of the trial court and High Court were quashed, resulting in the release of the accused, who had been incarcerated for over 12 years.

**VIRENDER PAL @ VIPIN VS THE STATE OF HARYANA [CRL.A. NO.-000342-000342 - 2015]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The conviction of the accused-appellant under Section 304-B of the Indian Penal Code for the dowry death of his wife was upheld. The prosecution established that the wife died unnaturally within seven years of marriage, and evidence showed the accused-appellant's continuous harassment and cruelty related to dowry demands. The defense theories were rejected, and the testimonies of prosecution witnesses and medical evidence confirmed the charges. The accused-appellant failed to rebut the presumption under Section 113-B of the Evidence Act. The appeal was dismissed, and the convictions by the trial court and High Court were maintained.

**KAUSHAL SINGH VS THE STATE OF RAJASTHAN [CRL.A. NO.-003053-003053 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The High Court should not have imposed strictures against a District Judge without allowing an opportunity for explanation. Principles from prior cases highlight the need for caution in making negative comments on judicial officers' conduct. The order from the High Court relied on a reversed judgment, and there was a suggestion for higher courts to require bail applicants to disclose criminal history. The strictures imposed by the High Court were expunged.

**PUTAI VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000036-000037 - 2019]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The criminal appeals of accused-appellants Putai and Dileep were allowed, and their convictions and sentences were set aside. The prosecution failed to prove their guilt beyond a reasonable doubt, with insufficient circumstantial evidence regarding the rape and murder of a 12-year-old child. Flaws in the investigation included lapses in the chain of custody of forensic evidence, contradictions in witness testimony, and inadmissibility of DNA reports. The accused-appellants were acquitted and granted the benefit of the doubt.

**DASHWANATH VS THE STATE OF TAMIL NADU [CRL.A. NO.-003633-003634 - 2024]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

Dashwanth was acquitted of charges including kidnapping, rape, murder, and destruction of evidence due to the prosecution's failure to prove critical circumstances beyond a reasonable doubt. Flaws in the investigation and trial proceedings included denial of a fair trial and inadequate defense preparation. The prosecution also could not establish a reliable chain of custody for forensic samples, undermining the DNA evidence. The case relied heavily on circumstantial evidence, necessitating a higher burden of proof that was not met. As a result, Dashwanth was released from custody, as legal standards do not allow punishment without proven guilt.

**THAMMARAYA VS STATE OF KARNATAKA [CRL.A. NO.-000648-000649 - 2013]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

Thammaraya (A-2) and Basappa (A-3) were acquitted of charges under Sections 302 and 201 of the Indian Penal Code due to insufficient evidence. The prosecution did not establish a complete and conclusive chain of circumstantial evidence, and the disclosure statements and recoveries made were not proven according to Section 27 of the Evidence Act. Additionally, the lack of a Test Identification Parade (TIP) for the recovered articles constituted a significant gap in the prosecution's case, rendering the previous convictions unsustainable.

**COMMISSIONER OF SERVICE TAX VS M/S ELEGANT DEVELOPERS [C.A. NO.-011744-011745 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice Sandeep Mehta**

The Supreme Court dismissed the appellant's challenge, holding that Elegant Developers was not a 'real estate agent' under Sections 65(88)/65(89) Finance Act 1994, since the MOUs with SICCL evidenced principal-to-principal land-trading contracts where Elegant bore price-risk and earned profit on spread, not commission for agency services; the transaction squarely falls within the exclusion clause of Section 65B(44)(a)(i) as transfer of title in immovable property, and therefore no service tax is leviable; the Court rejected the Revenue's plea that facilitation of registration, mutation and furnishing of title deeds constituted taxable real-estate consultancy, emphasising that these were mere obligations ancillary to the sales contract and did not create an agency relationship, following the principle in Future Gaming Solutions that bearing market-risk negatives agency; it further held the extended-limitation proviso to Section 73(1) unavailable, as the Department failed to establish wilful suppression or misstatement with intent to evade tax, drawing on Stemcyte India which requires positive proof of deliberate concealment beyond mere non-filing of ST-3 returns; mere bona fide belief that no tax was payable and transparent banking transactions sufficed to defeat five-year limitation, rendering the CESTAT order unimpeachable and the appeals devoid of merit.

**SIDDHARTH VS THE STATE OF MADHYA PRADESH [C.A. NO.-011463-011464 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Adverse observations against Advocate Siddharth Gupta in Writ Petition No. 6228 of 2022 were ordered to be expunged. It was recognized that Gupta was not involved in Writ Petition No. 18699/2020, and his omission was considered bona fide with no intent to mislead. The order dismissing his application to modify the final order was quashed.

**JUSTICE SUNANDA BHANDARE FOUNDATION VS U.O.I. [W.P.(C) NO.-000116-000116 - 1998]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

A writ petition and civil appeal addressed systemic barriers for persons with disabilities in India and highlighted the importance of comprehensive implementation of relevant statutes. Disability is recognized as a form of human diversity that reflects the gap between constitutional promises and actual experiences. Accessibility and reasonable accommodation are established as fundamental principles. A nationwide monitoring initiative, "Project Ability Empowerment," will be launched by eight National Law Universities to evaluate conditions and rights of individuals with cognitive disabilities in state care facilities, focusing on profiling, accessibility, rights, staffing, and community integration. There is also a call for a positive interpretation of reservation provisions under the Rights of Persons with Disabilities Act, 2016, to ensure benefits reach those in need, including upward movement for meritorious candidates with disabilities.

**BAR COUNCIL OF MAHARASHTRA AND GOA VS RAJIV NARESHCHANDRA NARULA [C.A. NO.-012232-012232 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The complaint against advocate Rajiv Narula was deemed malicious and lacking merit, as the referring order did not provide reasons under Section 35 of the Advocates Act, 1961 to establish professional misconduct. Narula was not representing the complainant or their predecessor, rendering the

disciplinary proceedings unjustified. Any alleged actions attributed to him could not be classified as misconduct. The complaint was quashed, and a cost of Rs. 50,000 was imposed on the BCMG for pursuing the frivolous complaint. In related matters, the proceedings against advocate Geeta Ramanugrah Shastri were also quashed due to absurd allegations, with additional costs of Rs. 50,000 imposed on both the complainant and the BCMG.

**MITC ROLLING MILLS PRIVATE LIMITED VS M/S RENUKA REALTORS [C.A. NO.-013514-013514 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court held that an order rejecting a plaint under Order VII Rule 11 CPC is a decree within Section 2(2) CPC and hence appealable under Section 13(1A) of the Commercial Courts Act 2015; the decisive ground is that the definition of “decree” expressly includes rejection of plaint and conclusively determines the parties’ rights, so the High Court erred in treating the appeal as non-maintainable merely because the proviso to Section 13(1A) enumerates only orders under Order XLIII CPC. Dismissing the respondents’ reliance on Bank of India v. Maruti Civil Works 2023 SCC OnLine Bom 2667 (affirmed by this Court on 15-03-2024), the Court distinguished that ruling as concerning rejection of applications under Order VII Rule 10 or Rule 11(d), which are not listed in Order XLIII, whereas an order under Rule 11 amounts to a decree and cannot leave the plaintiff remediless. Following Shamsher Singh v. Rajinder Prasad (1973) 2 SCC 524, which recognised a direct right of appeal against an order rejecting plaint, the Court construed the proviso as an exception that does not curtail the main provision; accordingly the impugned judgment is quashed, the company’s appeal is restored to file and the High Court shall decide it on merits in accordance with law.

**PRASHANT PRAKASH RATNAPARKI VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-004896-004896 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court quashed the entire FIR holding that the High Court erred in partially allowing quashing by sustaining the dacoity charge under Section 310(2) BNS while quashing offences under Sections 115(2), 351(2), 351(3) and 352 BNS. The decisive ground was that dacoity presupposes robbery which in turn requires theft with dishonest intention under Section 303 BNS, whereas the FIR disclosed that the accused merely sought institutional files and incidentally took cash, cheque books and computer which were fully returned, negating mens rea. Rejecting the school’s objection that dacoity was not personal to the complainant, the Court held that since respondent No.2 affirmed in his voluntary affidavit that all property was restored and disputes amicably settled, the complete restitution obliterates the foundational element of dishonest intention, rendering the single transaction incapable of supporting any offence. Applying the principle from Gian Singh v. State of Punjab (2012) 10 SCC 303 that inherent power under Section 482 CrPC (Section 528 BNSS) should quash criminal proceedings where compromise effaces criminality, and relying on Narinder Singh v. State of Punjab (2014) 6 SCC 466 that continuation of prosecution after genuine settlement constitutes abuse of process, the Court invoked Article 142 to quash the FIR and all consequential proceedings in entirety.

**RAJ KUMAR @ BHEEMA VS STATE OF NCT OF DELHI [C.R.L.A. NO.-004895-004895 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court acquitted the appellant of murder under Section 302 IPC, setting aside concurrent convictions by the trial court and Delhi High Court, on the ground that the prosecution’s case rested on infirm and tainted identification evidence from the sole injured witness, Smt. Indra Prabha Gulati (PW-18), recorded via video-conference eight-and-a-half years after the incident. The decisive infirmities were: (i) dock identification without prior spectacles though she suffered from weak distant vision; (ii) conspicuous improvement introducing the appellant’s black shirt for the first time, absent in her Section 161 CrPC statement; (iii) categorical denial of having attended any Test Identification Parade or Patiala House Court, rendering the alleged refusal to participate meaningless; (iv) non-production of the

witness for confrontation with previous statement during virtual deposition, breaching Section 145 Evidence Act (now Section 148 Bharatiya Sakshya Adhiniyam 2023); (v) recovery of blood-stained pant and "chheni" unmatched with victims' blood group and not identified by the unexamined son who had purportedly identified articles in TIP; and (vi) failure to keep the accused baparda from arrest onward, vitiating any subsequent identification. Following *Koppula Jagdish v. State of A.P.*, (2005) 12 SCC 425 and *Mekala Sivaiah v. State of A.P.*, (2022) 8 SCC 253, the Court emphasised that when identification evidence is permeated with material improvements and procedural lapses, it cannot form the basis of conviction; concurrent findings do not immunise perverse appreciation. The Court directed that hereafter, if a witness is examined through video-link, electronic transmission of the previous statement must precede cross-examination to ensure compliance with Sections 147-148 BSA.

**AKHTAR ALI @ ALI AKHTAR @ SHAMIM @ RAJA USTAD VS THE STATE OF UTTARAKHAND [CRL.A. NO.-003955-003956 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The convictions and sentences of accused-appellants Akhtar Ali and Prem Pal Verma were set aside due to the prosecution's failure to establish an unbroken chain of circumstances proving guilt beyond reasonable doubt. There was insufficient evidence of motive, contradictions in the "last seen theory," and significant inconsistencies in scientific and forensic evidence. The process of arrest and sample collection raised doubts about the reliability of DNA evidence. Both accused-appellants were acquitted of all charges.

**THE STATE OF CHHATTISGARH VS AMIT AISHWARYA JOGI [CRL.A. NO.-001927-001927 - 2014]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The Supreme Court dismissed the State of Chhattisgarh's appeal under Section 378(3) CrPC against Amit Jogi's acquittal in the 2003 Ramavatar Jaggi murder case, affirming the three-Judge Bench ruling in *Lalu Prasad Yadav v. State of Bihar* (2010) 5 SCC 1 that where a CBI-chargesheeted case is tried, only the Central Government may appeal under Section 378(2); the State's power under Section 378(1) is expressly excluded by the opening words "save as otherwise provided in sub-section (2)". The Court rejected the State's plea that initial State-police investigation preserved its locus, holding the statutory scheme creates a mutually exclusive domain once the Delhi Special Police Establishment investigates and prosecutes. Victim Satish Jaggi's appeals under the proviso to Section 372 CrPC were also dismissed, applying *Mallikarjun Kodagali (Dead) v. State of Karnataka* (2019) 2 SCC 752 that the victim's right of appeal is available only against acquittals pronounced after 31-12-2009 when the amendment took effect. However, the Court allowed CBI's appeal, condoned 1,373 days' delay, and remitted its leave application to the High Court for fresh consideration on merits, directing that the acquitted accused, the State and the victim be heard, emphasising that grave conspiracy allegations should not be defeated on mere technicality.

**GAMBHIR SINGH VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000850-000851 - 2019]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The prosecution failed to prove the charges against the appellant-accused beyond reasonable doubt due to insufficient and unreliable evidence regarding motive, last seen, and recoveries. The investigation and trial were conducted negligently. The conviction and death sentence were quashed, and the appellant was acquitted of all charges, resulting in an order for immediate release from custody unless held for another case.

**NARESH ANEJA @ NARESH KUMAR ANEJA VS THE STATE OF UTTAR PRADESH [C.R.L.A. NO.-000001-000001 - 2025]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

Charges against Naresh Aneja under Sections 354 and 506 of the Indian Penal Code were not supported by the FIR, investigation report, or chargesheet, which lacked direct allegations or evidence of intent. The absence of sufficient facts necessary to establish an offence led to the conclusion that no crime was committed against the complainant, resulting in the quashing of the criminal proceedings.

**DINESH KUMAR MATHUR VS THE STATE OF MADHYA PRADESH [C.R.L.A. NO.-004915-004915 - 2024]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

Criminal proceedings against the appellant, a Housing Board official, lack prima facie evidence for involvement in forgery and cheating. Actions taken were connected to official duties, protected under Section 83 of the Madhya Pradesh Griha Nirman Mandal Adhiniyam, 1972. The elements of Sections 420 (cheating) and 120-B (criminal conspiracy) of the Indian Penal Code are absent, with no evidence of intent to defraud or conspire. The High Court's refusal to quash the proceedings is deemed erroneous.

**AJAY SINGH VS KHACHERU . [C.A. NO.-000002-000004 - 2025]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

The High Court's decision to set aside the findings of lower authorities regarding the disputed land being a Johad (pond) was incorrect. The lower authorities found that the revenue records indicating the land was allotted to the respondent were fictitious. The High Court cannot re-evaluate evidence and make new factual findings in writ jurisdiction under Article 226 unless the lower authorities' findings are perverse or outside their jurisdiction. The findings of the lower authorities designating the land as a Johad (pond) were restored.

**DALJIT SINGH VS THE STATE OF HARYANA [C.R.L.A. NO.-004359-004359 - 2024]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

Section 174A IPC is an independent offence for non-appearance in response to a proclamation under Section 82 Cr.P.C. The proclamation's subsistence is not necessary for action under Section 174A IPC, as the offence occurs when the accused fails to appear. Since the appellant was acquitted of the main offence, all criminal proceedings, including the FIR under Section 174A IPC, were quashed, along with the appellant's status as a proclaimed offender.

**URMILA DIXIT VS SUNIL SHARAN DIXIT [C.A. NO.-010927-010927 - 2024]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol**

The High Court's decision to set aside the Tribunal's order granting benefits under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was incorrect. The Act, interpreted liberally to promote senior citizens' rights, requires adherence to the conditions for gift deed cancellation when the donee fails to provide promised basic amenities and care. The Tribunal possesses the authority to order possession restoration to senior citizens, aligning with the Act's objectives. Consequently, the gift deed was quashed, and possession of the premises was restored to the appellant.

**GOPAL KRISHAN VS DAULAT RAM [C.A. NO.-013192-013192 - 2024]**

**Bench: Justice C.T. Ravikumar, Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The phrase "by the direction of the testator" in Section 63(c) of the Indian Succession Act, 1925 does not necessitate an attesting witness to explicitly state that he signed at the testator's direction. Testimony from an attesting witness who observed the testator affix his mark on the will suffices to meet statutory requirements. The High Court's interpretation was disagreed with, and the judgment restoring the validity of Sanjhi Ram's will and subsequent sale deeds was upheld.

**BOLLA MALATHI VS B. SUGUNA [C.A. NO.-014604-014604 - 2025]**

**Bench: Justice E.S. Venkataramiah, Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the GPF nomination in favour of the deceased's mother became automatically invalid upon his marriage in 2003 under Rule 5(5)(b) of the General Provident Fund (Central Services) Rules, 1960, as the nomination form expressly stipulated that it would cease upon "acquiring family", and consequently directed equal distribution of the corpus between the widow and mother. The decisive ground was that Rule 33(i)(b) mandates payment to all family members in equal shares when no subsisting nomination in favour of a family member exists, and the earlier nomination having been rendered void by operation of the express contingency, the amount could not be paid solely to the mother. Rejecting the High Court's view that cancellation requires a written notice under Rule 5(6), the Court ruled that the invalidation is automatic upon the contingency's occurrence and the subscriber's failure to file fresh nomination merely triggers the default equal-sharing regime. Reliance was placed on Sarbati Devi v. Usha Devi (1984) 1 SCC 424 and Shakti Yezdani v. Jayanand Jayant Salgaonkar (2024) 4 SCC 642 for the proposition that a nomination only identifies the hand to receive the amount and does not confer beneficial ownership, leaving heirs to claim according to succession law. The Court ultimately allowed the appeal, set aside the Bombay High Court judgment dated 11-02-2025, restored the CAT order, and directed release of the remaining half of the GPF amount to respondent no.1 on her application to the Registrar within two weeks.

**LAVANYA C. VS VITTAL GURUDAS PAI SINCE DECEASED BY LRS SMT. V. AMRITHKALA PAI [C.A. NO.-013999-013999 - 2024]**

**Bench: Justice Pankaj Mithal, Justice Sanjay Karol**

The appellants were found guilty of contempt of court for violating an undertaking not to alienate property. Sentences of imprisonment and property attachment were mostly confirmed, with the three-month imprisonment for the second appellant removed due to advanced age. The property attachment was retained, and the compensation amount payable by both appellants was enhanced. This involved multiple appellants.

**N. VIJAY KUMAR VS VISHWANATH RAO N. [CRL.A. NO.-005305-005305 - 2024]**

**Bench: Justice Pankaj Mithal, Justice Sanjay Karol**

The accused successfully rebutted the presumptions under Sections 118(a) and 139 of the Negotiable Instruments Act by presenting a probable defense, shifting the burden to the complainant. The complainant did not meet this burden, leading to the acquittal of the accused.

**RAGHUNATH SHARMA VS THE STATE OF HARYANA [CRL.A. NO.-002656-002657 - 2025]**

**Bench: Justice Pankaj Mithal, Justice Sanjay Karol**

The High Court lacked authority to recall its previous order quashing criminal proceedings under Section 482 of the Code of Criminal Procedure, as exceptions under Section 362 Cr.P.C. are almost absolute. The actions were not justified by legal principles for using inherent powers to address violations of natural justice or abuse of process. Appeals were allowed, and the High Court's orders were quashed, with a directive for the judgment to be circulated to all High Courts to prevent unjustified power use.

**STATE OF RAJASTHAN VS INDRAJ SINGH AND ETC [CRL.A. NO.-001242-001243 - 2025]**

**Bench: Justice Sanjay Karol, Justice Ahsanuddin Amanullah**

The State's appeals have resulted in the cancellation of bail granted to Indraj Singh and Salman Khan. The Trial Court's initial denial of bail is considered appropriate due to the serious nature of the alleged acts compromising public faith in the administration, despite the respondents having no prior criminal records and their period of custody. The respondents are required to surrender within two weeks but may apply for bail again after the examination of material witnesses, which will be assessed on its own merits.

**[HYEOKSOO SON VS MOON JUNE SEOK \[C.R.L.A. NO.-001856-001856 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Ahsanuddin Amanullah**

The appeal was allowed, and the High Court's decision to quash the criminal proceedings against Moon June Seok was set aside. Evidence, including the respondent's own statement, indicated a prima facie connection with co-accused parties. Concerns about the large sums of money involved and the protection of foreign investments influenced the decision to revive the criminal proceedings. Moon June Seok is required to appear before the trial court.

**[RAM CHARAN VS SUKHRAM \[C.A. NO.-009537-009537 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Joymalya Bagchi**

In the absence of a proven custom, principles of justice, equity, good conscience, and the right to equality under Article 14 of the Constitution take precedence. The appellant-plaintiffs, as legal heirs of Dhaiya, are entitled to equal shares in the ancestral property. Denying a female heir a right to the property violates gender equality principles that the law must uphold.

**[SUNITA VS UNITED INDIA INSURANCE CO. LTD. \[C.A. NO.-009538-009538 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Joymalya Bagchi**

The driver of the vehicle possessed a valid license for a Light Motor Vehicle, and no additional endorsement was necessary for driving the commercial TATA 407 Truck. The vehicle was covered by a "Liability Only Policy," which excluded coverage for the driver, owner, or gratuitous passengers. The principle of "pay and recover" applied, making the insurance company liable to pay compensation to the claimants and recover the amount from the vehicle's owner. Compensation awarded by lower courts increased by 10% for loss of estate, loss of consortium, and funeral expenses, in accordance with established legal principles.

**[KRISHNA SWAROOP AGARWAL\(D\) THR. LR. VS ARVIND KUMAR \[C.A. NO.-009518-009518 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Joymalya Bagchi**

The notice terminating the tenancy under Section 106 of the Transfer of Property Act was considered properly served, despite the postal letter being returned as "Not Delivered." The concept of "deemed service" under Section 27 of the General Clauses Act was applied, leading to the restoration of the ejectment decree in favor of the appellant-landlord. The respondent-tenant is directed to vacate the property and settle all arrears within three months.

**[SHIV BARAN VS STATE OF U.P \[C.R.L.A. NO.-003008-003008 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Joymalya Bagchi**

The appeal was allowed, and the order to summon Rajendra Prasad Yadav as an additional accused under Section 319 of the Code of Criminal Procedure was restored. Evidence from the trial indicated potential complicity of Yadav in the alleged crime, meeting the standard for summoning an additional accused, which lies between a prima facie case and the satisfaction needed for conviction. The prior decision had erroneously conducted a mini-trial and made definitive findings on eyewitness testimony, conflicting with the factual record. The trial court was instructed to expedite proceedings and complete the trial within 18 months.

**[PRAKASH CHAND SHARMA VS RAMBABU SAINI \[C.A. NO.-002254-002254 - 2025\]](#)**

**Bench: Justice Sanjay Karol, Justice Manmohan**

The Supreme Court of India held that the claimant-appellant suffered 100% permanent disability, as per the opinion of the duly constituted Medical Board, which the lower courts had disregarded. The court awarded enhanced compensation, including for loss of future income, future prospects, attendant charges, physical and mental agony, and pain and suffering, based on its own previous judgments. The

final compensation payable to the claimant-appellant was determined to be ₹48,70,000/- with 7% interest per annum from the date of the claim petition.

**THE STATE OF KERALA VS MOUSHMI ANN JACOB [C.A. NO.-003178-003179 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

Here is a summary of the key points from the court decision:

The Supreme Court of India held that the exemption from conversion fees under the Kerala Conservation of Paddy Land and Wetland Act, 2008 applies only to land holdings up to 25 cents. For land holdings exceeding 25 cents, the full conversion fee at 10% of the fair value must be paid, without deducting the first 25 cents. The Court rejected the High Court's interpretation that the conversion fee should only be calculated on the portion of land exceeding 25 cents. The Supreme Court found that the Act and the Government Notification created two distinct classes - one for land up to 25 cents, and another for land exceeding 25 cents. The Court held that this classification by the State had a reasonable nexus to the objective of the legislation and was valid. The Court overruled the judgments of the Single Judge and Division Bench of the High Court, finding that they had incorrectly interpreted the law. The respondent was directed to pay the conversion fee as calculated on the total extent of their land holding.

**UNION OF INDIA VS MAN SINGH VERMA [CRL.A. NO.-000077-000077 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

The Supreme Court held that the High Court exceeded its jurisdiction under Section 439 CrPC by awarding compensation to the respondent for alleged wrongful confinement, as the bail application had become infructuous. The Supreme Court observed that the High Court's power under Section 439 CrPC is limited to the grant or refusal of bail pending trial, and it cannot venture into detailed examination of evidence or awarding compensation. The Supreme Court did not make any comments on the protection offered to officers under Section 69 of the NDPS Act. The Supreme Court also distinguished the cases of compensation for violation of fundamental rights under Article 32, which were inapplicable in the context of a bail application under Section 439 CrPC. The Supreme Court bench of two judges delivered the judgment and did not refer the issue to a larger bench. This is not a batch matter.

**THE GENERAL MANAGER, BUSINESS NETWORK PLANNING RETAIL BHARAT PETROLEUM CORPORATION LIMITED VS P SOUNDARYA [C.A. NO.-004751-004751 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

The High Court's direction to consider the respondent's application under Group 1, instead of the Group 2 category as applied, was unjustified. The advertisement and application form specified the procedure, leaving no discretion for favoring the respondent. The order appeared to stem from misplaced sympathy, and the respondent's multiple writ petitions were unwarranted. BPCL's appeal was allowed, and the High Court's judgment was set aside, requiring BPCL to proceed with the allotment process according to established rules and regulations.

**DHANYA M VS THE STATE OF KERALA [CRL.A. NO.-002897-002897 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

Preventive detention of the appellant's husband under the Kerala Anti-Social Activities (Prevention) Act, 2007 was not justified. Preventive detention is viewed as an extraordinary measure and should be used sparingly as it limits individual liberty. The circumstances of the case did not constitute a "public order" situation, only a "law and order" situation. Inadequate reasons were provided for the detention, and the State should have sought to cancel the detenu's bail in existing criminal cases instead. The order of

detention and the supportive judgment from the High Court were set aside.

**ABHISHEK SINGH VS AJAY KUMAR [CRL.A. NO.-002900-002900 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court held that the High Court had improperly quashed the FIR filed by the appellant (complainant) against the respondents (bank officials) under Sections 420 and 406 of the Indian Penal Code. The Court noted that the High Court had gone beyond its limited scope under Section 482 of the Code of Criminal Procedure and made findings on the merits of the case, which was not permissible at this stage without appreciating the evidence. The Supreme Court found that a prima facie case of the alleged offenses could not be ruled out from the perusal of the FIR, and the High Court's conclusion that the appellant had an ulterior motive was unclear. The Court also observed that the bank's actions, such as the revaluation of the pledged gold and its subsequent auction after the loan was settled, raised questions that could only be addressed through a trial. Consequently, the Supreme Court allowed the appeal, revived the proceedings, and restored the case to the concerned Court for trial in accordance with the law.

**M/S BALAJI TRADERS VS THE STATE OF U.P. [CRL.A. NO.-002899-002899 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The appeal against the High Court's order quashing proceedings under Section 387 of the Indian Penal Code was allowed. The complaint disclosed the essential elements necessary for prosecution under Section 387 IPC, namely, putting someone in fear of death or grievous hurt for the purpose of committing extortion. Delivery of property is not required for Section 387, as it pertains to the process of committing extortion rather than the actual commission of it. The interpretation of penal statutes must remain strict without adding conditions not present in the law. The parties were directed to appear before the Trial Court for expedited hearing.

**KOUSIK PAL VS BM BIRLA HEART RESEARCH CENTRE [C.A. NO.-015066-015066 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court held that the West Bengal Clinical Establishment Regulatory Commission possessed jurisdiction under Sections 33 and 38 of the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017 to examine qualifications of hospital personnel and award compensation for deficiency in patient care service, restoring the Commission's award of Rs 20 lakh with 6% interest. The decisive ground was that examining whether Dr Ashok Giri and technician Ms Chaitali Kundu were "appropriately trained and qualified" service providers under Section 2(c)(v) was integral to the Commission's statutory duty to ensure minimum standards and transparency, distinct from adjudicating medical negligence which is reserved to the State Medical Council under the first proviso to Section 38(1)(iii). Rejecting the Division Bench's view that patient-care deficiency and medical negligence are inseparable, the Court emphasised that the legislature intended concurrent remedies: the Commission can compensate for death caused by deficiency while the Council disciplines individual professionals. Relying on the MCI letter dated 25 June 2019 stating that interpretation of echocardiogram requires minimum MD (Medicine) qualification, the Court found that employing unqualified personnel constitutes a major deficiency under Section 29 posing imminent danger, triggering compensation under Section 33. The Court set aside the High Court judgment dated 15 December 2023 and directed payment within eight weeks.

**AMIT ARYA VS KAMLESH KUMARI [C.A. NO.-015069-015069 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manoj Misra**

The Supreme Court allowed the appeal and restored the execution court's order dismissing the respondent's objections, holding that delay in depositing balance sale consideration beyond the two-month period specified in the trial court's decree does not render the decree of specific performance

inexecutable. The decisive ground was that Section 28 of the Specific Relief Act, 1963 empowers courts to extend time for payment even after the stipulated period, and the doctrine of merger applies to make the High Court's judgment the operative decree. Rejecting the hyper-technical approach of the Punjab & Haryana High Court, the Court emphasized that the appellant's conduct demonstrated readiness and willingness to perform, with deposits of Rs.7,39,700/- and Rs.65,300/- made within reasonable proximity to the execution application. The Court relied upon Ram Lal v. Jarnail Singh (2025 SCC OnLine SC 584) holding that non-payment within the fixed period does not amount to abandonment, and V.S. Palanichamy Chettiar Firm v. C. Alagappan (1999) 4 SCC 702 which established that executing courts can extend time under Section 28. The Court set aside the High Court's judgment and directed the executing court to proceed with the specific performance decree, holding that the 27-day delay in filing execution and subsequent deposits did not extinguish the appellant's right to enforcement.

**VIJAY BAHADUR VS SUNIL KUMAR [C.A. NO.-014311-014311 - 2024]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The order for a recount of votes by the Sub-Divisional Magistrate was justified due to allegations of discrepancies in the vote count and missing records of the Presiding Officer. Protecting the sanctity of each vote necessitates a recount when important election documents are absent, regardless of whether it might affect the final outcome. The High Court's judgment was set aside, and the order for recount was restored.

**SURENDRA KHAWSE VS THE STATE OF MADHYA PRADESH [CRL.A. NO.-004213-004213 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The FIR and chargesheet against the appellant were quashed due to indications that the criminal proceedings were initiated for personal vengeance. The appellant had initiated legal actions against the complainant prior to the FIR, suggesting the FIR was an afterthought. The circumstances and timeline of events supported the decision to quash the proceedings.

**ROBERT LALCHUNGUNGA CHONGTHU @ R L CHONGTHU VS STATE OF BIHAR [CRL.A. NO.-004970-004970 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court quashed criminal proceedings against the appellant, an IAS officer, for allegedly issuing arms licences without verification, holding that the sanction under Section 197 CrPC was a non-speaking order lacking application of mind and that the 11-year delay in filing the supplementary chargesheet violated his right to speedy investigation under Article 21. The decisive ground was that the sanctioning authority merely referred to "documents and evidences" without disclosing any prima facie satisfaction of the officer's involvement, rendering the sanction bad in law under Mansukhlal Vitthalaldas Chauhan v. State of Gujarat (1997) 7 SCC 622. The Court rejected the State's contention that Section 13(2A) Arms Act was misused, noting that no timeline for police verification was prescribed in 2002-04 and departmental proceedings had already discharged the officer. Emphasising that prompt investigation is implicit in the right to speedy trial (Abdul Rehman Antulay v. R.S. Nayak (1992) 1 SCC 225), the Court quashed the cognizance order and directed that where an unexplained delay in investigation prejudices the accused, the High Court may, on a petition under Section 482 CrPC, seek explanation from the investigating agency and, if unconvinced, quash the prosecution.

**SAGAR VS STATE OF UP [CRL.A. NO.-005074-005074 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court set aside two bail orders granted by the Allahabad High Court to co-accused Rajveer and Prince in a murder case under Sections 147, 148, 149, 302, 506 IPC, emphasizing that parity cannot be the sole ground for bail. The Court held that the High Court erred in releasing Rajveer solely on parity with his father Suresh Pal, whose bail order had already been quashed by the Supreme Court for

lack of reasoning. The decisive ground was that Rajveer's role as the instigator who prompted the shooter was materially different from Suresh Pal's, negating any legitimate claim of parity. Similarly, Prince's bail was set aside as the High Court's order failed to assign any reasons or apply the relevant legal principles, merely citing Satender Kumar Antil and Manish Sisodia without justification. Reiterating that bail orders must reflect application of mind to factors like gravity of offence, role of accused, and criminal antecedents, the Court relied on Ramesh Bhavan Rathod v. Vishanbhai Hirabhai Makwana and Brijmani Devi v. Pappu Kumar, which held that parity must be based on identical roles and circumstances, not merely co-accused status. Rajveer was directed to surrender within two weeks, while Prince's bail plea was remanded to the High Court for fresh consideration.

**ROUSANARA BEGUM VS SK SALAHUDDIN @ SK SALAUDDIN [CRL.A. NO.-005164-005165 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court allowed the appeal and restored the order of the Additional Chief Judicial Magistrate directing the respondent to return Rs.7 lakhs and 30 bhories of gold to the appellant under Section 3(1)(d) of the Muslim Women (Protection of Rights on Divorce) Act, 1986. The decisive ground was that the High Court erred in discarding the marriage registrar's testimony regarding the erroneous entry in the qabilnama merely because the appellant's father had deposed in dowry proceedings that he gave the amounts to the respondent, especially since the respondent was acquitted in those proceedings under Section 498-A IPC and the Dowry Prohibition Act, 1961. Rejecting the High Court's civil dispute approach, the Court emphasized that the 1986 Act must be construed purposively to secure dignity and financial protection of divorced Muslim women in alignment with Article 21, following Daniel Latifi v. Union of India (2001) 7 SCC 740 which held that Section 3 overrides all other laws and enables recovery of properties given at marriage. The Court directed the respondent to remit the amount directly to the appellant's bank account within six weeks failing which interest at 9% per annum would be payable, while disposing of all pending applications.

**NEERAJ KUMAR @ NEERAJ YADAV VS STATE OF U.P. [CRL.A. NO.-005229-005229 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the High Court erred in refusing to summon the deceased's mother-in-law Rajo, brother-in-law Satan and brother-in-law Gabbar as additional accused under Section 319 CrPC, since the evidence adduced during trial prima facie disclosed their active instigation in the murder. The decisive ground was the conjoint reading of PW-1 (brother), PW-2 (nine-year-old daughter) and the deceased's two Section 161 statements which, as valid dying declarations under Section 32(1) Evidence Act, consistently named the respondents as having abetted Rahul to shoot the victim for refusing sex-selective abortion. Rejecting the contention that the child witness was tutored or that the statements were unreliable for want of magisterial presence or contemporaneous medical certification, the Court reiterated Hardeep Singh v. State of Punjab (2014) 3 SCC 92 that Section 319 power can be invoked on the basis of examination-in-chief itself when cogent evidence shows complicity, and S. Mohammed Ispahani v. Yogendra Chandak (2017) 16 SCC 226 that Section 161 statements can corroborate trial evidence for summoning. The Court set aside the impugned judgment and directed the Trial Court to summon the respondents and expedite trial from 08-01-2026.

**CENTRAL BUREAU OF INVESTIGATION VS DAYAMOY MAHATO [CRL.A. NO.-005400-005401 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court in CBI v. Dayamoy Mahato (SLP(Cri) 12376-77/2023) allowed CBI's appeal only to the extent of setting aside the Calcutta High Court's application of Section 436-A CrPC to respondents charged with Sections 302 IPC and 16 UAPA (death-possible offences), holding that the provision is inapplicable to such crimes. While affirming that prolonged incarceration triggers Article 21, the Court ruled that in cases of mass terror causing 148 deaths and striking national security, individual liberty must yield to societal interest; yet, after three bail-years without misuse and 28 witnesses still remaining,

interference now would be punitive, not preventive. Following *Vijay Madanlal* (2023) 12 SCC 1 and *Union of India v. K.A. Najeed* (2021) 3 SCC 713, the Court emphasised that reverse-burden statutes like UAPA oblige the State to ensure expeditious trial and meaningful defence access; failure shifts the balance towards bail. Consequently, the respondents' bail is maintained, but the trial Judge must proceed day-to-day, eschew adjournments, and file monthly progress reports to the Administrative Judge; High Courts are directed to designate special courts, appoint prosecutors, list oldest UAPA cases first and provide legal-aid counsel within four weeks to every undertrial, with Chief Secretaries and Registrars General to ensure compliance.

### **STATE OF U.P. VS MOHD. ARSHAD KHAN [CRL.A. NO.-005610-005610 - 2025]**

**Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court set aside the Allahabad High Court's orders granting protection from arrest and directing time-bound investigation in three connected criminal appeals arising from FIR Case Crime No. 33/2025 under Sections 420, 467, 468, 471 IPC and Sections 3/25/30 Arms Act, holding that such directions while dismissing quashing petitions under Article 226 are legally unsustainable. Following *State of U.P. v. Mohd. Arshad Khan & Ors.* (Criminal Appeals Nos. 5610-5612 of 2025), the Court ruled that timelines for investigation must be imposed reactively only upon demonstrated undue delay, not prophylactically, and that blanket protection from arrest till cognizance amounts to an unauthorized order under Section 438 CrPC without satisfying statutory conditions, contrary to *Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra* (2021) 19 SCC 401 and *Habib Abdullah Jeelani v. State of Telangana* (2017) 2 SCC 779. Distinguishing *Shobhit Nehra v. State of U.P.* (Criminal Misc. Writ Petition No. 7463 of 2024), the Court emphasized that precedents must be applied considering their factual substratum, and directed that interim protection shall cease after two weeks, permitting all lawful actions thereafter.

### **GREATER MOHALI AREA DEVELOPMENT AUTHORITY (GMADA) VS ANUPAM GARG ETC [C.A. NO.-007392-007393 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prasanna B. Varale**

The Supreme Court held that the Greater Mohali Area Development Authority (GMADA) is liable to refund the entire amount deposited by the respondents (Anupam Garg and Rajiv Kumar) along with 8% interest thereon, in accordance with the terms of the Letter of Intent, for the delay in the completion of the residential project. However, the Court ruled that GMADA is not required to pay the interest on the loans taken by the respondents to purchase the flats, as the Consumer Fora do not have the authority to order such payments. The Court noted that the 8% interest already ordered is sufficient compensation, and that the Fora cannot award multiple heads of damages/interest when the parties have agreed on specific consequences for delay. The Court upheld the awards of compensation for mental agony and litigation costs.

### **AMLESH KUMAR VS THE STATE OF BIHAR [CRL.A. NO.-002901-002901 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prasanna B. Varale**

The High Court's approval of involuntary narco-analysis tests on accused persons violated the precedent established in *Selvi v. State of Karnataka*, which protects against self-incrimination and upholds personal liberty. An accused may choose to undergo a voluntary narco-analysis test at the appropriate trial stage to provide evidence in their defense, but there is no absolute right to demand such a test. Safeguards for voluntary tests from the *Selvi* case were reiterated. The High Court's order was set aside, and the bail application of the appellant was to be decided in accordance with the law.

### **THE STATE OF RAJASTHAN VS SURENDRA SINGH RATHORE [CRL.A. NO.-000847-000847 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court held that the registration of the subsequent FIR (FIR No. 131 of 2022) was legally

permissible, as the scope of the two FIRs was distinct. The first FIR referred to a specific incident, while the second FIR pertained to the larger issue of widespread corruption in the department. The Court set aside the High Court's order quashing the second FIR, finding that quashing the FIR would hinder the investigation into the alleged corruption, which would be against the public interest. The Court directed the completion of the investigation at the earliest.

**RABINDRANATH PANIGRAHI VS SURENDRA SAHU [C.A. NO.-003719-003719 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The High Court incorrectly overturned the concurrent findings of the lower courts. The landlord-tenant relationship was established, and the defendant did not prove ownership through adverse possession. The defendant is required to vacate the premises and settle all arrears within three months.

**HARINAGAR SUGAR MILLS LIMITED ( BISCUIT DIVISION) VS THE STATE OF MAHARASHTRA [C.A. NO.-007372-007372 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court of India held that the closure application filed by Harinagar Sugar Mills Limited (Biscuit Division) was complete in all respects, and the 60-day period for the deemed closure to take effect would be calculable from the date of the application (28th August 2019). The Court found that the letter issued by the Deputy Secretary asking the employer to resubmit the closure application was not a valid order, as the 'appropriate Government' (the Minister for Labour) had not applied its mind to the matter. Since the 'appropriate Government' failed to pass an order on the closure application within 60 days, the deeming provision under Section 25-O(3) of the Industrial Disputes Act, 1947 would come into play, and the closure would be deemed to have been granted.

**UNION OF INDIA VS M/S KAMAKHYA TRANSPORT PVT. LTD. [C.A. NO.-007376-007379 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Railway authorities can issue demand notices for misdeclaration of goods under Section 66 of the Railways Act, 1989, even after goods have been delivered. The legislative intent of Section 66 allows for the levy of charges at any stage, not restricted to a specific point in time. The reliance on an earlier judgment concerning Section 54 was deemed misplaced, as it does not apply to penal charges under Section 66 after delivery. The appeals by the railway authorities were allowed, overturning the previous judgment from the Gauhati High Court.

**ASHOK DHANKAD VS STATE NCT OF DELHI [CRL.A. NO.-003495-003495 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The High Court's bail order for the accused was set aside due to the failure to consider key factors, including the serious nature of the allegations, the accused's evasion of arrest, potential witness tampering, and a history of prosecution witnesses becoming hostile during prior temporary bail. The accused was directed to surrender within one week, with the option to apply for bail again in the appropriate court.

**RAJPUT VIJAYSINH NATVARSIKH VS THE STATE OF GUJARAT [CRL.A. NO.-004129-004129 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The cash seized by police during the investigation will not be released to Bhargav Patel at this stage due to ongoing issues of ownership and controversy in the trial. Patel submitted documents indicating the accused company owed him a sum matching the seized amount, but this does not definitively establish exclusive ownership. The determination of appropriate ownership will occur after evaluating all evidence and claims from affected parties. The previous order allowing the release of the cash has been set aside, and the amount must be transferred to the trial court for further proceedings.

**NITIN AHLUWALIA VS THE STATE OF PUNJAB [CRL.A. NO.-000187-000187 - 2020]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The First Information Report (FIR) filed under Section 498-A of the Indian Penal Code by the former wife lacked sufficient allegations of intent for the offence of cruelty and appeared retaliatory after the appellant received a divorce. The respondent's failure to comply with Austrian court orders to return their daughter raised questions about her conduct. Continuing with the FIR would constitute an abuse of the legal process.

**PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT VS SANTOSH KUMAR SHRIVASTAVA [C.A. NO.-012181-012181 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Payment of retiral dues, such as pension and gratuity, is a matter of right for employees, not a discretionary benefit. A retired employee's accrued retiral benefits cannot be withheld due to their failure to vacate a government residence, especially when the delay in payment was caused by the government department. Interest is awarded on the delayed payment of pension and gratuity due to unjustified actions by the department.

**MAHAVEER VS THE STATE OF MAHARASHTRA [CRL.A. NO.-002154-002155 - 2011]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The prosecution failed to prove beyond a reasonable doubt that the appellant-convict committed theft of electricity or interfered with the electricity meter. Evidence based on estimation and presumption did not satisfy the requirements for establishing the use of "artificial means" or tampering with the meter. Consequently, the appellant-convict was acquitted of all charges.

**ZOHARBEE VS IMAM KHAN (D) THR. LRS . [C.A. NO.-004516-004517 - 2023]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The property of the deceased Chand Khan is classified as "matruka" under Mohammedan law, requiring distribution among heirs by intestate succession rules. An agreement to sell does not transfer ownership. The wife is entitled to 1/4th of the matruka property as there are no children. The lower courts erred in excluding this property from division.

**K. NAGENDRA VS THE NEW INDIA INSURANCE CO. LTD. [C.A. NO.-013066-013067 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

Compensation for the victim's dependents remains valid despite the vehicle's deviation from the permitted route. The insurance company can recover the payout from the vehicle owner since the accident occurred outside the insurance policy's coverage. The application of the 'pay and recover' principle was justified and requires no changes.

**PREETHA KRISHNAN VS THE UNITED INDIA INSURANCE CO.LTD. [SLP(C) NO.-009753-009756 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court set aside the Kerala High Court's reduction of motor accident compensation by applying a split multiplier to a 51-year-old Assistant Engineer, restoring the Tribunal's award and enhancing it to Rs 47,76,794. The decisive ground is that superannuation is a natural life event, not an "exceptional circumstance" warranting split multiplier under Sarla Verma v. DTC (2009) 6 SCC 121 and Sumathi v. National Insurance Co. Ltd. 2021 SCC OnLine SC 3697, which mandate a single multiplier based solely on age from the Sarla Verma table. Rejecting the insurer's plea for post-retirement income reduction, the Court held that future prospects of 15% and multiplier of 11 must be uniformly applied to all earning deceased aged 51-55, and directed 10% enhancement every three years on conventional heads per Pranay Sethi (2017) 16 SCC 680. The judgment prospectively outlaws split multiplier nation-wide,

emphasising certainty in beneficial legislation under Section 166 Motor Vehicles Act 1988, and directs circulation to all High Courts and Tribunals for compliance, with payment to claimants by 30 November 2025.

**SALIL MAHAJAN VS AVINASH KUMAR [CRL.A. NO.-005313-005313 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court set aside the High Court's order granting anticipatory bail to Avinash Kumar under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, holding that the High Court failed to apply its mind to the investigating agency's categorical status report that the accused had embezzled over Rs. 2.7 crores from Amandeep Hospital and was absconding, requiring custodial interrogation for fair investigation and recovery of proceeds. The decisive ground was that the High Court mechanically granted extraordinary relief without considering relevant material, particularly the investigating officer's report emphasizing the accused's flight and the need for custodial interrogation to identify co-conspirators, while erroneously relying upon partial restitution and asset disclosure as sufficient grounds for bail. Rejecting the accused's contention that post-chargesheet filing obviated custodial interrogation, the Court emphasized that appeals against bail grant are maintainable on grounds of perversity or non-consideration of relevant factors, following *Ashok Dhankad v. State (NCT of Delhi)* (2025 SCC Online SC 1690) and *Vipan Kumar Dhir v. State of Punjab* (2021) 15 SCC 518, which held that courts must consider gravity of offence, accused's conduct and potential for impeding investigation while granting anticipatory bail. The Court directed the accused to surrender within two weeks, clarifying that observations were limited to bail examination and he could apply for regular bail before the trial court on merits.

**THE STATE OF WEST BENGAL VS ANIL KUMAR DEY [CRL.A. NO.-005373-005373 - 2025]**

**Bench: Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The Supreme Court in Criminal Appeal No. 5373 of 2025 (arising from SLP(Crl.) 1003/2025) held that Section 102 CrPC and Section 18A of the Prevention of Corruption Act, 1988 are not mutually exclusive, allowing police to freeze bank accounts during investigation under Section 102 despite the specialized attachment procedure under Section 18A. The decisive ground was that seizure under Section 102 serves investigative purposes distinct from attachment under Section 18A, which requires judicial scrutiny through affidavit-supported applications, ad-interim orders, and show-cause notices per the Criminal Law Amendment Ordinance, 1944. Rejecting the Calcutta High Court's reliance on *Ratan Babulal Lath v. State of Karnataka* (2022) 16 SCC 287, the Court found it lacked ratio decidendi as it failed to analyze the PC Act's scheme, distinguishing seizure (investigative custody) from attachment (proceedings-based restriction). The Court emphasized that Section 102 empowers any police officer to seize property suspected to be crime-tainted without prior judicial approval, subject to forthwith Magistrate reporting per *Shento Varghese v. Julfikar Husen* (2024) 7 SCC 23, while Section 18A provides post-investigation attachment. Consequently, the appeal was allowed with directions that if amounts were released during stay, respondent Anil Kumar Dey must re-deposit or furnish bank guarantee within three weeks, leaving parties' statutory rights open for adjudication.

**BIRKA SHIVA VS THE STATE OF TELANGANA [CRL.A. NO.-003007-003007 - 2025]**

**Bench: Justice Sanjay Karol, Justice Sandeep Mehta**

The prosecution did not conclusively establish the victim's age, the circumstances of her alleged kidnapping from lawful guardianship, wrongful confinement, or the forceful commission of rape. The birth certificate provided was not sufficiently corroborated, and the victim's testimony indicated no forceful abduction or lack of consent regarding sexual intercourse. As a result, the appellant was acquitted of all charges under Sections 376, 363, and 342 of the Indian Penal Code.

**R. ASHOKA VS THE STATE OF KARNATAKA [CRL.A. NO.-005521-005521 - 2025]**

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The Supreme Court quashed the FIR against R. Ashoka, former Karnataka Minister, holding that the Anti-Corruption Bureau's investigation and subsequent FIR dated 08-01-2018 were vitiated by absence of prior sanction under the 14-03-2016 Government Order mandating approval before probing official acts, and by malice evidenced by three sequentially filed complaints by rival-party members, unexplained delay of eleven years after the 1998-2007 chairmanship period, and two earlier Lokayukta closures finding no substance. Rejecting the State's plea of nullum tempus and asserting that allotment confirmations by competent authorities validated the grants, the Court ruled that the continuum of facts—repetitive pleadings, political timing, and lack of fresh material—demonstrates colourable exercise of power attracting Bhajanlal (1992 Supp 1 SCC 335) category 102(6) where express legal bar and malice justify quashing under Section 482 CrPC. Consequential benefit extended to co-accused C. Sandeep Sahu whose allotment had been upheld. The Court ultimately held that criminal process cannot be weaponised for political reprisal and directed the FIR and all proceedings arising from Crime No. 5/2018 to be set aside, protecting constitutional trust in land distribution under Articles 38 and 39(b).

**LILABEN VS STATE OF GUJARAT [CRL.A. NO.-002101-002101 - 2025]****Bench: Justice Surya Kant, Justice Sanjay Karol, Justice Prashant Kumar Mishra**

The High Court erred in suspending Jigresh Kumar's sentence after his conviction for sexually assaulting a minor under multiple sections of the IPC and the POCSO Act. The trial court's finding of the victim's minority must be accepted unless disproven during the appeal. Given the nature of the offence and the accused's age, the suspension of the sentence was inappropriate. The accused must surrender immediately, with the option to seek regular bail from the High Court if the appeal is not heard within 18 months.

**BAL KUMAR PATEL @ RAJ KUMAR VS STATE OF U.P. [CRL.A. NO.-005196-005196 - 2025]****Bench: Justice V. Khalid, Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court dismissed Criminal Appeals Nos. 5196-5201 of 2025 arising from SLP(Cr) Nos. 6421/2025, 13168/2025, 13090/2025, 13144/2025, 13142/2025 and 13161/2025, challenging the Allahabad High Court's refusal to quash six 2007 FIRs under Sections 25, 27, 30 Arms Act and Sections 420, 467, 468 IPC against former MLA Bal Kumar Patel, holding that the mandatory requirement of obtaining prior permission from the High Court under Ashwini Kumar Upadhyay v. Union of India (2021) 20 SCC 613 for withdrawing prosecution against sitting/former MPs/MLAs was not complied with. The decisive ground was that though the State Government vide order dated 06.08.2014 directed withdrawal of cases in public interest and the Public Prosecutor filed applications under Section 321 CrPC on 27.08.2014, the Trial Court rightly refused consent on 08.10.2021 since no permission was sought from the High Court as mandated by Ashwini Kumar Upadhyay, which crystallized the principles from State of Kerala v. K. Ajith (2021) 17 SCC 318 requiring judicial scrutiny that withdrawal subserves administration of justice and is not actuated by ulterior motives. Rejecting the appellant's Section 482 CrPC/528 BNSS quashing petitions, the Court clarified that since the State failed to obtain requisite High Court permission, the impugned judgment cannot be faulted, while leaving all merits open for trial stage, and disposed of pending applications.

**THE STATE OF RAJASTHAN VS CHATRA [CRL.A. NO.-000586-000586 - 2017]****Bench: Justice Vikram Nath, Justice Sanjay Karol**

The judgment of acquittal by the High Court was set aside, and the trial court's conviction of the accused for sexually assaulting the minor victim was restored. Circumstantial and medical evidence established the guilt of the accused beyond a reasonable doubt, despite some discrepancies in eyewitness testimony. Evaluation of child witnesses' testimony requires caution, but the absence of testimony should not benefit the accused when supported by other evidence. The decision involved a comprehensive

analysis of the evidence and legal principles.

**REJI KUMAR ALIAS REJI VS STATE OF KERALA [CRL.A. NO.-001179-001180 - 2023]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appellant-convict was convicted of murder, rape, and disappearance of evidence. The death sentence was commuted to life imprisonment for the remainder of the convict's natural life due to mitigating factors such as good prison conduct, mental health issues, and no prior criminal record. The crime involved the brutal and premeditated killing of his wife and four children. While the death penalty was deemed inappropriate, the convict is to remain incarcerated for penance.

**KATTAVELLAI @ DEVIKAR VS THE STATE OF TAMIL NADU [CRL.A. NO.-001672-001672 - 2019]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

Circumstantial evidence was insufficient to conclusively prove the guilt of the appellant-convict, as it did not eliminate the possibility of other suspects. There were gaps in the investigation, including issues with DNA evidence and the identification parade. The conviction was vacated, leading to the appellant-convict's release, unless required in another case.

**JAI PRAKASH VS THE STATE OF UTTARAKHAND [CRL.A. NO.-000331-000332 - 2022]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appellant's conviction under Sections 376, 377, 302 of the IPC and Section 5/6 of the POCSO Act was upheld based on the last-seen theory and DNA evidence. The death sentence was commuted to life imprisonment without remission due to inadequate consideration of mitigating circumstances. The "rarest of rare" doctrine was cited in this context.

**BYLURU THIPPAIAH @ BYALURU THIPPAIAH @ NAYAKARA THIPPAIAH VS THE STATE OF KARNATAKA [CRL.A. NO.-002490-002491 - 2023]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The Appellant-convict was convicted for the murders of his wife, sister-in-law, and three children, with overwhelming evidence supporting his guilt. The death penalty was not imposed due to the Appellant's background and potential for reform. The sentence was modified to life imprisonment without remission based on mitigating factors.

**GUJARAT URJA VIKAS NIGAM LTD VS ESSAR POWER LIMITED [C.A. NO.-006581-006582 - 2025]****Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Power Purchase Agreement (PPA) between Gujarat Urja Vikas Nigam Limited (GUVNL) and Essar Power Limited (EPL) included a proportionate allocation of electricity capacity between GUVNL and Essar Steel Limited (ESL). EPL was required to declare a weekly schedule of available capacity for dispatch instructions. EPL's letters confirming its obligation to allocate generated power to GUVNL and ESL in a 58:42 ratio were upheld. The computation of diverted electricity should be based on half-hourly intervals, as recommended by the Central Electricity Authority. GUVNL is entitled to reimbursement of fixed charges proportional to the electricity diverted by EPL to ESL, along with compensation based on the HTP-1 Tariff Energy Charge. Two appeals from GUVNL and EPL against an earlier decision were resolved in favor of restoring the Electricity Regulatory Commission's order with modifications.

**STATE OF KERALA VS SUNI @ SUNIL [CRL.A. NO.-004647-004647 - 2025]****Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The offence under Section 195A of the Indian Penal Code (IPC) is a cognizable offence, while offences under Sections 193-196 IPC are non-cognizable. The procedure under Section 195(1)(b)(i) of the Code of Criminal Procedure (CrPC) does not apply to offences under Section 195A IPC. A complaint regarding an offence under Section 195A IPC can be filed directly before a jurisdictional magistrate, and the police have the authority to register an FIR and investigate such offences. Previous orders from the Kerala and Karnataka High Courts mandating the procedure under Section 195(1)(b)(i) CrPC for Section 195A IPC offences were set aside.

**LIVEIN AQUA SOLUTIONS PRIVATE LIMITED VS HDFC BANK LIMITED [C.A. NO.-011766 - 2025]****Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court dismissed Livein Aqua Solutions' appeal and directed HDFC Bank to cure procedural defects in its Section 7 IBC application within seven days, holding that the NCLAT correctly found the NCLT's rejection unlawful for violating the mandatory proviso to Section 7(5)(b) IBC which requires specific notice to the applicant to rectify defects within seven days before rejection, a mandate not satisfied by the Joint Registrar's consolidated notice under Rule 28 NCLT Rules served on the bank's authorized representative. The decisive ground was that the IBC being substantive law prevails over procedural NCLT Rules, and the proviso's notice requirement being directory not mandatory, following *Dena Bank v. C. Shivakumar Reddy* where this Court held that defective applications are curable and adjudicating authorities must give applicants opportunity to cure defects. Rejecting the company's contention that the defective affidavit rendered the application non est, the Court emphasized that procedural defects are handmaidens to justice not tools to defeat substantive rights, citing *Vidyawati Gupta v. Bhakti Hari Nayak* that curable procedural irregularities should not cause injustice, and directed the NCLT to hear the merits after compliance.

**G.R.SELVARAJ (DEAD) THROUGH LRS. VS K.J.PRAKASH KUMAR. [C.A. NO.-008887-008887 - 2011]****Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court held that the auction sale held on 12.09.2002 cannot be set aside under Order XXI Rule 90 CPC as the judgment debtors failed to raise the ground that only a portion of the property needed to be sold to satisfy the decree before the proclamation of sale was drawn up, thereby attracting the bar under Order XXI Rule 90(3). The decisive ground was that the judgment debtors were duly served with notices at every stage of execution proceedings including multiple applications for reduction of upset price and participated in some proceedings but chose to remain absent at crucial stages, thus they cannot now claim they were unaware of the sale process. Rejecting the High Court's reliance on *Ambati Narasayya v. M. Subba Rao* and *Takkaseela Pedda Subba Reddi v. Pujari Padmavathamma* which were decided under the unamended Order XXI Rule 90, the Court emphasized

that post-1977 amendment, Order XXI Rule 90(3) creates a complete bar against raising grounds which could have been taken before the proclamation date. Following *Desh Bandhu Gupta v. N.L. Anand*, the Court ruled that while Order XXI Rule 66(2)(a) mandates selling only property necessary to satisfy the decree, this obligation operates subject to Order XXI Rule 90(3) where the judgment debtor had notice but failed to raise objections. The Court set aside the High Court judgment and restored the execution court's order dismissing the application to set aside the sale.

**M/S SARASWATI WIRE AND CABLE INDUSTRIES VS MOHAMMAD MOINUDDIN KHAN [C.A. NO.-012261 - 2024]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court allowed the appeal and restored the NCLT's admission order, holding that the NCLAT erred in finding a pre-existing dispute under Section 9 of the Insolvency and Bankruptcy Code, 2016. The decisive ground was that the corporate debtor's own ledger accounts consistently acknowledged the debt of ₹1.79 crores and continued making payments of ₹61 lakh even after the Section 8 demand notice, which negated any genuine dispute. The Court rejected the suspended director's reply dated 20.11.2021 as having no authority since CIRP had already commenced, and dismissed claims of non-supply against invoices 203 and 205 as spurious since delivery challans and e-way bills proved supply. Following *Mobilox Innovations v. Kirusa Software (2018) 1 SCC 353*, the Court held that the defence was mere "moonshine" and not a bona fide dispute, emphasizing that adjudicating authorities must separate genuine disputes from spurious defences. The Court restored the NCLT's admission order dated 06.12.2023 in C.P.(IB)No. 398/NCLT/MB/C-IV/2023 and directed fresh proceedings from the judgment date, with parties bearing their own costs.

**M/S SHRI KARSHNI ALLOYS PRIVATE LIMITED VS RAMAKRISHNAN SADASIVAN [C.A. NO.-003625-003628 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Alok Aradhe**

The Supreme Court dismissed appeals by M/s. Shri Karshni Alloys against NCLAT's majority upholding forfeiture of ₹37.80 crores paid for Surana Industries' Raichur plant after repeated payment defaults, holding the sale was under Regulation 33(2)(d) of the IBBI (Liquidation) Regulations, 2016, requiring prior NCLT sanction, not a private contract attracting Section 74 of the Indian Contract Act, 1872. The decisive ground is that appellant, having itself sought extension till 31.05.2022, accepted NCLT's 29.06.2022 order imposing strict timelines with forfeiture for deviation, paid ₹1.50 crores thereunder, yet failed to deposit ₹69.20 crores by 31.07.2022; thus it cannot approbate and reprobate. Rejecting arguments of no stakeholder loss since plant later fetched ₹145.38 crores, the Court emphasised time is of the essence under IBC and NCLT's power under Rule 15 NCLT Rules, 2016 to attach forfeiture is discretionary and valid. Precedent *Kridhan Infrastructure v. Venkatesan (2021) 6 SCC 94* reinforces expeditious liquidation. Court also censured appellant for suppressing pending NCLAT appeal while filing writ petition. Result: appeals dismissed with parties bearing own costs.

**U.P. POWER CORPORATION LTD. VS SATYA RAM [C.A. NO.-003612-003612 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Augustine George Masih**

The Deputy Labour Commissioner and High Court erred in directing U.P. Power Corporation Ltd. to pay salaries to two workers for January 1, 2015, to May 31, 2018. The workers would have reached the age of 60 by 2013 and 2015, making their continued service until 2023 unfeasible. The appeal was allowed, and the previous judgments were set aside.

**MORTUZA HUSSAIN CHOUDHURY VS THE STATE OF NAGALAND [CRL.A. NO.-004872-004873 - 2024]**

**Bench: Justice Sanjay Kumar, Justice Augustine George Masih**

Preventive detention orders against Ashraf Hussain Choudhary and Adaliu Chawang were deemed invalid due to a lack of sufficient material indicating a likelihood of bail. The grounds of detention were

not communicated in an understandable language, breaching constitutional rights. Additionally, the detaining authority failed to provide separate grounds of detention as mandated. The detention orders were quashed, and the detainees were to be released unless their continued incarceration was justified by other cases.

**ZAID SHEIKH VS THE STATE OF MADHYA PRADESH THROUGH SECRETARY [C.A. NO.-003847-003848 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Augustine George Masih**

The appeal was allowed, setting aside the High Court's dismissal of the writ petition. The appellant was initially deemed ineligible for the B.A.M.S. degree course due to not passing English in the 10+2 examination, but he was provisionally admitted to another college on the condition of passing English, which he subsequently did. The appellant had completed nearly the entire course and internship, and the High Court's decision would have caused him unfair prejudice. Given these circumstances, it was deemed necessary to ensure that the appellant is not excluded after completing almost the entire course.

**KRISHAN GOPAL VS GURMEET KAUR (DEAD) THROUGH LRS. [C.A. NO.-002849-002849 - 2015]**

**Bench: Justice Sanjay Kumar, Justice K.V. Viswanathan**

The plaintiffs, Gurmeet Kaur and her sons, demonstrated readiness to pay the remaining balance of the sale consideration. Claims of collusion and fraud by Arun Kalia were found unconvincing. The sale deeds executed by Krishan Gopal to Arun Kalia and then to other applicants were declared null and void under the doctrine of lis pendens. The plaintiffs were directed to deposit an additional ₹25,00,000 toward the sale consideration, in addition to the ₹9,00,000 already deposited.

**M/S KKK HYDRO POWER LIMITED VS HIMACHAL PRADESH STATE ELECTRICITY BOARD LTD. . [C.A. NO.-003005-003005 - 2015]**

**Bench: Justice Sanjay Kumar, Justice N.V. Anjaria**

The appellant is not entitled to the enhanced tariff of ₹2.95/kWh for its entire 4.90 MW project. The Commission has the authority to review and approve Power Purchase Agreements (PPAs) and tariffs under Section 86(1)(b) of the Electricity Act, 2003. The PPA for the initial 3 MW plant, executed before the Commission's establishment, cannot have its tariff modified by the Commission. The additional 1.90 MW plant, commissioned after the Regulations of 2007, allows the Commission to determine its tariff under those Regulations. The supplementary PPA increasing the tariff without Commission approval is unenforceable. The issue of royalty on water usage is referred to the Commission for appropriate relief under the amended Regulations.

**PRAKASH CHIMANLAL SHETH VS JAGRUTI KEYUR RAJPOPAT [C.R.L.A. NO.-003194-003197 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The appellant's complaints under Section 138 of the Negotiable Instruments Act were justified in the jurisdictional court at Mangalore, as the appellant maintained a bank account with the Kotak Mahindra Bank's Bendurwell branch. Jurisdiction for such complaints is based on the location of the payee's bank account, rather than the drawee bank branch.

**GUJARAT URJA VIKAS NIGAM LTD. VS GREEN INFRA CORPORATE WIND POWER LTD. AND ORS. ETC. [C.A. NO.-014098-014101 - 2015]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The four respondent wind energy companies can seek a separate tariff determination from the Gujarat Electricity Regulatory Commission for power supplied to Gujarat Urja Vikas Nigam Limited, despite having signed Power Purchase Agreements at a tariff of ₹3.56 per kWh applicable only to projects availing accelerated depreciation benefits. Gujarat Urja Vikas Nigam Limited, as a state entity, is obligated to

support government renewable energy policies and cannot impose a tariff not applicable to the respondent companies, who did not utilize the accelerated depreciation benefit. This decision aligns with previous determinations made by the Gujarat Electricity Regulatory Commission and the Appellate Tribunal for Electricity.

**SINCERE SECURITIES PRIVATE LIMITED VS CHANDRAKANT KHEMKA [C.A. NO.-012812 - 2024]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

Nandini Impex Private Limited must return possession of the ground floor of White House to Sincere Securities Private Limited and others during the corporate insolvency resolution process. All parties in the process, except for the suspended director, supported this outcome, indicating the property was not needed by the corporate debtor and posed a financial burden. The Committee of Creditors and Resolution Professionals decided to facilitate the return, making the prohibition on property recovery under Section 14(1)(d) of the Insolvency and Bankruptcy Code inapplicable in this case.

**ASHDAN PROPERTIES PRIVATE LIMITED VS DSK GLOBAL EDUCATION AND RESEARCH PVT LTD. [C.A. NO.-010603 - 2024]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The appeal by DSK Global Education and Research Pvt. Ltd. was deemed defective for being filed beyond the 30-day statutory period under Section 61(2) of the Insolvency and Bankruptcy Code and for lacking a certified copy of the impugned order, as required by Rule 22(2) of the NCLAT Rules. The NCLAT failed to address these critical issues regarding limitation and the certified copy, impacting its appellate jurisdiction. The NCLAT's judgment on the merits was set aside.

**GLENCORE INTERNATIONAL AG VS M/S SHREE GANESH METALS [C.A. NO.-011067-011067 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

A valid and binding arbitration agreement existed between Glencore International AG and Shree Ganesh Metals under clause 32.2 of Contract No. 061-16-12115-S. The acceptance of the contract terms, including the arbitration agreement, was demonstrated by the respondent's actions, such as furnishing Standby Letters of Credit and lifting 2,000 metric tons of zinc metal. The lack of a signature did not invalidate the binding arbitration agreement. The judgment mandated the referral of disputes between the parties to arbitration as specified in the contract.

**DEEP NURSING HOME . VS MANMEET SINGH MATTEWAL . [C.A. NO.-001662-001662 - 2016]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The findings of the State Consumer Disputes Redressal Commission and the National Consumer Disputes Redressal Commission in a medical negligence case were overturned. The National Consumer Disputes Redressal Commission erred by introducing claims of negligence in antenatal care that were not part of the original complaint. Multiple medical boards found no gross medical negligence regarding the delivery, baby management, or post-delivery treatment. The orders of both commissions were set aside, and the original complaint was dismissed.

**MOHAMMAD AFZAL MOHAMMAD SHARIF VS THE STATE OF MAHARASHTRA [CRL.A. NO.-003976-003976 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The police authorities did not register an FIR despite being informed about an assault on the appellant, indicating a failure to fulfill their duty under Section 154 of the Code of Criminal Procedure. A special investigation team is to be constituted to investigate the allegations, and disciplinary action against the negligent police officials is to be initiated. An investigation report must be submitted within three months.

**M/S LANCOR HOLDINGS LIMITED VS PREM KUMAR MENON [C.A. NO.-010074-010075 - 2024]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The delay in the Arbitrator's award and the failure to resolve disputes made the award unworkable and contrary to the public policy of efficient arbitration. The Arbitrator's findings were deemed perverse and in violation of the agreement's terms. While the execution of sale deeds by the company was declared illegal, the situation was rectified by treating the deeds as valid if the company compensated the respondents, facilitating the conclusion of the litigation.

**INDIAN RAILWAYS CATERING AND TOURISM CORP. LTD VS M/S BRANDAVAN FOOD PRODUCTS [C.A. NO.- 013435-013437 - 2025]****Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The Supreme Court set aside the arbitral award granting caterers differential payment for second regular meals served at combo-meal rates and for welcome drinks, holding the award patently illegal under Section 34(2A) and contrary to public policy under Section 34(2)(b)(ii) Arbitration and Conciliation Act 1996. The decisive ground was that the Arbitrator rewrote the contract by ignoring the binding policy circulars (Commercial Circulars 67/2013 and 32/2014) which expressly mandated serving a regular meal at combo-meal tariff "without any increase in charges" and reinstating welcome drinks as menu changes under Clause 8.1 of the Master Licence Agreement; these directives, unsuccessfully challenged in WP(C) 11548/2017, remained operative and overrode contractual terms by virtue of Clause 21.1 precedence clause. Rejecting the plea that IRCTC, being a State entity, must act fairly, the Court held that once policy is embodied in uncontested circulars, arbitrators cannot grant higher reimbursement without evidence of independent breach. Reliance on *Ssangyong Engineering v NHAI* (2019) 15 SCC 131 and *PSA Sical Terminals v V.O. Chidambaranar Port* (2023) 15 SCC 781, the Court reiterated that re-writing contracts shocks the conscience and breaches Section 28(3) mandate to decide per contract terms. Consequently, appeals by IRCTC allowed, caterers' cross-appeals dismissed; no costs.

**DELHI AGRICULTURAL MARKETING BOARD THROUGH ITS CHAIRMAN VS BHAGWAN DEVI (D) THR LR. [C.A. NO.-010757-010757 - 2017]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar**

The agreement between the Delhi Agricultural Marketing Board and Bhagwan Devi to return part of the compulsorily acquired land was invalid due to its contradiction with the fundamental policy of Indian law. The board, as the beneficiary of the land acquisition, could not privately alter the state's eminent domain power. An arbitral award supporting the agreement and subsequent judgments dismissing challenges to the award were set aside.

**RINA KUMARI @ RINA DEVI @ REENA VS DINESH KUMAR MAHTO @ DINESH KUMAR MAHATO [CRLA. NO.- 000161-000161 - 2025]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar**

The passing of a decree for restitution of conjugal rights in favor of the husband and the wife's non-compliance do not justify denying her maintenance under Section 125(4) of the Code of Criminal Procedure. The wife's conduct and circumstances, including mental cruelty and ill-treatment by the husband, are relevant factors. These reasons support her refusal to live with him, allowing her entitlement to maintenance granted by the Family Court.

**ARUN VS STATE OF MADHYA PRADESH [CRLA. NO.-001549-001549 - 2025]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice K.V. Viswanathan**

The convictions of the accused were set aside due to insufficient evidence from the prosecution. Oral testimonies from the deceased's family were found unreliable, with significant discrepancies compared to the original FIR. The recovery of a weapon from one accused did not reliably link him to the crime, as the cause of death was not confirmed as a gunshot wound. The appellants were acquitted of the charged offences.

**UNITED INDIA INSURANCE CO. LTD. VS M/S PARK LEATHER INDUSTRIES LTD. [C.A. NO.-000913 - 2023]**

**Bench: Justice Sanjay Kumar, Justice Augustine George Masih**

The appeal of United India Insurance Co. Ltd. regarding the quantum of compensation was allowed. The decision of the NCDRC, which relied on the respondent's surveyor's assessment submitted with the rejoinder, was deemed erroneous. The matter is remitted to the NCDRC for reconsideration of the compensation, allowing both parties to present evidence. The amount deposited by the insurance company is to be transferred to the NCDRC for investment in a fixed deposit pending the final decision.

**SECURITIES AND EXCHANGE BOARD OF INDIA VS RAM KISHORI GUPTA [C.A. NO.-007941 - 2019]**

**Bench: Justice Sanjay Kumar, Justice K.V. Viswanathan**

SEBI's attempt to initiate fresh disgorgement proceedings against VCL and others was barred by res judicata, as a final order had already been issued in 2014. SEBI could not reopen the matter without just cause. The Tribunal's order to compensate certain investors was set aside since it contradicted an earlier decision negating their claim. Additionally, the Tribunal's order for SEBI to pay excessive costs to the appellants was also set aside.

**GAYATRI BALASAMY VS M/S ISG NOVASOFT TECHNOLOGIES LIMITED [SLP(C) NO.-015336-015337 - 2021]****Bench: Justice Sanjiv Khanna, Justice B.R. Gavai, Justice Sanjay Kumar, Justice Augustine George Masih, Justice K.V. Viswanathan**

Section 34 of the Arbitration and Conciliation Act, 1996 allows for the setting aside of arbitral awards on specified grounds but does not permit modification or variation of awards. Modification and severance are distinct; while awards cannot be modified, courts can sever invalid parts if they are separable from valid parts without affecting the overall award. An exception exists for correcting computational, clerical, or typographical errors based on the principle of 'actus curiae neminem gravabit'. This clarification establishes the limits of judicial intervention under Section 34.

**MADHYA PRADESH ROAD DEVELOPMENT CORPORATION VS VINCENT DANIEL [C.A. NO.-003998-003998 - 2024]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar**

The compensation awarded for land acquired under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 was deemed compliant with statutory requirements. The argument to apply the "theory of deduction" was rejected, as it is not applicable under the current Act. Compensation calculations were based on circle rates from the Collector's Guidelines, and no adjustments were made to reflect actual market conditions, validating the compensation amount.

**THE STATE OF WEST BENGAL VS BAISHAKHI BHATTACHARYYA (CHATTERJEE) [C.A. NO.-004800-004800 - 2025]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar**

The 2016 selection process by the West Bengal Central School Service Commission for non-teaching staff and Assistant Teachers was set aside due to widespread irregularities and illegalities. Issues included manipulation of OMR scores, appointments of candidates not on the panel, rank-jumping, and the destruction of original OMR sheets. These problems undermined the integrity of the selection process. Tainted candidates were required to refund salaries, while untainted candidates could apply to return to their previous positions. Further investigation by the CBI into related matters was not contested.

**M/S ABCI INFRASTRUCTURES PVT LTD. VS UNION OF INDIA [C.A. NO.-002546-002546 - 2025]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice K.V. Viswanathan**

The Supreme Court of India held that the Border Road Organisation (BRO) was not justified in accepting the appellant's bid of Rs. 1,569, which was clearly a mistake, and in forfeiting the appellant's bid security of Rs. 15.04 crores.

The court recognized that a mistake, even if unintentional, can have varied legal consequences. While the appellant was at fault for the typographical error, the court found that the mistake was self-evident and the true intent of the appellant was obvious. The court applied the principles of proportionality and equitable relief, and directed the appellant to pay Rs. 1 crore to BRO, following which BRO shall return the appellant's original bank guarantee.

The Supreme Court ultimately set aside the High Court's impugned judgment and allowed the appeal.

**DISORTHO S.A.S. VS MERIL LIFE SCIENCES PVT. LTD. [ARBIT.PETITON NO.-000048 - 2023]****Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice K.V. Viswanathan**

The arbitration agreement between the parties is governed by Indian law, despite the arbitration venue being in Bogota, Colombia. Following a three-step test, it was found that the parties impliedly chose

Indian law for the arbitration agreement. Consequently, Indian courts have jurisdiction under the Arbitration and Conciliation Act, 1996 to appoint the arbitral tribunal.

**M/S TAMIL NADU CEMENTS CORPORATION LTD VS MICRO AND SMALL ENTERPRISES FACILITATION COUNCIL [C.A. NO.-001016-001016 - 2025]** 

**Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice Manmohan**

Key legal issues have been referred for examination regarding the principle that a writ petition cannot be entertained against orders or awards of the Micro and Small Enterprises Facilitation Council (MSEFC). Questions include whether this principle is absolute or if exceptions exist for maintainability, the circumstances under which the alternative remedy principle may be relaxed to permit writ petitions against MSEFC decisions, and whether MSEFC members involved in conciliation can also serve as the arbitral tribunal under the Micro, Small and Medium Enterprises Development Act, 2006.

**C.T. KOCHOUSEPH VS THE STATE OF KERALA AND ANR. ETC. [C.A. NO.-000941-000945 - 2004]** 

**Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice R. Mahadevan**

The purchase of goods by appellants from dealers exempt from tax is considered a taxable purchase under the Kerala General Sales Tax Act and the Tamil Nadu General Sales Tax Act. Appellant-assessees are liable to pay purchase tax under these laws. The concepts of "taxability/liability" and "payability" are distinct, and an exemption from sales tax does not eliminate the taxability of the goods. The claim that purchase tax provisions are unconstitutional as a consignment tax or inter-state levy was rejected, affirming the state legislature's authority to impose such taxes. This decision pertains to appeals against judgments from the High Courts of Kerala and Madras.

**THE STATE OF UTTAR PRADESH VS R.K PANDEY [C.A. NO.-010212-010212 - 2014]** 

**Bench: Justice Sanjiv Khanna, Justice Sanjay Kumar, Justice R. Mahadevan**

The arbitration agreement dated April 1, 1957 is not authentic and does not exist in official records. The unilateral appointment of arbitrators by the respondent was contrary to the terms of the alleged agreement. The arbitration proceedings were deemed a sham and fraudulent, rendering the ex parte awards null, void, and unenforceable. The two ex parte awards were set aside, execution proceedings were dismissed, and costs were awarded to the appellants.

**SUMAN MISHRA VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-000731-000731 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the FIR and charge sheet against the appellants deserve to be quashed, as the FIR appears to be vexatious and instituted with an ulterior motive. The Court relied on its previous judgments which state that the High Court must look at the overall circumstances, and not just the allegations in the FIR, when deciding whether to quash criminal proceedings.

In this case, the FIR was filed after the appellant had filed for divorce, and the initial allegation of rape was not substantiated by the charge sheet. Noting the peculiar facts and circumstances, the Supreme Court exercised its powers under Article 142 of the Constitution to quash the FIR and charge sheet against the appellants.

**KAMALKISHOR SHRIGOPAL TAPARIA VS INDIA ENER GEN PRIVATE LIMITED [CRL.A. NO.-000758-000761 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the appellant, an independent non-executive director of the company, cannot be held vicariously liable under Section 141 of the Negotiable Instruments Act for the dishonor of cheques issued by the company. The court observed that the complaints did not contain specific allegations detailing the appellant's active involvement or responsibility for the conduct of the company's business at the relevant time. Referring to previous judgments, the court ruled that non-executive directors cannot be held liable under Section 138 NI Act unless there is specific evidence proving their active involvement. Accordingly, the court allowed the appeals and quashed the criminal proceedings against the appellant.

**MAHAVEER SHARMA VS EXIDE LIFE INSURANCE COMPANY LIMITED [SLP(C) NO.-002136 - 2021]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the failure of the deceased insured to disclose all his existing life insurance policies in the proposal form did not amount to material suppression of facts. The court found that the insured had substantially disclosed one policy with a higher sum assured, and the other undisclosed policies were of inconsequential amounts. As this was a life insurance policy and the death occurred due to accident, the non-disclosure of the other policies did not influence the risk assessment of a prudent insurer. Therefore, the court set aside the orders of the lower commissions and directed the insurer to pay the policy benefits along with interest to the appellant. This was a single-judge decision and not a batch matter.

**SACHIN YALLAPPA USULKAR VS VIJAYATA [SLP(C) NO.-001970-001971 - 2023]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the lower courts had erroneously found the minor appellant responsible for the accident, as the evidence clearly showed that the father of the minor appellant was the one driving the vehicle at the time of the incident. The court absolved the minor appellant of any involvement, finding no substantive evidence to link him to the accident. However, the court upheld the compensation amount of Rs. 21,82,800 with 6% interest awarded by the High Court to the claimants. The liability to pay the compensation was directed to be borne solely by the insurance company, without any recovery from

the owner or driver of the vehicle.

**K.S. MEHTA VS M/S MORGAN SECURITIES AND CREDITS PVT. LTD. [C.R.L.A. NO.-001105-001105 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

K.S. Mehta and Basant Kumar Goswami, non-executive directors, cannot be held vicariously liable for the dishonor of cheques under Section 141 of the Negotiable Instruments Act due to the absence of specific allegations regarding their direct involvement in the company's financial transactions. Mere designation as directors is insufficient for liability; clear proof of active participation in the company's business is necessary. Corporate governance reports confirmed their limited roles, leading to the quashing of criminal proceedings against them.

**JASPAL SINGH KAURAL VS THE STATE OF NCT OF DELHI [C.R.L.A. NO.-001841-001841 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The sexual relationship between the appellant and the complainant was deemed consensual, with no evidence supporting charges of rape or criminal intimidation. A mere breach of a promise to marry does not constitute rape, and the unique facts of each case must be considered. The prolonged nature of their relationship and the complainant's status as a married woman weakened her claims. Consequently, the order to frame charges was set aside, and the decision to discharge the appellant was upheld.

**BISWAJYOTI CHATTERJEE VS THE STATE OF WEST BENGAL [C.R.L.A. NO.-001842-001842 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The appeal was allowed, and the High Court's order was set aside. The physical relationship between the appellant, a former judicial officer, and the complainant was deemed consensual, with the complainant fully aware of the appellant's background. There was no evidence of fraudulent inducement or criminal intimidation, and inconsistencies in the complainant's statements suggested a tendency to misuse legal proceedings when relationships deteriorate. Consequently, the proceedings against the appellant were terminated at the charge stage.

**SOHOM SHIPPING PVT. LTD VS M/S. THE NEW INDIA ASSURANCE CO. LTD. [C.A. NO.-002323 - 2021]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The special condition in the insurance contract requiring the "voyage to commence & complete before monsoon sets in" is not deemed a condition precedent, as enforcing it would render the policy ineffective. The respondent was aware of the appellant's plans to undertake the voyage during foul weather, leading to an implied waiver of the special condition due to its non-material nature. The matter is remanded to the NCDRC to assess the extent of the insured sum payable by the respondent to the appellant.

**SHARDHAMMA . VS THE DY.COMMISSIONER [C.A. NO.-005689-005689 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The appeal regarding the application under Section 5 of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 was addressed, concluding that the application to declare the 1969 sale of land void was barred by delay and laches. The land was initially leased to Shri Ranga in 1946-47 with a non-alienation clause for 10 years, and the sale to the appellants' predecessor-in-title in 1969 was deemed valid. The application filed in 1992, over 20 years after the sale, was considered unreasonably delayed and dismissed.

**M/S SURAJ IMPEX (INDIA) PVT LTD VS UNION OF INDIA [C.A. NO.-007089-007090 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

CBEC Circular No. 35/2010-Cus, dated 17.09.2010, is clarificatory and declaratory, warranting retrospective effect. The Circular clarifies rather than creates new rights or burdens, aligning with previous Customs Duty Drawback Notifications issued from 2006 to 2010. Principles of statutory interpretation support its retrospective application to fulfill the objectives of earlier Notifications. Therefore, the appellant is entitled to a 1% AIR Customs Duty Drawback on its export of Soyabean Meal from 2008 based on the retrospective application of the Circular.

**R. RANJITH SINGH VS THE STATE OF TAMIL NADU [C.A. NO.-006305-006306 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The amendment to the Tamil Nadu Police Subordinate Service Rules, 1955, which awarded seniority to in-service candidates recruited under the 20% direct recruitment quota over candidates from the 80% open market quota, violates Articles 14, 16, and 21 of the Constitution of India. Seniority lists must be recast based solely on marks from the qualifying examination, without preferential treatment for in-service candidates. A common examination for 100% direct recruitment is required, with seniority assigned based on individual candidates' marks.

**RAJESH CHADDHA VS THE STATE OF UTTAR PRADESH [C.R.L.A. NO.-002635-002636 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

Rajesh Chaddha's conviction under Section 498A IPC and Section 4 of the Dowry Prohibition Act was set aside due to vague and unspecific allegations from the complainant, lacking independent evidence. The FIR was deemed a response to Chaddha's divorce petition, indicating a tendency to implicate all family members in matrimonial disputes without concrete proof. The prosecution did not prove the charges beyond reasonable doubt, leading to Chaddha's acquittal, as further prosecution would be an abuse of the legal process. The marriage had already been dissolved.

**THIRUNAGALINGAM VS LINGESWARAN [C.A. NO.-006843-006843 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The High Court's order that allowed the respondents to file an appeal after a delay of 1116 days was set aside. The respondents had previously raised the same grounds for condonation of delay, which had been rejected. They did not provide reasonable grounds for the delay, and there was no consideration of the merits of the case. The appeal was allowed, resulting in the High Court's order being overturned.

**GOPAL DIKSHIT VS UNITED INDIA INSURANCE COMPANY LTD [C.A. NO.-006623 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

Damage to the appellant's insured premises was caused by heavy rainfall and flooding, not by seepage of water. The initial survey report dated 06.09.2016 and expert certificates attributed the damage to flooding during a downpour in Delhi on 25.08.2016. A later survey report from 18.10.2016, which claimed the damage was due to seepage, was deemed arbitrary and unsupported by evidence. The matter was remanded to determine the appropriate compensation in line with the insurance policy terms.

**PINKY MEENA VS THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR [C.A. NO.-007091-007091 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

An appeal was allowed, quashing a show cause notice and discharge order against a tribal woman selected for the Rajasthan Judicial Service. Misconduct related to her educational qualifications and employment history did not justify her discharge since she completed her probation satisfactorily. The inquiry that led to her discharge did not adhere to principles of natural justice, making the order stigmatic. She was reinstated with consequential benefits, excluding back wages, and her probation was deemed successfully completed. Emphasis was placed on enhancing diversity and representation of women from marginalized communities in the judiciary.

**AMOL BHAGWAN NEHUL VS THE STATE OF MAHARASHTRA [CRL.A. NO.-002835-002835 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

Criminal proceedings against the appellant were quashed due to highly improbable allegations of forcible sexual assault and unnatural sex, with evidence suggesting a consensual relationship. The complainant's ongoing relationship and visits to the accused over 12 months contradicted her claims, leading to the conclusion that the case fell under established criteria for quashing to prevent abuse of legal processes.

**VAIBHAV VS THE STATE OF MAHARASHTRA [CRL.A. NO.-001643-001643 - 2012]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The conviction of Vaibhav for murder under Section 302 IPC and for violations of the Arms Act was partially set aside due to insufficient evidence. The prosecution did not establish guilt beyond reasonable doubt, as the case relied on circumstantial evidence with significant inconsistencies, particularly regarding the bullet's trajectory and the cause of death. The defense's argument for accidental death was deemed reasonably probable, which was not appropriately examined. The lack of motive was also considered in favor of the defense. Although the appellant's subsequent conduct raised suspicion, it did not amount to conclusive proof. Vaibhav was acquitted of the murder and Arms Act charges but his conviction for causing disappearance of evidence under Section 201 IPC was upheld for the time already served.

**GHANSHYAM SONI VS STATE (GOVT. OF NCT OF DELHI) [CRL.A. NO.-002894-002894 - 2025]**

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the charges against the appellant under Section 498A IPC were not time-barred, as the complaint was filed within the 3-year limitation period under Section 468 CrPC. However, the Court found that the allegations in the FIR were vague and generic, without specific details or evidence to substantiate the charges of cruelty. The Court also observed that the lower court's remarks about the possibility of false implication due to the complainant being a police officer were not a valid ground for discharge. Ultimately, in the interest of justice, the Court exercised its powers under Article 142 of the Constitution to quash the FIR and the subsequent chargesheet against the appellant and his family members.

**DR. VIMAL SUKUMAR VS D LAWRENCE [C.A. NO.-006264-006266 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The special meeting of the Church of South India (CSI) Synod on March 7, 2022, to amend the CSI Constitution was properly convened, but the amendments were invalid due to improper ratification by 2/3 of the diocesan councils. The election of the Moderator was invalid because the amendments to increase the retirement age of bishops were not validly passed, rendering the nominated Moderator ineligible. However, there were insufficient grounds to invalidate the elections of other office bearers. A committee of retired judges was appointed to oversee fresh elections for the Moderator. Although leave under Order 1 Rule 8 CPC is not a mandatory pre-condition, it is necessary for enforceability of orders on the entire CSI membership, and any absence of such leave can be addressed at any time.

**ISHWAR CHANDA SHARMA VS DEVENDRA KUMAR SHARMA [C.A. NO.-006855-006855 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The High Court identified issues with temples in the Mathura region being managed by court-appointed receivers, which caused delays in resolving management disputes. The State of Uttar Pradesh was permitted to use temple funds to acquire 5 acres around the Shri Banke Bihari Temple for infrastructure development to support visiting devotees. A Civil Judge was instructed to appoint a receiver with relevant administrative and social qualifications, ideally from the Vaishnav Sampradaya, and the

appointment of receivers should be done selectively to avoid prolonging litigation.

### **THE STATE OF WEST BENGAL VS PAM DEVELOPMENTS PRIVATE LIMITED [C.A. NO.-000300-000300 - 2025]**



**Bench: Justice Bela M. Trivedi, Justice Satish Chandra Sharma**

The amendment application by Pam Developments Private Limited is legally sustainable as the subsequent debarment orders are a continuous cause of action arising from the original memo dated 08.03.2016, which was the basis of the civil suit. The amendment does not alter the nature of the civil suit, making the notice requirement under Section 80 of the Code of Civil Procedure inapplicable. The prior dismissal of the first amendment application as "not pressed" does not prevent the filing of the current application due to the ongoing cause of action. The appeal by the State of West Bengal and others was dismissed without costs.

### **NAZIM VS THE STATE OF UTTARAKHAND [C.R.L.A. NO.-000715-000715 - 2018]**

**Bench: Justice M. M. Sundresh, Justice Satish Chandra Sharma**

The convictions of Nazim, Aftab, and Arman Ali based on circumstantial evidence were unsustainable due to gaps in the prosecution's case. The initial FIR did not include the appellants' names, and the reliability of key prosecution witnesses was questionable. Forensic evidence was inconclusive, and there was no solid evidence regarding motive. Strong suspicion alone cannot replace proof, and when circumstances allow for both guilt and innocence, the benefit of doubt must go to the accused. The convictions were set aside, leading to the acquittal of the appellants.

### **MALA DEVI VS UNION OF INDIA . [C.A. NO.-010672-010672 - 2016]**

**Bench: Justice Sanjay Karol, Justice Satish Chandra Sharma**

The appellant, widow of a deceased railway employee, is entitled to family pension despite her husband's service not being regularized. The deceased gained the status of a temporary railway servant after one year of continuous service and passing the medical examination. The Indian Railway Establishment Manual and the Railway Pension Rules, 1993 support this entitlement. Orders of lower tribunals were set aside, and the respondents must pay the arrears and regular family pension to the appellant within four months, along with an ex-gratia amount of Rs. 5,00,000/-.

### **UNION OF INDIA VS R. SHANKARAPPA [C.A. NO.-009852-009852 - 2025]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

Disciplinary proceedings against R. Shankarappa by the Department of Telecommunication were upheld as valid. The charge-sheets issued by the General Manager, authorized to impose minor penalties, were confirmed valid under the Central Civil Services (Classification, Control and Appeal) Rules, 1965. Rule 13(2) of the CCS CCA Rules permits a disciplinary authority competent to impose minor penalties to initiate proceedings for major penalties. The previous order from the High Court that quashed the disciplinary proceedings was set aside.

### **CHAMUNDESHWARI ELECTRICITY SUPPLY COMPANY LTD. (CESC) VS SAISUDHIR ENERGY (CHITRADURGA) PVT. LTD. [C.A. NO.-006888 - 2018]**

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The Appellant, CESC, is entitled to encash the performance bank guarantee due to the Respondent, Saisudhir Energy, failing to commence supply by the Scheduled Commercial Operation Date (COD) and not obtaining an extension or claiming Force Majeure as outlined in the Power Purchase Agreement (PPA). The Respondent's inability to meet Conditions Precedent and COD was attributed to delays by the transmission utility, KPTCL, which were outside its control; however, the Respondent did not request an extension per the contract. The delay was incorrectly classified as Force Majeure, as the Respondent failed to issue the necessary notice under the PPA. Regulatory bodies lack the jurisdiction to alter

commercial contract terms or provide remedies beyond the PPA framework.

**SUSHIL KUMAR TIWARI VS HARE RAM SAH [CRL.A. NO.-003813-003813 - 2025]** 

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

The High Court's judgment acquitting Hare Ram Sah and Manish Tiwari was set aside, restoring the trial court's conviction and sentence. The prosecution evidence was found consistent and corroborated, with sufficient proof of the victim's minority status, pregnancy, and abortion. Defects in charge framing did not prejudice the respondents, and procedural irregularities in the joint trial lacked proof of actual prejudice. The principle of "beyond reasonable doubt" was emphasized, warning against its misuse to acquit guilty parties based on minor inconsistencies.

**AMIT NEHRA VS PAWAN KUMAR GARG [C.A. NO.-004296 - 2025]** 

**Bench: Justice Sanjay Kumar, Justice Satish Chandra Sharma**

Appellants, as bona fide homebuyers who paid nearly the full price for an apartment, are entitled to possession of the unit. Their claim, verified and admitted, falls under the resolution plan clauses for delivery and execution of the conveyance deed. The orders of the NCLT and NCLAT are set aside, and the respondents are directed to execute the conveyance deed and provide possession within two months. This matter is part of a batch, with a related appeal previously dismissed.

**VARSHATAI VS THE STATE OF MAHARASHTRA [C.A. NO.-005187-005188 - 2025]**

**Bench: Justice M. M. Sundresh, Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The use of Urdu alongside Marathi on the Municipal Council signboard was upheld, clarifying that the Maharashtra Local Authorities (Official Languages) Act, 2022 allows for additional languages. The decision emphasized that language serves as a communication tool tailored to community needs, rejecting claims that only Marathi should be used.

**KANISHK SINHA VS THE STATE OF WEST BENGAL [C.R.L.A. NO.-000966-000971 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Supreme Court upheld the order of the Calcutta High Court, dismissing the criminal revisions filed by the appellants against two FIRs registered against them for offenses such as forgery, fraud, and cheating. The main issue was whether the Supreme Court's judgment in Priyanka Srivastava v. State of Uttar Pradesh, which required complaints under Section 156(3) CrPC to be accompanied by an affidavit, would apply retrospectively to the complaint filed against the appellants in 2010-2011.

The Supreme Court held that the Priyanka Srivastava judgment would operate prospectively and not retrospectively, as judgments of constitutional courts are generally retrospective unless the judgment itself specifies otherwise, which was the case here. The court found no merit in the appeals and dismissed them.

**SACHIN JAISWAL VS M/S HOTEL ALKA RAJE [C.A. NO.-003269-003269 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Supreme Court upheld the High Court's decision, holding that the property on which the Hotel Alka Raje was constructed became the property of the partnership firm under Section 14 of the Indian Partnership Act, 1932, as late Bhairo Prasad Jaiswal had contributed the land and building to the firm when the partnership was formed. The Court found it unnecessary to separately address the appellant's contention regarding the validity of the relinquishment deed executed by late Bhairo Prasad Jaiswal, as the property had already become the firm's property under the Partnership Act.

**SURESH VS STATE REP. BY INSPECTOR OF POLICE [C.R.L.A. NO.-000540-000540 - 2013]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appellant was acquitted of all charges after the primary evidence, a dying declaration from the deceased, was deemed doubtful and inconsistent. The lack of corroborative evidence and the strained relations between the families raised concerns about the validity of the declaration, leading to the conclusion that the appellant deserved the benefit of doubt.

**SPORTS AUTHORITY OF INDIA VS DR. KULBIR SINGH RANA [C.A. NO.-002289-002291 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The decision of the Central Administrative Tribunal was upheld, allowing the respondents to be considered "initial constituents" under the 2022 recruitment rules by the Sports Authority of India (SAI). SAI's appeals were rejected, and the respondents' appointments were deemed "irregular" rather than "illegal." As "initial constituents," they are classified as regular employees under SAI's control. SAI had previously conceded to this status before the High Court.

**VISHNOO MITTAL VS M/S. SHAKTI TRADING COMPANY [C.R.L.A. NO.-001287-001287 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The appeal was allowed, nullifying the High Court's order and quashing the complaint under Section 138

of the Negotiable Instruments Act. The cause of action arose after the imposition of a moratorium under the Insolvency and Bankruptcy Code, which restricted the director's ability to meet the financial demand due to the powers being transferred to the appointed Interim Resolution Professional. The case was distinguished from *P. Mohan Raj v. M/S Shah Brothers Ispat Pvt. Ltd.*

**MANJUNATH TIRAKAPPA MALAGI VS GURUSIDDAPPA TIRAKAPPA MALAGI (DEAD) BY HIS LRS [C.A. NO.-005373-005373 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The compromise decree dated January 18, 2000 regarding the partition of the 7-acre suit property is valid and binding on the appellants. The suit property is recognized as part of the ancestral family property, and its division among the appellants' father, his brothers, and grandfather through the compromise decree is lawful. The appellants' suit challenging the decree is barred under Order 23 Rule 3A of the Code of Civil Procedure, as no independent suit can contest a consent decree on the grounds of an unlawful compromise. Additionally, the suit is barred by the principles of *res judicata* due to previous decisions on the partition of the suit property. The appeal is dismissed, affirming the findings of the lower courts.

**P. NALLAMMAL VS STATE BY THE INSPECTOR OF POLICE [C.R.L.A. NO.-002489-002489 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The conviction and sentence of P. Nallammal under Section 109 of the Indian Penal Code and Section 13(1)(e) and Section 13(2) of the Prevention of Corruption Act, 1988 are not sustainable due to insufficient proof of her awareness that the funds used for her assets originated from unlawful sources. The presumption of innocence favors the accused, and suspicion cannot replace evidence. The Attachment Order regarding her assets is upheld, as she did not satisfactorily explain their value. An Impugned Administrative Order for a fresh hearing of the criminal appeals remains undisturbed due to the absence of a judgment dated 30.04.2013. In total, there are four criminal appeals, with one judge differing only on the appeal from SLP (Criminal) No.2127/2024 filed by the 2nd Accused, while the other appeals were dismissed unanimously.

**S. MOHAMMED HAKKIM VS NATIONAL INSURANCE CO. LTD. [C.A. NO.-009897-009898 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice Aravind Kumar**

The appellant was found to be 20% contributorily negligent in a motor accident, while the car driver and bus driver were deemed 50% and 30% negligent, respectively. The appellant's notional monthly income was increased from Rs. 15,000 to Rs. 20,000 for compensation calculations. The total compensation was set at Rs. 91,39,253 after accounting for the 20% contributory negligence. Compensation for loss of marital prospects was increased from Rs. 2.5 lakhs to Rs. 5 lakhs, and Rs. 5 lakhs was upheld for future medical expenses.

**MANSOOR ALI FARIDA IRSHAD ALI VS THE TAHSILDAR-I, SPECIAL CELL [C.A. NO.-003270-003270 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court upheld the validity of the slum redevelopment scheme being implemented by the Slum Rehabilitation Authority (SRA) under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and Regulation 33(10) of the Development Control Regulations. The court rejected the appellants' argument that the land is a MHADA layout and should be redeveloped by MHADA under Regulation 33(5), finding that the land is a "censused slum" and does not require a separate notification under the Slum Act. The court also noted that the Apex Grievance Redressal Committee had earlier rejected the appellants' challenge to the initial notice to vacate, and this order was not challenged by the appellants. The court found that the appellants were using dilatory tactics to delay the redevelopment project, which would benefit a large number of eligible slum dwellers. The

appeals were accordingly dismissed.

**INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH (ICSSR) VS NEETU GAUR [C.A. NO.-004025-004025 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Indian Council of Social Science Research (ICSSR) was justified in withholding grants to the Centre for Research in Rural and Industrial Development (CRRID) due to identified irregularities and malpractices in CRRID's operations. CRRID operates as an autonomous body with the authority to reject ICSSR's nominees, which established that ICSSR's control was not extensive. CRRID is responsible for paying its employees' salaries, and ICSSR cannot be compelled to release the withheld grants for this purpose. CRRID must pay employee salaries from its own resources within three weeks, or ICSSR may withhold further grants. ICSSR and the State of Punjab can recover any amounts deposited with the High Court.

**THE SECRETARY ALL INDIA SHRI SHIVAJI MEMORIAL SOCIETY (AISSMS) VS THE STATE OF MAHARASHTRA [C.A. NO.-004564-004567 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

Respondent-teachers appointed after 15.03.2000 without a PhD and who did not obtain it within 7 years are ineligible for benefits from the 2010 AICTE notification, such as higher pay scales and re-designation as Associate Professor. The 2016 AICTE clarification did not change this status and has no retrospective effect. AICTE can set essential qualifications for teaching positions, and failure to meet these cannot be challenged unless deemed arbitrary. The appellant-society must grant higher pay scale benefits to teachers appointed before 15.03.2000, and those who acquire a PhD may apply for higher benefits, which will be reviewed according to the law.

**UMADEVI VS ANAND KUMAR [C.A. NO.-004718-004718 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The plaintiffs' suit for partition of ancestral property was barred by limitation. The property had been partitioned among the four sons in 1968, as indicated by revenue records, and several registered sale deeds executed in 1978 provided constructive notice to the plaintiffs. Having full knowledge of these transactions, the plaintiffs failed to challenge them for over 45 years, making their 2023 suit untenable. The appellate court's order to remand the matter was set aside, and the trial court's dismissal of the suit was upheld.

**VINAY AGGARWAL VS STATE OF HARYANA [CRLA. NO.-001744-001744 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's order for a CBI investigation into the FIR against the appellant was not justified. The case did not meet the exceptional criteria for a CBI investigation, as the allegations against the local police were vague and unsubstantiated. A Special Investigation Team had already been formed by the local police to handle the investigation, and CBI involvement should not be requested solely based on vague allegations. The appeal was allowed, reversing the High Court's decision.

**THE MANAGEMENT OF WORTH TRUST VS THE SECRETARY WORTH TRUST WORKERS UNION [C.A. NO.-004717-004717 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Payment of Bonus Act, 1965 applies to workers employed by the appellant trust in its factories. The trust cannot claim exemption under Section 32(v)(a) and (c) of the Act. The argument that the trust operates similarly to the Indian Red Cross Society or as a non-profit institution was rejected. Workers are entitled to receive bonuses per the Act, and the trust is obligated to pay bonuses to its workers from the

year 1996-1997 onward.

**STATE OF KARNATAKA VS CHANNAKESHAHA.H.D. [C.R.L.A. NO.-001849-001849 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

A preliminary inquiry is not mandatory in every corruption case under the Prevention of Corruption Act. The Superintendent of Police issued an order to register an FIR against Sri Channakeshava H.D. based on a detailed source report indicating a prima facie commission of a cognizable offense, allowing for the relaxation of the preliminary inquiry requirement. The appeal by the State of Karnataka was allowed, and the order quashing the FIR was set aside.

**PRABHJOT KAUR VS THE STATE OF PUNJAB [C.A. NO.-005132-005132 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The order rejecting the Writ Petition of a private respondent was upheld, leading to the appointment of the appellant as the only qualified candidate for the Deputy Superintendent of Police (DSP) position in the 'SC Sports (Women)' category. The eligibility criteria established in the advertisement dated 11.12.2020, per the 2020 Punjab Civil Services (Reservation of Posts for Women) Rules, could not be altered during the recruitment process. The DSP post was appropriately reserved for the 'SC Sports (Women)' category, necessitating the appellant's appointment. The State government was directed to comply with these requirements within three weeks.

**NDA SECURITIES LTD. VS STATE (NCT OF DELHI) [C.R.L.A. NO.-002582-002582 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The High Court's decision to release Rs. 15.90 lakhs from the sale proceeds of shares was incorrect since the investigation is ongoing and respondent no. 2's involvement in the alleged fraud remains unclear. The High Court exceeded its authority by asserting the absence of respondent no. 2's role, especially with the main accused still absconding. The sale proceeds must be held with the Bombay Stock Exchange Ltd. during the trial to avoid jeopardizing the investigation.

**DEEP SHIKHA VS NATIONAL INSURANCE COMPANY LTD. [C.A. NO.-006641-006642 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The compensation awarded to the deceased's married daughter was reduced due to lack of proof of financial dependence. The dismissal of the claim by the deceased's mother was overturned, confirming her status as solely dependent on the deceased and entitled to compensation. The recalculated compensation for the mother amounted to Rs. 19,22,356, factoring in loss of future income, funeral expenses, loss of estate, and loss of filial consortium.

**COMMUNIDADE OF TIVIM TIVIM, BARDEZ-GOIA VS STATE OF GOIA [C.A. NO.-009470-009470 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Administrative Tribunal's refusal to allow the Comunidade to compromise proceedings under the Goa, Daman and Diu Agricultural Tenancy Act, 1964 was upheld. The proposed compromise would have terminated the private respondents' tenancy rights without following due process and permitted the use of agricultural land for non-agricultural purposes, contrary to the Goa Land Use (Regulation) Act, 1991. The compromise was deemed an abuse of legal process. No opinion was expressed on the merits of the tenancy claim, which remains for the Appellate Court to decide.

**MANDEEP SINGH VS STATE OF PUNJAB [C.A. NO.-009471-009471 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The recruitment process for 1091 Assistant Professors and 67 Librarians in Punjab violated Article 320(3) of the Constitution by bypassing the State Public Service Commission and the UGC Regulations. The process relied solely on a multiple-choice written test, representing an arbitrary departure from

established procedures. The entire recruitment was quashed, and a fresh recruitment must follow the 2018 UGC Regulations.

**PAPPAMMAL (DIED) THROUGH LR R. KRSNA MURTII VS JOTHI [C.A. NO.-003395-003395 - 2025]** 

**Bench: Justice Sudhanshu Dhulia, Justice Prashant Kumar Mishra**

The Supreme Court upheld the High Court's decision to allow Pappammal's daughter (Respondent No. 1) to be impleaded as a defendant in the civil suit, despite the appellant's (Pappammal's son) claim of being the rightful plaintiff based on a will executed by the deceased.

The Court held that the trial court was correct in allowing Respondent No. 1 to be impleaded, as there was a dispute between the appellant and Respondent No. 1 regarding the title to the suit property, and both were legal heirs of the deceased plaintiff who needed to be heard.

The Court did not disagree with the lower courts' decisions and dismissed the appellant's appeal.

**THE CHIEF MANAGER CENTRAL BANK OF INDIA VS M/S AD BUREAU ADVERTISING PVT LTD [C.A. NO.-007438 - 2023]** 

**Bench: Justice Sudhanshu Dhulia, Justice Prashant Kumar Mishra**

The Supreme Court has set aside the order of the NCDRC, holding that the borrower M/s AD Bureau Advertising Pvt. Ltd. does not fall within the definition of 'Consumer' under the Consumer Protection Act, 1986. The court found that the loan availed by the borrower was for a commercial purpose, i.e., to engage in the post-production of a movie, which had a direct nexus with profit generation. The court relied on previous judgments to hold that a transaction with a dominant intention to facilitate profit-generation cannot be considered for a non-commercial purpose, and thus the borrower cannot be treated as a 'Consumer' under the Act.

**K.P. TAMILMARAN VS THE STATE REP. BY DEPUTY SUPERINTENDENT OF POLICE [CRL.A. NO.-002253-002253 - 2025]** 

**Bench: Justice Sudhanshu Dhulia, Justice Prashant Kumar Mishra**

The conviction of eleven individuals for the honor killing of Murugesan and Kannagi has been upheld. Testimonies from key witnesses, including family members, were deemed sufficient to establish the guilt of the accused, despite some witnesses becoming hostile during the trial. The roles of two police officers, A-14 and A-15, were highlighted for failing to register the FIR promptly and conducting a biased investigation targeting the victim's Dalit family. A-15 was also convicted under relevant IPC sections and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Compensation of Rs. 5,00,000 was awarded to the victim's father and step-mother, payable by the state government. Appeals from the convicted individuals were dismissed, and they were ordered to surrender within two weeks to serve their sentences.

**DIVYANGNAKUMARI HARISINH PARMAR (DEAD) VS UNION OF INDIA [C.A. NO.-001479-001479 - 2006]**

**Bench: Justice Surya Kant, Justice Dipankar Datta, Justice Nongmeikapam Kotiswar Singh**

The appellants' rights to the land were governed by the Portuguese Civil Code and the Organizacao Agraria (OA) of 1919, rather than the 1917 Law or Decree No. 27:135. The conclusions of the lower courts were based on misreading of evidence and misapplication of legal principles, warranting interference from the High Court. The appellants' claims of waiver, acquiescence, delay, impossibility, and condonation lacked legal and factual support. The Collector's order to rescind land grants under Article 12 of the OA was valid and not motivated by mala fides, while the 1971 Land Reforms Regulation did not invalidate the order, as proceedings had begun prior to its enactment. The primary focus was on upholding the Collector's order due to non-compliance with cultivation requirements under the OA.

**SHARMILA VELAMUR VS V. SANJAY [CRL.A. NO.-001037-001037 - 2025]**

**Bench: Justice Surya Kant, Justice Dipankar Datta, Justice Ujjal Bhuyan**

Aadith Ramadorai is diagnosed with Ataxic Cerebral Palsy and Mild Intellectual Disability, rendering him unable to make independent, legally-binding decisions. He functions at the cognitive level of an 8-10 year old and has significant deficits in decision-making beyond basic activities. His best interests are served by returning to the US for specialized education and living with his younger brother and mother as guardian. Aadith's passport is to be returned to facilitate the move, and parents must share contact details and ensure the brothers have access to each other.

**TANKADHAR TRIPATHY VS DIPALI DAS [C.A. NO.-011017-011017 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi**

The case was remanded to the High Court to reassess the curability of defects in the Form 25 affidavit accompanying the election petition under "substantial compliance" principles. The High Court must evaluate if the affidavit met the requirements, whether any defects could be remedied by submitting a supplementary affidavit within the limitation period, and if there is authority to allow filing beyond this period. The parties' request to eliminate certain pleadings was accepted, allowing time for necessary amendments.

**THE STATE OF WEST BENGAL VS M/S SANTI CERAMICS PVT. LTD. [C.A. NO.-012653-012653 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi**

The appeal filed by the State of West Bengal was allowed, with the relief in Kedar Nath Yadav v. State of West Bengal found not applicable to Respondent No. 1, an industrial manufacturing entity. This relief was intended for vulnerable agricultural communities. Respondent No. 1 did not utilize available statutory remedies and accepted compensation without protest. Since Respondent No. 1 did not qualify for the protective measures, the prior judgment was set aside, and the writ petition against land acquisition was dismissed. Respondent No. 1 was allowed to remove any remaining structures, plant, and machinery from the land within a specified timeframe.

**SUNIL KUMAR SINGH VS BIHAR LEGISLATIVE COUNCIL [W.P.(C) NO.-000530-000530 - 2024]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the Petitioner's expulsion from the Bihar Legislative Council was disproportionate to the nature of his misconduct, and thus violated his fundamental rights. The Court invoked its powers under Article 142 to modify the punishment, deeming the period of expulsion already undergone as a period of suspension, and directing the Petitioner's immediate reinstatement as a member of the House. The Court clarified that it has the power to examine the proportionality of punishment imposed by the Legislature on its members, to ensure it is not arbitrary or excessive. The Court unanimously decided the matter, without any separate judgments or referral to a larger bench, as it pertained to a single writ petition filed by the Petitioner.

**SIDDHARTH DALMIA VS UNION OF INDIA [W.P.(C) NO.-000337 - 2018]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The issues regarding the regulation of pricing by private hospitals for medicines, devices, and consumables relate to policy decisions best made by the government. Protecting patients from exploitation is important, but measures should not hinder private investment in healthcare. State governments are encouraged to consider this matter and take appropriate policy actions to balance patient interests with the growth of private healthcare facilities. No opinion on the merits of the case was expressed.

**CRYOGAS EQUIPMENT PRIVATE LIMITED VS INOX INDIA LIMITED [C.A. NO.-005174-005174 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court upheld the High Court's decision to reject the application under Order VII Rule 11 of the Code of Civil Procedure, finding that the determination of whether the Proprietary Engineering Drawings at the center of the dispute qualify as 'designs' under the Designs Act or 'artistic works' under the Copyright Act involves a mixed question of law and fact that cannot be decided summarily. The Court established a two-pronged test to make this determination, considering the interplay between the Copyright Act and the Designs Act, as well as the tests adopted by Indian and international courts to distinguish between designs and artistic works. The Court directed the Commercial Court to conduct a full trial to discern the true nature of the Proprietary Engineering Drawings and assess the other IP right infringement claims made by the plaintiff. The judgment was delivered by a bench of two judges, Surya Kant J. and Nongmeikapam Kotiswar Singh J., and this appears to be a batch matter, as the judgment deals with two civil appeals arising from a common judgment of the High Court.

**TUSHAR HIMATLAL JANI VS JASBIR SINGH VIJAN [C.A. NO.-006636-006636 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The High Court's interim injunction in favor of Respondent No. 1 was deemed erroneous due to the failure to establish a prima facie case, unfavorable balance of convenience, and potential irreparable injury to the Appellant. The Appellant is the absolute owner of the property, with the disputed 550 square feet being a minor portion of the entire premises. The order was set aside, but the Appellant was directed to reserve 550 square feet in the developed property as security for Respondent No. 1's alleged rights pending resolution of the tenancy dispute in the Small Causes Court.

**SOUTH DELHI MUNICIPAL CORPORATION VS SMS LIMITED [C.A. NO.-006849-006849 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Dispute resolution clauses in the Concession Agreements between Municipal Corporations and private contractors are not valid arbitration agreements under the Arbitration Act. These clauses lack essential elements such as a clear intent to arbitrate, a binding adjudicatory process, and compliance with arbitral norms. Although the clauses describe an internal mediation process by a Municipal Corporations officer as "final and binding," they do not provide the necessary independence or adversarial nature required for arbitration. The previous interpretations of these clauses as arbitration agreements have been set aside, and the correct view rejecting arbitration has been upheld, allowing parties to pursue their legal remedies.

**THE STATE OF KERALA VS THE PRINCIPAL KMCT MEDICAL COLLEGE [C.A. NO.-006908-006911 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The Admission and Fee Regulatory Committee lacked the statutory authority to create a corpus fund using fees from NRI students to subsidize education for BPL students. The Government Order establishing this fund was quashed, but self-financing medical colleges may retain fees already collected for

subsidizing BPL students. If the State intends to establish a corpus fund or similar mechanism for educational subsidies, suitable legislation must be enacted. A comprehensive set of directions was provided to ensure clarity for all stakeholders involved.

**ARIF MD YEASIN JWADDER VS THE STATE OF ASSAM [CRL.A. NO.-002867-002867 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Allegations of non-compliance with established guidelines by state authorities were noted, prompting an inquiry. The Assam Human Rights Commission was directed to conduct an independent and expedited investigation, ensuring victims and their families could participate meaningfully. Emphasis was placed on safeguarding constitutional guarantees and ensuring accountability in law enforcement actions, while no final findings on the case's merits were made.

**BINDU KAPUREA VS SUBHASISH PANDA [I.A. NO. 98622 / 2024]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The Delhi Development Authority (DDA) and its officials committed wilful contempt by unauthorized tree felling in the Delhi Ridge area. Environmental restoration measures are required under a court-appointed committee's supervision, while the completion of an approach road project for the CAPFIMS medical facility is permitted with conditions. Disciplinary action, including a symbolic fine and censure, was imposed on the officials, with a warning against future violations.

**KAMLA NEHRU MEMORIAL TRUST VS U.P. STATE INDUSTRIAL DEVELOPMENT CORPORATION LIMITED [C.A. NO.-007273-007274 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Cancellation of land allotment to Kamla Nehru Memorial Trust (KNMT) by Uttar Pradesh State Industrial Development Corporation (UPSIDC) was upheld due to KNMT's failure to meet payment and documentation obligations. The allotment process was deemed hasty and lacking in transparency, violating principles of public trust in resource allocation. Future allotments are to be made transparently and fairly to maximize revenue and serve public interest. The allotment to M/s Jagdishpur Paper Mills Ltd during the case was annulled, with a refund of payments directed.

**MUNICIPAL CORPORATION OF GREATER MUMBAI VS PANKAJ BABULAL KOTECHA [C.A. NO.-007272-007272 - 2025]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The Municipal Corporation of Greater Mumbai's appeal resulted in the overturning of a judgment that mandated the demolition of a recreational park, which was claimed to be on a historical water body. The analysis included the prior condition of the water body, the current ecological value of the park, and the implications of restoring the water body. It was concluded that demolition would likely cause more ecological harm and the viability of recreating the pond was uncertain. The Municipal Corporation is now tasked with maintaining the park as green space, assessing the development of an alternative water body, and restoring other degraded water bodies in its jurisdiction.

**K. PURUSHOTTAM REDDY VS UNION OF INDIA [W.P.(C) NO.-000488 - 2022]**

**Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

Exclusion of Andhra Pradesh and Telangana from the delimitation exercise for the Union Territory of Jammu and Kashmir is not arbitrary or in violation of Article 14 of the Constitution. Delimitation for this Union Territory is governed by Article 239A, which differs from the provisions for State Legislatures under Article 170. The doctrine of legitimate expectation does not override the constitutional mandate of Article 170(3), which prevents any readjustment of seats in State Legislative Assemblies until the census data is published after 2026. Writ petitions challenging this were dismissed as meritless.

**TARABAI NAGAR CO OP. HOG. SOCIETY(PROPOSED) VS THE STATE OF MAHARASHTRA [C.A. NO.-011014-011014 - 2025]****Bench: Justice Surya Kant, Justice Nongmeikapam Kotiswar Singh**

The owner of land in a Slum Rehabilitation Area (SR Area) has a preferential right to redevelop it under Chapter I-A of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. The Slum Rehabilitation Authority (SRA) must issue a specific notice to the owner to submit a Slum Rehabilitation Scheme before deciding to develop the SR Area or acquire the land. The acquisition of the land was set aside because the SRA failed to provide the owner with the opportunity to submit an SR Scheme prior to initiating acquisition proceedings.

**UNION OF INDIA VS TARSEM SINGH [MA-001773 - 2021]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

The Supreme Court held that Section 3J of the National Highways Authority of India (NHAI) Act, 1956, which excluded the applicability of the Land Acquisition Act, 1894 and thereby denied 'solatium' and 'interest' to landowners whose lands were acquired under the NHAI Act, is violative of Article 14 of the Constitution (equality before law). The Court rejected the NHAI's arguments that the judgment in Tarsem Singh v. Union of India (2019) should be applied prospectively only, and directed the Competent Authority to calculate and pay the 'solatium' and 'interest' to the landowners whose lands were acquired by the NHAI between 1997 and 2015, in accordance with the Tarsem Singh judgment. This is a batch matter, with several appeals tagged together and disposed of by the Supreme Court in a single order.

**M/S. TOMMORROWLAND LIMITED VS HOUSING AND URBAN DEVELOPMENT CORPORATION LTD. [C.A. NO.-002531-002531 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

The Supreme Court held that Respondent No. 1 (HUDCO) was in breach of its reciprocal contractual obligations under the Allotment Letter, such as failing to execute documents for obtaining statutory approvals, execute the sub-lease agreement, and secure approval of the revised layout plan. However, the court found that the Appellant had engaged in forum shopping and abuse of the judicial process, lacking clean hands. Therefore, while the Appellant was entitled to a refund of the principal amount of Rs. 28,11,31,939 paid by them, the court denied any discretionary relief of interest under Section 34 of the CPC. The court set aside the High Court's judgment to the extent above and partially decreed the Appellant's second suit. The case appears to be a batch matter, as the court clarified that its decision is limited only to the 5-star hotel site and car park, and not the other properties involved in the dispute.

**BARLA RAM REDDY VS THE STATE OF TELANGANA [C.A. NO.-005436-005437 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

The High Court erred by using auction sales from the Golden Mile project to assess the market value of acquired lands, which were not comparable due to differences in development and infrastructure. The appropriate sale exemplars were identified as pre-notification sale deeds showing a rate of INR 31,00,000 per acre. After applying a 20% annual escalation for 2004 and 2005, the market value was determined to be INR 44,64,000 per acre at the time of the Section 4 notification. Solatium and interest on enhanced compensation were correctly granted, with statutory interest rates set at 9% for the first year post-possession and 15% thereafter. Compensation was reduced from INR 1,35,00,000 per acre to INR 44,64,000 per acre, with enhanced compensation and statutory benefits to be paid.

**KRISHAN KUMAR VS THE STATE OF HARYANA [C.A. NO.-006427-006429 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

The compensation for acquired lands in Kukrola and Fazalwas was determined using the belting method. Compensation for the 'outer belt' lands beyond 5 acres from NH-8 was set at INR 62,14,121 per acre. For the 'inner belt' lands abutting NH-8, compensation in Kukrola was adjusted to match Fazalwas at INR 1,21,00,000 per acre, with no development cut. Appeals from landowners in Fazalwas and the State of Haryana/HSIIDC were dismissed.

**SALDANHA REAL ESTATE PRIVATE LIMITED VS BISHOP JOHN RODRIGUES [C.A. NO.-011008-011008 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

The High Court's decision to quash the acquisition proceedings by the Slum Rehabilitation Authority (SRA) against land owned by the Church Trust was upheld. The SRA did not issue the required notice to the Church Trust for submitting a redevelopment scheme prior to starting the acquisition process. The actions of the SRA and private parties raised concerns of collusion to undermine the Church Trust's right to redevelop the land. The Church Trust was granted 120 days to submit a redevelopment scheme, with instructions for the SRA to process the proposal promptly.

**IVAN RATHINAM VS MILAN JOSEPH [C.R.L.A. NO.-000413-000413 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan**

Legitimacy determines paternity under Section 112 of the Indian Evidence Act, 1872, until the presumption is rebutted by proving 'non-access'. The Munsiff Court and the Sub-Judge Court had jurisdiction to entertain the Original Suit regarding the Respondent's legitimacy. The Family Court erred by reopening the Maintenance Petition without satisfying the self-imposed condition. The proceedings initiated by the Respondent are barred by res judicata. The appeal was allowed, setting aside the previous orders, establishing the Respondent as the legitimate son of Mr. Raju Kurian.

**STATE OF HIMACHAL PRADESH VS M/S. OASYS CYBERNATICS PVT. LTD. [C.A. NO.-014199-014199 - 2025]****Bench: Justice Surya Kant, Justice Ujjal Bhuyan, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the Letter of Intent dated 02.09.2022 issued to M/s OASYS Cybernetics did not crystallise into a binding contract as it was expressly conditional upon fulfilment of pre-conditions—compatibility testing at NICSI Hyderabad, live demonstration, cost disclosure and formal agreement—none of which was satisfied, following the ratio in Dresser Rand S.A. v. Bindal Agro Chem Ltd. (2006) 1 SCC 751 that an Lol is merely a precursor creating no enforceable right until unconditional acceptance. Consequently, the State's cancellation on 06.06.2023 was held to be a lawful exercise of administrative discretion, untainted by arbitrariness or mala fides, since the Department's repeated reminders and contemporaneous file notings show genuine concern over non-compliance and risk to the Aadhaar-enabled PDS, and the blacklisting complaint was already rejected in earlier final judgment. The Court set aside the High Court's direction to implement the Lol, permitted the State to float a fresh tender forthwith, directed a joint fact-finding enquiry within three months to assess and reimburse on quantum meruit basis the value of devices or services actually used during pilot, vested such assets in the State free of encumbrances, and clarified that no claim for loss of profit or consequential damages survives.

**RAMU APPA MAHAPATAR VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-000608-000608 - 2013]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court of India held that the conviction of the appellant under Section 302 of the Indian Penal Code was not sustainable as the extra-judicial confessions made by the appellant before the prosecution witnesses lacked credibility. The court observed that the testimonies of the witnesses were riddled with material omissions and contradictions, and the accused was in a confused state of mind when he made the confessions. In the absence of any other corroborating evidence, the court found that the prosecution had failed to prove the case against the appellant beyond reasonable doubt. Consequently, the court set aside the appellant's conviction and sentence.

**THE STATE OF PUNJAB VS TRISHALA ALLOYS PVT. LTD. [C.A. NO.-002212-002212 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court of India upheld the High Court's decision and dismissed the appeal filed by the State of Punjab. The Court held that Rule 21(8) of the Punjab Value Added Tax (VAT) Rules, 2005, which allowed the reduction of input tax credit (ITC) already earned by taxable persons on their stock-in-trade when the tax rate was subsequently lowered, could not have been introduced during the period between 25.01.2014 to 01.04.2014. The Court agreed with the High Court's reasoning that on the date of introduction of Rule 21(8), the State did not have the power under the Punjab VAT Act, 2005 to reduce the ITC already earned by taxable persons. The enabling provision in the Act to allow such a rule came into effect only on 01.04.2014, with the amendment to the first proviso of Section 13(1). The Court held that the benefit of ITC is traceable to the statute, and any adverse reduction in such credit must have the requisite statutory sanction, which was absent prior to 01.04.2014. Since this was a batch matter, the Court's decision in the lead appeal (Civil Appeal No. 2212 of 2024) will apply to the other related appeals as well.

**BANI ALAM MAZID @ DHAN VS THE STATE OF ASSAM [C.R.L.A. NO.-001649-001649 - 2011]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court allowed the criminal appeal and acquitted the appellant, setting aside the judgments of the trial court and the High Court. The court held that when one of the circumstances relied upon by the prosecution (the extra-judicial confessions) was discarded by the High Court, the chain of circumstantial evidence was not complete, and the guilt of the accused could not be proved beyond reasonable doubt. The court found significant inconsistencies and contradictions in the prosecution witnesses' testimonies regarding the other two circumstances - "last seen together" and "leading to discovery of the dead body." These circumstances were also not conclusively proved against the appellant. Additionally, the court noted the lack of motive for the appellant to commit the crime, as the evidence showed the appellant and the deceased were in a romantic relationship, and the appellant's family members had approached the deceased's family to arrange their marriage. Considering the benefit of doubt that must be given to the accused in cases relying on circumstantial evidence, the Supreme Court allowed the appeal and acquitted the appellant.

**PATEL BABUBHAI MANOHARDAS VS THE STATE OF GUJARAT [C.R.L.A. NO.-001388-001388 - 2014]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appeal was allowed, and the conviction under Sections 306 and 114 of the Indian Penal Code was set aside. The prosecution's case lacked reliable evidence, exhibiting significant inconsistencies in witness testimonies, delayed FIR lodging, and no corroboration of the handwriting expert's opinion on the alleged

suicide note. There was also a lack of proximate acts or incitement from the accused that could have driven the deceased to suicide. Consequently, the prosecution did not prove the charge of abetment of suicide beyond reasonable doubt.

**YUVRAJ LAXMILAL KANTHER VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-002356-002356 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

No prima facie case was established against the appellants under Section 304 Part II IPC or Section 304A IPC. The deaths of two employees resulted from accidental electrocution while working on a sign board, with no evidence of knowledge or intention to cause their deaths. The orders of the trial court and high court were set aside, allowing the discharge applications of the appellants due to insufficient grounds for a criminal trial.

**STATE (CBI) VS MOHD. SALIM ZARGAR @ FAYAZ [C.R.L.A. NO.-001681-001681 - 2009]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appeals by the State (CBI) against the acquittal of the accused were dismissed, affirming the Special Court's order. Confessional statements relied upon by the prosecution were deemed inadmissible due to non-compliance with established guidelines. The principle of issue estoppel was applied to reject one accused's confessional statement, previously ruled inadmissible. The prosecution failed to prove the accused's guilt beyond reasonable doubt, and the acquittal did not reveal any illegality or error.

**UCO BANK VS VIJAY KUMAR HANDA [C.A. NO.-005922-005922 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court upheld the High Court's decision directing the UCO Bank to process the respondent's pension and release the pensionary dues to him. The court examined the interplay between the Bipartite Settlement and the Bank's Pension Regulations, relying on the precedent in Bank of Baroda vs. S.K. Kool. The court found that the appellate authority had modified the penalty imposed on the respondent from dismissal to removal from service with terminal benefits, and this order attained finality as it was not challenged by the bank. Therefore, the respondent, being otherwise eligible for superannuation benefits, was entitled to receive his pension.

**ELECTROSTEEL STEEL LIMITED (NOW M/S ESL STEEL LIMITED) VS ISPAT CARRIER PRIVATE LIMITED [C.A. NO.-002896-002896 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Approval of a resolution plan under the Insolvency and Bankruptcy Code (IBC) extinguishes any claims not included in the plan. The jurisdiction of the Facilitation Council to arbitrate on a claim ends once the resolution plan is approved. Claims that were not part of the resolution plan cannot be pursued in any proceedings. The execution proceedings against the corporate debtor were set aside as the claim in question was not included in the approved resolution plan and had thus been extinguished.

**BIJENDER SINGH VS UNION OF INDIA [C.A. NO.-004458-004459 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Bijender Singh is entitled to a disability pension at the rate of 50% from 01.01.1996 for life. The Armed Forces Tribunal improperly focused on the percentage of disability without considering whether it was attributable to or aggravated by military service. Relevant rules place the burden of proof on the authority to demonstrate that the disability was not related to military service. A disability resulting in invalidation from service warrants the grant of the 50% pension.

**CONSOLIDATED CONSTRUCTION CONSORTIUM LIMITED VS SOFTWARE TECHNOLOGY PARKS OF INDIA [C.A. NO.-005383-005383 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Division Bench of the High Court reversed a single judge's order and restored the arbitral award, determining that the arbitral tribunal correctly applied the relevant contractual clauses and the Indian Contract Act regarding liquidated damages. The respondent granted multiple extensions to the appellant for work completion while reserving the right to impose liquidated damages. The appellant completed the work after the final extended deadline of June 30, 2007, and the respondent's later extension did not prevent the recovery of liquidated damages, as the appellant was notified of this intention. The single judge exceeded the permissible scope of interference by setting aside the arbitral award on grounds not specified in the Arbitration and Conciliation Act, 1996. The appeal was dismissed due to lack of merit.

**M/S OSWAL PETROCHEMICALS LTD. VS COMMISSIONER OF CENTRAL EXCISE MUMBAI II [C.A. NO.-000129-000130 - 2011]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The re-classification of Benzene and Toluene from chapter 29 to chapter 27 is unsustainable due to the absence of provided test reports to the appellant, violating natural justice principles. The appellant was unable to challenge the test reports or request a re-test. Assessments for January and February 1993 are not provisional since there was no proper officer order for provisional assessment, and no bond was executed by the appellant. An endorsement by the Superintendent on the RT-12 returns does not constitute provisional assessment. The appeals by the appellant were upheld, and the lower authorities' orders on re-classification and provisional assessments were set aside.

**RAJNI VS THE STATE OF UTTAR PRADESH [C.R.L.A. NO.-000603-000603 - 2025]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The orders of the Additional District and Sessions Judge and the High Court, declaring the accused as a juvenile delinquent based on a school-issued birth certificate, were upheld. The Juvenile Justice Board had erred by relying on a medical examination instead of documentary evidence. Although the Board ordered the accused to be tried as an adult, this decision was not challenged. Bail was granted to the accused, who had been on bail for over three years without misuse of liberty, but the appellant and the State may seek bail cancellation if misuse occurs. This case involves two criminal appeals.

**M/S COAL INDIA LTD. VS COMM.R. OF CUSTOMS(PORT) KOLKATA [C.A. NO.-008028-008028 - 2010]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Engineering and technical service charges paid by Coal India Limited to M/s Voltas Limited are to be included in the assessable value of imported spare parts for customs duty calculation. The services provided by the local agent were directly related to the import and not post-importation activities, making the payment a condition of sale with a direct connection to the value of the imported goods, as per Rule 9(1)(e) of the Customs Valuation Rules. The inclusion of these charges in the assessable value has been upheld.

**POWERGRID CORP.OF INDIA LTD. VS CEN.ELECT.REGUL.COMM.N.. [C.A. NO.-005857-005858 - 2011]****Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Appellate Tribunal and CERC rejected the appellant's claim for additional capitalization for replacing damaged inter-connecting transformers, stating that Tariff Regulations do not permit capitalization for old asset replacements, and maintaining a healthy transmission system is the appellant's responsibility. The appellant's self-insurance policy was deemed to cover the replacement costs since the fire damage was the proximate cause of the loss, despite arising from machinery breakdown. The rejection of the capitalization claims rendered the revised availability certificate issue unnecessary. Appeals by the appellant were dismissed.

**ARABIAN EXPORTS PRIVATE LTD. VS NATIONAL INSURANCE CO. LTD. [C.A. NO.-006372-006373 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The High Court's rejection of the appellant's applications for appointment of an arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996 was erroneous. The question of economic duress related to the signing of the discharge voucher requires resolution by the arbitral tribunal. Execution of a full and final settlement receipt does not prevent arbitration if the validity is challenged on grounds of fraud, coercion, or undue influence. A retired judge of the Bombay High Court was appointed as the sole arbitrator to adjudicate the dispute.

**WIKIMEDIA FOUNDATION INC. VS ANI MEDIA PRIVATE LIMITED [C.A. NO.-005391-005391 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

Directions to take down pages and discussions on an appellant's platform, which were critical of the Delhi High Court's orders in a defamation case, were set aside. The High Court's reaction was deemed disproportionate, lacking proper examination of whether the content violated the subjudice principle or amounted to contempt of court. Criticism of court orders or proceedings is permissible if reasonable, even if erroneous. An intermediary platform cannot be held liable for third-party content unless it directly engages with the content. A balance between freedom of speech and the administration of justice is necessary, encouraging debate and constructive criticism rather than content removal.

**NOBLE RESOURCES AND TRADING INDIA PRIVATE LIMITED (EARLIER KNOWN AS ANDAGRO SERVICES PVT. LTD.) VS UNION OF INDIA [C.A. NO.-002572-002572 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The circular issued by the Central Board of Excise and Customs on 30.01.2004 did not validly expand the exclusion in statutory notification No. 53/2003-Cus. dated 01.04.2003 to cover all products derived from agriculture/dairy. Crude degummed soyabean oil, imported by the appellant, is classified as a distinct manufactured product rather than an agricultural product. Consequently, the appellant is entitled to the benefits under the notification dated 01.04.2003. The previous judgment from the High Court and the order of the Assistant Commissioner were set aside.

**M/S. INTERSTATE CONSTRUCTION VS NATIONAL PROJECTS CONSTRUCTION CORPORATION LTD. [C.A. NO.-003461-003461 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The arbitral tribunal has the authority to award interest for three periods under Section 31(7) of the Arbitration and Conciliation Act, 1996: pre-reference interest from when the cause of action arose until the award, pendente lite interest during arbitration proceedings, and post-award interest from the award date until payment. Disagreement with a previous finding that limited interest to one period is noted, emphasizing that Section 31(7)(a) permits different interest rates for distinct sub-periods. Additionally, the term "sum" in Section 31(7) encompasses the principal amount plus any awarded interest, allowing further interest to accrue from the award date until payment. The earlier judgment limiting the tribunal's discretion in interest calculations is overruled, and the tribunal's award of interest is upheld.

**M/S PATANJALI FOODS LIMITED (FORMERLY KNOWN AS RUCHI SOYA INDUSTRIES LTD.) THROUGH ITS MANAGING DIRECTOR VS UNION OF INDIA [C.A. NO.-003833-003835 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The doctrine of unjust enrichment does not apply in this case regarding the appellant's bank guarantees for differential customs duty, which were encashed by the respondents. Encashment of a bank guarantee is not equivalent to payment of duty. The respondents encashed the guarantees after the High Court dismissed the appellant's writ petitions, without awaiting a Supreme Court decision. The Supreme Court later favored the appellant in a related case, ruling that the respondents' claim of

differential duty was unjustified. Therefore, the respondents unlawfully retained the amounts from encashing the bank guarantees and are required to refund these amounts to the appellant with interest.

**RAMJI PRASAD JAISWAL @ RAMJEE PRASAD JAISWAL VS THE STATE OF BIHAR [C.R.L.A. NO.-000490-000490 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The convictions and sentences of Ramji Prasad Jaiswal, Ashok Kumar Jaiswal, and Bal Mukund Jaiswal were set aside due to improper examination under Section 313 of the Code of Criminal Procedure, which caused prejudice. Bal Mukund Jaiswal was recognized as a juvenile at the time of the offense, invalidating his conviction and sentence. Given the lengthy time since the trial, remanding the cases of the other two appellants for re-examination was deemed infeasible.

**SANJAY PRAKASH VS UNION OF INDIA [C.A. NO.-013104-013104 - 2024]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Central Armed Police Forces (CAPFs) are to be recognized as Organized Group A Services (OGAS) for all purposes, including the grant of Non-Functional Financial Upgradation (NFFU). A due cadre review of the CAPFs must be completed within six months, with recruitment rules revised following consultations with cadre officers. The objective is to reduce the deputation of Indian Police Service (IPS) officers to CAPF posts at the Senior Administrative Grade level over the next two years. The decision addresses grievances from CAPF cadre officers regarding career stagnation caused by the lateral entry of IPS officers, aiming to balance functional requirements with career progression needs.

**K. UMADEVI VS THE GOVERNMENT OF TAMIL NADU [C.A. NO.-002526-002526 - 2025]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The appellant, a woman government employee, is entitled to maternity leave for her third child from her second marriage, despite already having two surviving children from her previous marriage. A purposive and liberal interpretation of the Tamil Nadu Fundamental Rules, the Maternity Benefit Act, and international treaties related to maternity rights supports this entitlement. There was a disagreement between a Single Judge and a Division Bench regarding the maternity leave, but the decision granting the appellant maternity leave benefits was upheld.

**SOM DATT BUILDERS-NCC-NEC (JV) VS NATIONAL HIGHWAYS AUTH.OF INDIA . [C.A. NO.-002058-002058 - 2012]**

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The interpretation by the Arbitral Tribunal and the Single Judge of the High Court, stating that an increase in the quantity of geogrid did not constitute a variation allowing the Engineer to revise rates, was correct. The Division Bench of the High Court improperly interfered with the arbitral award. The order of the Division Bench was set aside, reinstating the arbitral award in favor of the appellant.

**M/S. TARACHAND LOGISTIC SOLUTIONS LIMITED VS THE STATE OF ANDHRA PRADESH [C.A. NO.-011188-011188 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The appellant's motor vehicles, used exclusively within the Visakhapatnam Steel Plant, are exempt from motor vehicle tax under the Andhra Pradesh Motor Vehicles Taxation Act, 1963, as the central dispatch yard is a restricted area and does not constitute a "public place." The decision distinguished a prior case involving a different statute and restored the order for a refund of taxes paid by the appellant.

**M/S TRIVENI ENGINEERING AND INDUSTRIES LTD. VS THE STATE OF UTTAR PRADESH [C.A. NO.-008119-008120 - 2022]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The orders imposed by the National Green Tribunal (NGT) for environmental compensation on the appellant were found to violate natural justice and statutory procedures under the Water (Prevention and Control of Pollution) Act, 1974. The NGT constituted a joint committee to inspect the appellant's sugar mill and submit a report without allowing the appellant an opportunity to be heard. The subsequent orders were based on this report without adhering to the required procedures for sample collection and analysis. The NGT cannot delegate its adjudicatory functions to administrative committees and must follow due process. Consequently, the impugned orders were set aside due to non-compliance with statutory procedures, but the state pollution control board retains the authority to inspect and take remedial actions in accordance with the Water Act.

**PRAKASH ASPHALTINGS AND TOLL HIGHWAYS (INDIA) LIMITED VS MANDEEPA ENTERPRISES [C.A. NO. - 011418-011418 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The High Court Division Bench incorrectly directed the tendering authority to allow Mandeepa Enterprises to amend its financial bid by interpreting the quoted amount as a per day figure rather than for the full 1095 days. This interpretation contradicted the explicit prohibition against changes to the BOQ template. The Division Bench's decision also violated natural justice by excluding the highest bidder, Prakash Asphaltings, from the proceedings. The tender process's integrity and adherence to established conditions are crucial, as public interest encompasses more than just financial considerations. The judgment of the Division Bench was set aside, allowing the tendering authority to finalize the contract award.

**HLV LIMITED (FORMERLY KNOWN AS HOTEL LEEAVENTURE PVT LTD.) VS PBSAMP PROJECTS PVT. LTD. [C.A. NO.-012234-012234 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The decree holder is not entitled to compound interest or post-award interest on the arbitral award, as the arbitral tribunal awarded simple interest at 21% per annum according to the Memorandum of Understanding (MoU) between the parties. Section 31(7)(a) of the Arbitration and Conciliation Act, 1996 allows party autonomy regarding pre-award interest, making the tribunal bound by the MoU. Once the interest was specified in the award, it cannot be altered at the execution stage. The principles established in Hyder Consulting regarding post-award interest do not apply, as the interest issue was already addressed in the award. The executing court's order was correctly applied based on the award and the MoU.

**M/S SURGUJA BRICKS INDUSTRIES COMPANY VS STATE OF CHHATTISGARH [C.A. NO.-014859-014859 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The Supreme Court held that the appellant's disqualification from the tender process for relying on its proportionate experience as a joint venture partner was arbitrary and violative of Article 14. The decisive ground was that the NIT contained no explicit exclusion of joint venture experience, and the respondent's interpretation requiring experience "in the same name and style" to exclude such experience was irrational. The Court rejected the argument that "prime contractor" must mean only individual experience, emphasizing that in common commercial understanding and as per the department's own prior clarifications, a joint venture member is entitled to claim proportionate experience. Applying the principle from *New Horizons Ltd. v. Union of India* (1995) 1 SCC 478 that experience of joint venture constituents must be considered, and reinforced by *Ganpati PV v. Union of India* (2009) 1 SCC 589, the Court found the disqualification legally untenable. The Court ruled that tender conditions must be clear and unambiguous to prevent arbitrary rejection, citing *Reliance Energy Ltd. v. Maharashtra State Road Development Corporation* (2007) 8 SCC 1. The Court ultimately set aside the High Court's judgment and the disqualification order, directing reconsideration of the appellant's bid by accepting its joint venture

experience certificate.

**M/S. CARBORANDUM UNIVERSAL LTD. VS ESI CORPORATION [C.A. NO.-014858-014858 - 2025]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The Supreme Court in Civil Appeal No. 14858 of 2025 set aside the ESI Corporation's demand of ₹5,42,575.53 for 1988-1992, holding that invocation of Section 45A of the Employees' State Insurance Act, 1948 was illegal where the employer had produced ledgers, cash books, vouchers and contribution returns and attended fifteen personal hearings; the jurisdictional pre-conditions for resort to Section 45A are either total non-production of records under Section 44 or physical obstruction of inspection under Section 45, neither of which was satisfied merely because some supporting bills were found inadequate. Rejecting the Corporation's plea that Section 77(1A)(b)'s five-year limitation does not apply to Section 45A, the Court emphasised that once records are produced the proper route is assessment under Section 75(2)(a) and any recovery claim beyond five years is barred; permitting Section 45A merely to bypass limitation would rewrite the statute. Following Masco (P) Ltd. v. ESI Corporation (1975 II LLJ 29) and distinguishing ESI Corporation v. C.C. Santhakumar (2007 1 SCC 584) where non-cooperation existed, the Court ruled that partial dissatisfaction with documents cannot metamorphose into non-production so as to trigger best-judgment determination. Consequently, the orders dated 17.04.2000, 06.07.2015 and 12.10.2023 are quashed; the appeal is allowed with no order as to costs.

**SHARP BUSINESS SYSTEM THR. FINANCE DIRECTOR MR. YOSHIHISA MIZUNO VS COMMISSIONER OF INCOME TAX-III N.D. [C.A. NO.-004072-004072 - 2014]**

**Bench: Justice Manoj Misra, Justice Ujjal Bhuyan**

The Supreme Court in Civil Appeal No. 4072/2014 (Sharp Business System v. CIT) held that non-compete fee paid by an assessee to eliminate competition constitutes revenue expenditure under Section 37(1) of the Income Tax Act, 1961, not capital expenditure. The decisive ground was that such payment neither creates a new asset nor adds to the profit-earning apparatus but merely facilitates business operations more efficiently by restricting competition. Rejecting the Delhi High Court's view that it yielded an "enduring benefit," the Court applied Empire Jute Co. Ltd. v. CIT (1980) 124 ITR 1 and Coal Shipments (P) Ltd. v. CIT (1971) 82 ITR 902 to hold that enduring advantage in the commercial field, absent capital asset creation, remains revenue. Consequently, depreciation under Section 32(1)(ii) was held unavailable. In connected appeals, the Court remanded matters to respective ITATs for fresh consideration of depreciation claims on non-compete fees already treated as capital by assessees. Separately, in SLP(C) No. 719/2020 (PCIT v. Piramal Glass Ltd.), the Court affirmed that interest on borrowings used to invest in subsidiary companies or advance interest-free loans to sister concerns is deductible under Section 36(1)(iii) if driven by commercial expediency, following SA Builders Ltd. v. CIT (2002) 288 ITR 1. All appeals were disposed of accordingly.

**ABDUL WAHID VS THE STATE OF RAJASTHAN [CRL.A. NO.-000722-000722 - 2012]**

**Bench: Justice Pankaj Mithal, Justice Ujjal Bhuyan**

The Supreme Court of India has set aside the conviction and sentence of the three appellants - Abdul Wahid, Babu, and Abdul Shakur - in this case. The Court held that the prosecution failed to establish the guilt of the accused beyond reasonable doubt due to various inconsistencies and lacunae in the investigation and evidence. The sole eyewitness, PW-1, was found to be an unreliable witness with criminal antecedents, and his testimony was not corroborated by any independent evidence. The evidence of other witnesses was also inconsistent and unimpressive, raising doubts about their presence at the scene. The investigation was flawed, with the investigating officers failing to seize important evidence like the motorcycle, blood samples, and the weapons allegedly used in the crime. The manner in which the weapons were recovered, without any corroborating evidence, made the recoveries highly doubtful. In the absence of credible evidence to connect the accused to the murder, the Supreme Court

has set aside the conviction and sentence of the appellants.

**SATISH CHANDER SHARMA VS THE STATE OF HIMACHAL PRADESH [W.P.(C) NO.-000179 - 2018]** 

**Bench: Justice Surya Kant, Justice Dipankar Datta, Justice Ujjal Bhuyan**

A writ petition under Article 32 challenging a previous judgment in Rajesh Chander Sood v. State of H.P. is not maintainable. A Supreme Court decision cannot be contested in this manner; the appropriate recourse is a review petition or a curative petition if applicable. The writ petition was dismissed, reinforcing the finality of judicial decisions and the importance of not reopening concluded cases.



**CEMENT CORPORATION OF INDIA VS ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED [C.A. NO.-002052-002052 - 2016]**

**Bench: Justice D.Y. Chandrachud, Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court held that Cement Corporation of India is entitled to indemnity for fire damage under the Standard Fire and Special Perils Policy despite the insurer's plea that burglary preceded the blaze; the decisive ground is that once loss is established to have been caused by the named peril "Fire", the cause of the fire becomes irrelevant unless the policy expressly excludes that cause under the specific peril clause, and burglary/theft is not listed among the exclusions appended to the "Fire" peril, while the general exclusion covering theft "during or after" the insured peril does not embrace theft occurring beforehand. Repelling ICICI Lombard's reliance on the RSMD exclusion and the proximate-cause doctrine, the Court ruled that exclusion clauses must be construed strictly and ambiguities resolved in favour of the insured; the insurer cannot invoke an exclusion from a different peril to defeat coverage for an insured peril. Following *New India Assurance Co. v. Zuari Industries* (2009) 9 SCC 70, *Orion Conmerx v. National Insurance Co.* 2025 SCC OnLine 2309 and *Texco Marketing v. Tata AIG* (2023) 1 SCC 428, the Court emphasised that the object of fire insurance is to indemnify accidental fire loss and the cause is material only where the insured is guilty of wilful misconduct or fraud, neither of which was alleged. The appeal is allowed, the repudiation letter and NCDRC judgment are set aside, and the matter is remitted to the NCDRC for quantification of loss within six months.

**STATE OF PUNJAB VS EX. C.SATPAL SINGH [C.A. NO.-000312-000312 - 2012]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The dismissal of Constable Satpal Singh from service was valid due to his absence without permission for approximately 37 days, constituting grave misconduct under Rule 16.2(1) of the Punjab Police Rules, 1934. This was his fourth instance of unauthorized absence, and he had a history of previous punishments for similar conduct. He did not challenge the findings of the departmental inquiry or present any defense witnesses. The dismissal order was justified given his position in the police force, leading to the reversal of the High Court's judgment that had set aside the dismissal.

**UNION OF INDIA VS ALOK KUMAR [C.A. NO.-011462-011462 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The termination of the Respondent's services was valid under the Master Circular for non-gazetted Group 'C' posts in the Railways, which mandates successful completion of the initial training period and a written test. The Respondent failed to pass the written test after two attempts, validating the termination. Additionally, the High Court incorrectly stated that no "departmental examination" was required for permanent status as a Senior Section Engineer, as such examinations are only for promotions and not for direct recruitment. The recovery of the stipend paid during the second training attempt was justified due to administrative error, not misrepresentation.

**THE GENERAL MANAGER (P) CANARA BANK VS GANGANARASIMHAIAH [C.A. NO.-011461-011461 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The discharge of the appellant from charges under Sections 420 and 120B IPC was valid due to a lack of evidence for intentional deception or conspiracy. The AICTE approved the 'Business School of Delhi' with awareness of the bank loan and mortgage, and no AICTE officials were implicated in any misconduct. The CBI's petition under Section 482 Cr.P.C was considered maintainable but not suitable when a statutory remedy under Section 397 Cr.P.C was available. The Tribunal exceeded its jurisdiction by acting as an appellate authority and re-appraising evidence. The High Court incorrectly interfered with the Disciplinary Authority's punishment order without evidence of it being perverse. The orders of the Tribunal and High Court were set aside, affirming the Disciplinary Authority's decision on compulsory retirement, while confirming the respondent's entitlement to gratuity and pensionary benefits as per law.

**LEELAVATHI N. VS THE STATE OF KARNATAKA [C.A. NO.-012750-012754 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

Writ petitions filed by the appellants are not maintainable before the High Court, as the Karnataka State Administrative Tribunal (KSAT) serves as the court of first instance for service matters. The matter has been referred back to the KSAT for adjudication, which is empowered to address and resolve the issues effectively.

**SIDDHANT MAHAJAN VS THE STATE OF RAJASTHAN [C.A. NO.-014875-014880 - 2025]**

**Bench: Justice J.K. Maheshwari, Justice Vijay Bishnoi**

The Supreme Court held that the State of Rajasthan lacked statutory authority to lower NEET-UG 2016 percentile for BDS admissions, rendering relaxations of 10+5 percentile ultra vires the delegated power under proviso (ii) to Regulation 11(5) of the 2007 DCI Regulations, which vests such power solely in the Central Government in consultation with DCI. The decisive ground was that the phrase “necessary action as deemed fit” in the Central Government’s 29.09.2016 forwarding letter could not amount to delegation, and admissions beyond statutory minima—some with zero/negative NEET scores—undermined merit and public health standards under Articles 47 and 51A(j). Rejecting pleas of promissory estoppel and equitable relief for colleges, the Court distinguished Rishabh Choudhary and relied on Harshit Agarwal to affirm that only the Centre could modify cut-offs. Invoking Article 142 to prevent irreparable harm, the Court regularised degrees of students who had already completed the 5-year BDS course within the 9-year maximum under Regulation 8, conditional on lifetime undertaking of 2 years’ pro-bono service during health emergencies. Colleges that admitted beyond State-ordained relaxations were directed to pay Rs 10 crores each and the State Rs 10 lakhs to Rajasthan SLSA for social-welfare infrastructure, while students yet to graduate were refused relief, emphasising that statutory violation cannot be precedent.

**SURENDRA KOLI VS THE STATE OF UTTAR PRADESH [CURATIVE PET(R) NO.-000060 - 2025]****Bench: Justice Bhushan Ramkrishna Gavai, Justice Surya Kant, Justice Vikram Nath**

The Supreme Court allowed Surendra Koli's curative petition and quashed his 2011 conviction and death sentence for the Rimpa Haldar murder after twelve companion prosecutions founded on the identical Section 164 CrPC confession and Section 27 Evidence Act recoveries culminated in final acquittals. The decisive ground is that the same evidentiary substratum cannot yield irreconcilable results: the confession, recorded after sixty days of unbroken police custody without meaningful legal aid and under the Investigating Officer's shadow, was held involuntary per Section 24 Evidence Act and inadmissible in the later cases, while the recoveries lacked contemporaneous disclosure, suffered prior police knowledge and material contradictions, thereby failing Section 27; the forensic record equally disclosed no incriminating traces inside D-5 or on exhibited weapons. Following Rupa Ashok Hurra v. Ashok Hurra (2002) 4 SCC 388, curative jurisdiction lies where such fundamental defect offends Articles 14 and 21 by producing arbitrary disparity on an identical record. The Court emphasised that finality bows to the constitutional duty of preventing manifest miscarriage of justice. The judgments of the trial court, High Court and this Court in Criminal Appeal No. 2227/2010 and Review Petition (Cri.) No. 395/2014 are recalled; the appellant is acquitted under Sections 302, 364, 376 and 201 IPC and shall be released forthwith if not required elsewhere.

**MAYANKKUMAR NATWARLAL KANKANA PATEL VS STATE OF GUJARAT [CRL.A. NO.-005620-005621 - 2025]****Bench: Justice Vikram Nath, Justice Augustine George Masih**

The Supreme Court in Criminal Appeal Nos...../2025 (@ SLP(Cri.) Nos.1167-1168/2025) set aside the Gujarat High Court's 27-11-2024 order that had permitted the prosecution, under Section 311 CrPC, to examine the minor daughter (born 2013) of a woman who allegedly committed suicide in 2017. The Court restored the Sessions Judge's 30-03-2024 rejection of the belated prayer, holding that no material—FIR, investigation statements or testimony of 21 witnesses—ever placed the 4-year-old inside the room where the incident occurred; her mere presence in the house did not make her an indispensable eyewitness. Emphasising the seven-year delay, the vulnerable memory of a tender-aged child, and the grave risk of tutoring arising from her uninterrupted custody with the maternal grandparents, the Court ruled that Section 311's wide but sparing power cannot be invoked to protract the trial or prejudice the accused when the evidence is neither contemporaneously recorded nor demonstrably essential for a just decision. Applying the principle that the trial court's discretionary orders deserve deference unless perverse, and reaffirming that child testimony must be approached with heightened caution when suggestibility is probable, the Court allowed the appeals, directed restoration of the trial court's order, and ordered the Sessions Case No. 22/2018 to proceed in accordance with law.

**MAHESH KUMAR AGARWAL VS UNION OF INDIA [C.A. NO.-015096-015096 - 2025]****Bench: Justice Vikram Nath, Justice Augustine George Masih**

The Supreme Court held that the appellant's passport must be renewed for ten years despite pending criminal proceedings, as Section 6(2)(f) of the Passports Act, 1967 does not constitute an absolute bar when criminal courts have granted "no objection" under the exemption notification GSR 570(E) dated 25.08.1993. The decisive ground was that both the Delhi High Court and NIA Court at Ranchi, while conscious of pending proceedings, consciously permitted renewal subject to stringent conditions including prior permission for foreign travel and immediate redeposit, thereby satisfying the statutory purpose of securing the accused's presence. Rejecting the Calcutta High Court's narrow interpretation, the Court emphasized that GSR 570(E) does not require courts to authorize specific journeys but permits renewal while retaining control over travel, and distinguished between pre-conviction proceedings under Section 6(2)(f) and post-conviction scenarios under Section 6(2)(e), following Vangala Kasturi Rangacharyulu v. CBI (2021 SCC OnLine SC 3549). The Court ruled that denial would constitute disproportionate restriction on Article 21 rights, directed renewal within four weeks subject to existing

court conditions, and clarified that possession of passport remains distinct from permission to travel abroad, with courts retaining power to modify bail conditions or impound passport under Section 10 if circumstances warrant.

**HARJINDER SINGH VS THE STATE OF PUNJAB [CRL.A. NO.-002477-002477 - 2025]**

**Bench: Justice Vikram Nath, Justice K.V. Viswanathan**

The trial court summoning Varinder Singh to stand trial under Section 306 of the Indian Penal Code was deemed appropriate based on the complainant's testimony and a witness statement. The reliance on unproven alibi documents by the High Court was rejected, as was the premature evaluation of the defense. The trial court's application of Section 319 CrPC was upheld to ensure accountability for the alleged crime, resulting in the revival of the trial court's order.

**UNION OF INDIA VS SALEEM KHAN [CRL.A. NO.-003644-003644 - 2025]**

**Bench: Justice Vikram Nath, Justice K.V. Viswanathan**

Bail was granted to Saleem Khan, with allegations of his connection to the non-banned organization Al-Hind not constituting a prima facie offence under the Unlawful Activities Prevention Act. However, Mohd. Zaid's appeal was dismissed due to evidence of his involvement with banned terrorist organizations and his role in operating the dark web for their assistance. A directive was issued to expedite the trial, which has been pending for 5.5 years, requiring completion within two years with cooperation from both prosecution and defense.

**M/S S.R.S TRAVELS BY ITS PROPRIETOR K.T. RAJASHEKAR PROPRIETOR VS THE KARNATAKA STATE ROAD TRANSPORT CORPORATION WORKERS FEDERATION NO. 6 [C.A. NO.-002181-002182 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Supreme Court of India held that the 2003 repeal of the 1976 Karnataka Contract Carriages (Acquisition) Act is constitutionally valid, as the legislature has the power to repeal a law it had earlier enacted. However, the Court disagreed with the High Court's finding that the State Transport Authority (STA) cannot delegate the power to grant contract carriage, special, tourist, and temporary permits to its Secretary. The Court ruled that such delegation is permissible under the Motor Vehicles Act, 1988 and the Karnataka Motor Vehicles Rules, 1989, as these routine permit functions are administrative in nature and do not require the full deliberation of the multi-member STA. The Court allowed the appeals filed by the private bus operators and the Karnataka State Road Transport Authority, while dismissing the appeal by the Karnataka State Road Transport Corporation. It set aside the High Court's orders that had denied the delegation power to the STA Secretary.

**SARANGA ANILKUMAR AGGARWAL VS BHAVESH DHIRAJLAL SHETH [C.A. NO.-004048 - 2024]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The execution of penalty orders imposed by the NCDRC cannot be stayed under the interim moratorium provisions of Section 96 of the Insolvency and Bankruptcy Code. A distinction exists between debt recovery proceedings and regulatory penalties, with the latter not classified as "debt" under the IBC. NCDRC penalties are punitive, aimed at ensuring compliance with consumer protection laws, and are therefore outside the moratorium scope. Staying such penalties would undermine consumer protection objectives and allow developers to evade statutory liabilities by invoking insolvency proceedings.

**PRADEEP NIRANKARNATH SHARMA VS THE STATE OF GUJARAT [CRL.A. NO.-001313-001313 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The registration of an FIR is mandatory under Section 154 of the Code of Criminal Procedure when information discloses a cognizable offence. A preliminary inquiry is only necessary in specific cases

where the information does not clearly indicate a cognizable offence. A plea for a blanket direction to conduct preliminary inquiries before registering any further FIRs was rejected, as it equates to judicial overreach and contradicts statutory provisions. The appeal lacked merit and was dismissed, with clarification that other legal remedies remain available to the appellant.

**PRADEEP NIRANKARNATH SHARMA VS DIRECTORATE OF ENFORCEMENT [CRL.A. NO.-001314-001314 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The offence of money laundering under the Prevention of Money Laundering Act (PMLA) is considered a continuing offence, with liability determined by when the accused engaged in activities related to the proceeds of crime. The argument against the retrospective application of the PMLA was dismissed, referencing a prior judgment. The amount of proceeds involved exceeds the statutory threshold, justifying the need for a thorough trial to address the serious allegations. Discharging the appellant at the pre-trial stage was deemed premature. The appeal was dismissed, maintaining the rejection of the discharge application by lower courts.

**RAMAYANA ISPAT PVT. LTD. AND ANR. VS STATE OF RAJASTHAN AND ORS. [C.A. NO.-007964-007964 - 2019]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Rajasthan Electricity Regulatory Commission (Terms and Conditions for Open Access) Regulations, 2016 were upheld as valid, enacted within statutory authority to maintain grid stability, ensure fair competition, and prevent market gaming. The Commission possesses jurisdiction over intra-state open access transactions regardless of power sourcing. Measures such as penalties for demand deviations, a 24-hour advance notice for short-term inter-state access, and regulation of captive power generators were deemed reasonable and proportionate. Claims that the regulations limit open access rights were rejected, with the conclusion that they introduce necessary safeguards without significantly restricting access for eligible consumers.

**M/S FAIME MAKERS PVT. LTD. VS DISTRICT DEPUTY REGISTRAR [C.A. NO.-004650-004650 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Competent Authority's order allowing a society's second application for unilateral assignment of leasehold rights was invalid, as it contradicted a prior order requiring the society to resolve legal complications in civil court before reapplying. The first order was final and unchallenged, establishing principles of res judicata applicable to quasi-judicial authorities. The second application could not be entertained due to this jurisdictional conflict. The order allowing the second application was set aside, but the society was permitted to apply again after addressing the legal issues as instructed in the first order.

**NEW MANGALORE PORT TRUST VS CLIFFORD D SOUZA ETC. ETC. [C.A. NO.-001796-001828 - 2024]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The port trust is entitled to the benefit of Section 18 of the Limitation Act due to an acknowledgment of liability by the licensees, which extends the limitation period for recovery. The hearing of the port trust's writ petitions should have been deferred until the resolution of the licensees' pending appeals regarding tariff revision, as the outcome will directly affect the writ petitions. The High Court's order is set aside, and the writ petitions will be heard after the licensees' appeals. If the licensees succeed in their appeals, the demand for retrospective tariff revision will be withdrawn; if they fail, they will be liable to pay the arrears with interest.

**OKHLA ENCLAVE PLOT HOLDERS WEL. ASON. VS UNION OF INDIA THROUGH SECRETARY [MA-001290 - 2022]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The case involved the allotment of plots in the Okhla Enclave residential colony. A Special Committee was appointed to address disputes. General category allottees previously deemed ineligible due to multiple family plots are now allowed to participate in the second scrutiny. The Committee is tasked with considering the claims of 480 allottees from the Okhla Enclave Plot Holders' Welfare Association to finalize eligible claimants. Directions were issued to the State of Haryana for a fresh layout plan, removal of encroachments, scrutiny of commercial category claimants, and payment of outstanding amounts by the colonizer.

**COMPETITION COMMISSION OF INDIA VS SCHOTT GLASS INDIA PVT. LTD. . [C.A. NO.-005843-005843 - 2014]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

Schott India's offering of target rebates, functional rebates, and a long-term supply agreement with Schott Kaisha did not constitute an abuse of dominant position under Section 4 of the Competition Act, 2002. The rebate schemes were objective and non-discriminatory, and there was no evidence of competition foreclosure or margin squeeze. However, the investigation by the Competition Commission of India was flawed due to the denial of cross-examination of witnesses, which compromised the proceedings. Appeals by the CCI and Kapoor Glass India Pvt. Ltd. were dismissed.

**VIJAY KUMAR JOSHI VS AKASH TRIPATHI [C.A. NO.-006652-006652 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

Absorbed employees of the Societies are entitled to pension from the Madhya Pradesh State Electricity Board (MPSEB), reversing a previous judgment that denied this benefit. The principle of functional integration and equivalence of benefits for absorbed employees was acknowledged. The qualifying period for pension is to be calculated from the date of absorption into MPSEB, not from the date of joining the Societies, as service in the Societies was not governed by state government rules.

**JAWALA REAL ESTATE PVT LTD VS HARESH [MA-002426 - 2018]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The appellant did not provide the requested documents, yet the respondent is obligated to pay Rs. 1,40,71,000/- to the appellant. This amount includes admitted sums, a readiness to pay, taxes on the consideration value, and an additional Rs. 1 crore for clearing all outstanding dues up to the possession handover date. The parties must execute the sale agreement within two months of payment.

**KATHYAYINI VS SRI SIDHARTH P.S. REDDY [CRLA. NO.-002956-002956 - 2025]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

A prima facie case of criminal conspiracy and cheating exists against Sidharth P.S. Reddy and Vikram P.S. Reddy due to the alleged creation of a forged family tree and partition deed, aimed at depriving the appellant and her sisters of their rightful share of compensation for land. The reliance on an unverified statement from a Sub-Registrar is rejected, and the continuation of criminal proceedings is affirmed despite the pendency of civil suits.

**NEETHU B. @ NEETHU BABY MATHEW VS RAJESH KUMAR [R.P.(C) NO.-002273-002274 - 2024]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The mother's review petitions were accepted based on new evidence showing the child's deteriorating mental health following a custody change. Permanent custody was granted to the mother, while the father was given visitation rights to foster a relationship with the child. The child's welfare was prioritized, emphasizing the importance of maintaining the stable environment with the mother over altering custody arrangements at this time.

**ROHAN VIJAY NAHAR VS THE STATE OF MAHARASHTRA [C.A. NO.-005454-005454 - 2019]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Supreme Court allowed 96 appeals and quashed revenue mutations branding lands as “private forest” under the Maharashtra Private Forests Acquisition Act 1975, holding that mere Gazette publication of a Section 35(3) Indian Forest Act notice sans due service under Section 35(5) and without a final Section 35(1) notification cannot sustain vesting under Section 2(f)(iii) MPFA. The decisive ground is that “issued” in Section 2(f)(iii) connotes a live, duly served and pursued process; decades-old inchoate notices lapse into desuetude and ministerial mutations cannot remedy want of mandatory statutory predicates. The Court rejected the State’s plea that subsequent purchasers stand on weaker footing or that post-1975 transactions are ipso-facto void, stressing that Article 300-A and the expropriatory character of Section 3(1) MPFA require strict construction and contemporaneous compliance with Sections 4-7. Following *Godrej & Boyce Mfg. Co Ltd v State of Maharashtra* (2014) 3 SCC 430—overruling *Chintamani Gajanan Velkar* (2000) 3 SCC 143 to the extent it held unserved Gazette notice sufficient—the Bench held the High Court’s distinguishing of *Godrej per incuriam* and its refusal to apply binding precedent contravenes Articles 141-144; mutation entries, never perfected by lawful acquisition, are set aside and records directed to be restored, liberty reserved to the State to proceed de novo in accordance with law.

**THE MUNICIPAL CORPORATION OF GREATER MUMBAI VS CENTURY TEXTILES AND INDUSTRIES LIMITED [C.A. NO.-006667-006667 - 2023]**

**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Municipal Corporation of Greater Mumbai (MCGM) was not obligated to execute a conveyance deed in favor of Century Textiles for the land comprising Block A after the 28-year lease period expired. The provisions of the 1925 Act and the 1928 lease deed did not impose such an obligation. A harmonious interpretation of the statutory provisions indicated that the lessee must leave the premises in good condition, and the right to a conveyance depended on the lease terms and statutory framework. Century Textiles’ writ petition was dismissed due to delay and laches, as the cause of action arose in 1955, with no action taken for over 51 years. MCGM’s appeal was allowed, and the previous judgment favoring Century Textiles was set aside.

**SHABEEN AHMAD VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-001051-001051 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

In a set of criminal appeals regarding a dowry death, bail for the father-in-law and mother-in-law was cancelled due to strong evidence of their involvement in the offense. The gravity of the situation necessitated stricter scrutiny to uphold social justice. However, bail for the sister-in-laws was upheld based on their personal and educational circumstances, although they were not exonerated. Concerns were raised about the High Court’s mechanical approach to granting bail, highlighting the need for more careful examination to maintain public confidence in addressing dowry deaths.

**SIVAKUMAR VS THE INSPECTOR OF POLICE [CRL.A. NO.-002140-002141 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Criminal proceedings against appellant Sivakumar were quashed due to his lack of authorization to initiate SARFAESI proceedings or issue the sale certificate in 2012, as he was appointed Manager at HDFC’s Head Office only in November 2014. He had no direct involvement in the transaction related to the FIR, and continuing the proceedings would result in an abuse of process and miscarriage of justice. The High Court’s order was set aside.

**N.S. GNANESHWARAN ETC. VS THE INSPECTOR OF POLICE [CRL.A. NO.-002871-002872 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appeals were allowed, and the criminal proceedings in C.C. No. 16 of 2006 were quashed. The dispute

was resolved through a One Time Settlement, with the bank receiving the full outstanding amount and issuing no-dues certificates. Similar cases had previously seen proceedings quashed, and state appeals against those decisions were dismissed. Since the dispute was fully settled and there was no public interest in continuing, further criminal proceedings would not serve any meaningful purpose.

**RAKHI SADHUKHAN VS RAJA SADHUKHAN [C.A. NO.-010209-010209 - 2024]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appeal led to a modification of the permanent alimony amount payable to the appellant-wife from Rs. 20,000 to Rs. 50,000 per month, with a 5% increase every two years, based on the respondent-husband's higher income and the appellant's financial dependence. No further mandatory financial support for the couple's 26-year-old son was mandated, although the respondent-husband may voluntarily assist with reasonable expenses.

**PRADEEP BHARDWAJ VS PRIYA [C.A. NO.-009502-009502 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The marriage between the appellant-husband and respondent-wife was dissolved due to an irretrievable breakdown, despite no proven cruelty. The parties had lived separately for over 16 years, and continuing the marriage would perpetuate mental agony. A decree of divorce was granted, and the monthly maintenance payable by the appellant-husband to the respondent-wife and their child was increased to ₹15,000, reflecting their financial circumstances.

**ESAKKIMUTHU VS STATE REPRESENTED BY THE INSPECTOR OF POLICE [CRL.A. NO.-003099-003099 - 2025]**



**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The prosecution failed to prove the guilt of the accused beyond reasonable doubt. Eyewitness testimonies from the son and wife of the deceased were considered highly improbable, particularly regarding the ability to travel 16 km to the crime scene within 30 minutes on a bicycle. Inconsistencies and loopholes in the prosecution's case were noted. The accused were acquitted, and the lower court convictions were quashed.

**SATAURAM MANDAVI VS THE STATE OF CHHATTISGARH [CRL.A. NO.-003179-003179 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The appellant's conviction under Section 6 of the Protection of Children from Sexual Offences (POCSO) Act was upheld, but the sentence was modified due to the trial court's incorrect application of the enhanced sentencing provisions from the 2019 amendment. The offense occurred prior to the amendment, and applying the new law retrospectively violated constitutional protections against ex post facto laws. The sentence of imprisonment for the remainder of the appellant's natural life was replaced with rigorous imprisonment for life, consistent with the law in effect at the time of the offense.

**A. RANJITHKUMAR VS E. KAVITHA [C.A. NO.-010654-010654 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The marriage between the appellant-husband and the respondent-wife, solemnized on 15.02.2009, has irretrievably broken down with no possibility of reconciliation. The marriage is dissolved, and a one-time lump sum of ₹1,25,00,000 is awarded as permanent alimony to the wife and their son, to be paid in five equal quarterly installments. The order of the High Court is set aside.

**M. V. LEELAVATHI VS DR. C. R. SWAMY @ DR. C. R. KUMARA SWAMY [C.A. NO.-010684-010685 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The divorce decree based on mental cruelty was upheld, with the permanent alimony for the wife increased from Rs.15,00,000 to Rs.50,00,000 as a one-time settlement. The husband, a doctor with a

higher earning capacity, contrasted with the unemployed but highly qualified wife. The increased alimony aims to secure the wife's future and maintain a suitable standard of living.

**DHARAM SINGH VS STATE OF UP [C.A. NO.-008558-008558 - 2018]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court failed to adjudicate the appellants' challenge regarding the State's refusal to sanction posts for the Commission, despite the appellants' long service and the Commission's acknowledgment of the need for those posts. The State's refusal was deemed arbitrary and violated principles of fairness and work dignity, as the appellants performed perennial duties. Unlike the case in Uma Devi, the appellants were not attempting to bypass public employment constitutional schemes but were challenging the arbitrariness of the refusal. The State was directed to regularize the appellants from the date of a prior High Court decision, create supernumerary posts, pay relevant arrears and terminal dues, and file a compliance affidavit for implementation.

**SD SHABUDDIN VS THE STATE OF TELANGANA [CRL.A. NO.-003605-003605 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court erred in imposing the reverse burden of proof on the appellant and upholding the conviction under Section 411 IPC for dishonestly receiving stolen property when both accused were acquitted of theft under Section 379 IPC. A conviction under Section 411 IPC requires proof that the property was stolen and that the accused had knowledge or belief that it was stolen, which was not established. The appeal was allowed, and the appellant was acquitted of all charges, with bail bonds discharged.

**DOGIPARTHI VENKATA SATISH VS PILLA DURGA PRASAD [C.A. NO.-011104-011104 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court erred in rejecting the plaint based on Order XXX Rule 10 of the Code of Civil Procedure. A proprietorship concern is not a juristic person and cannot initiate a lawsuit, but it can defend against one. The proprietor, Pilla Durga Prasad, was properly included as the representative of the proprietorship concern, Aditya Motors, without causing any prejudice to his interests. The order to reject the plaint was set aside, and the Trial Court was directed to proceed with the suit on its merits.

**MANOJ DHANKAR VS NEEHARIKA [C.A. NO.-011332-011332 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The child's emotional, mental, and physical well-being is the primary consideration in custody disputes. The child currently lives with the mother in Ireland, and the father is allowed to interact with the child through video-conferencing for two hours every alternate Sunday. This arrangement balances the child's living situation with the need for the father to remain involved. Both parents must cooperate to ensure the video interaction proceeds smoothly.

**GEETA @ REETA MISHRA VS AJAY KUMAR MISHRA [C.A. NO.-011787-011792 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

Divorce decree granted by the Family Court and upheld by the High Court is affirmed, recognizing the irretrievable breakdown of the marriage. The respondent-husband is directed to pay Rs. 10,00,000 for the marriage expenses of their daughter, reflecting his duty as a father. The litigation has been prolonged, with the appellant-wife limiting her claim reasonably. The decree of divorce is affirmed along with the payment direction.

**PREM AGGARWAL VS MOHAN SINGH [SLP(C) NO.-026593 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The plaintiff must accept compensation of ₹2 crores and surrender possession of the property to the

defendants. The plaintiff delayed execution of the decree despite the defendants paying the compensation. Retaining possession while accepting substantial compensation would result in unjust enrichment. The plaintiff's appeal was dismissed, with costs set at ₹10 lakhs.

**PRAKASH NAMDEORAO DHAGE VS GANPATI S/O YADAVRAO KUMBHARE [C.A. NO.-012663-012664 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The High Court's order dismissing the appellant's revision petition regarding the allotment of Plot No. 5A to the respondent was upheld. Despite the appellant's assertion that the plot had lost its identity due to substantial constructions, a significant portion of the land remained open and unoccupied. Minor constructions, specifically a covered passage, were to be removed, after which clear possession of Plot No. 5A would be handed to the respondent. Rights and possession of adjoining plot owners would remain undisturbed.

**KACHARA VAHATUK SHARAMIK SANGH VS AJOY MEHTA [CONMT.PET.(C) NO.-001264 - 2018]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

A retired Class-I officer, Mr. Shrikant Kamble, will be appointed as an Auditor to examine the calculations of dues owed to workers. The Auditor's responsibilities include re-examining wage fitment, discrepancies in break-up charts from the BMC, and proposed recoveries of excess payments. The BMC is directed to pay statutory interest on delayed gratuity payments, while the issue of provident fund amounts will be addressed in a pending writ petition. Guidance on the Auditor's examination scope and completion timeline is provided, with options for parties to seek further clarification or modification.

**STATE ELECTION COMMISSION VS SHAKTI SINGH BHARTH WAL [MA-001901 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The State Election Commission's special leave petition against a High Court interlocutory order was dismissed. The Commission faced costs of Rs. 2,00,000 due to the counsel's insistence on passing an order despite prior communication about the matter. Respect for the court's indications was emphasized as essential for decorum. The costs and adverse remarks were expunged after the counsel issued an unqualified apology, noting this was his first such incident.

**REKHA MINOCHA VS AMIT SHAH MINOCHA [CRLA. NO.-001595-001595 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The marriage between the appellant-wife and the respondent-husband has been dissolved due to an irretrievable breakdown of the relationship. The respondent-husband is to pay Rs. 1,00,00,000 as permanent alimony and final settlement of all claims, including those concerning the minor child. Upon payment, all pending civil or criminal proceedings related to the marriage will be quashed and closed.

**SONIA VIRK VS ROHIT WATTS [C.A. NO.-014856-014856 - 2024]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court in *Sonia Virk v. Rohit Watts* (C.A. No. 14856/2024) upheld the High Court's decree dissolving the Hindu marriage solemnised on 6-12-2008 under Section 13(1)(ia) of the Hindu Marriage Act, 1955, observing that the parties' thirteen-year separation and embittered relationship constituted irretrievable breakdown, making continuance of the marital tie detrimental to the welfare of their seventeen-year-old daughter. Enhancing permanent alimony from Rs 30 lakhs to Rs 50 lakhs payable within three months, the Court emphasised that a serving judicial officer bears heightened obligation to ensure dignified financial security commensurate with the marital standard of living for the appellant-wife who ceased legal practice. While affirming the High Court's directions that the respondent-husband shall deposit the Rs 41 lakhs LIC maturity proceeds in the daughter's account, pay Rs 30,000 monthly until self-sufficiency, bear marriage expenses and not disinherit her, the Court declared the enhanced

amount as full and final settlement of all monetary claims and directed closure of all pending civil or criminal proceedings between the parties arising from the marriage. The Court ultimately ruled that dissolution serves justice where reconciliation efforts have failed and the legal bond has lost all substance.

**SOHANVIR@ SOHANVIR DHAMA VS STATE OF U.P. [CRL.A. NO.-005314-005314 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court partly allowed the appeal in Criminal Appeal No. of 2025 arising from SLP (Cri) No. 14100 of 2025, setting aside the Allahabad High Court's judgment dated 8th July 2025 that had dismissed the appellants' challenge to their summoning under Section 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Court held that the essential ingredient of "any place within public view" was not satisfied as the alleged caste-based abuses occurred inside the complainant's residence, relying on *Karuppudayar v. State* (2025 INSC 132) and *Hitesh Verma v. State of Uttarakhand* (2020) 10 SCC 710, which established that offences under Section 3(1)(s) require the place to be open where public members can witness the utterances. The Court quashed proceedings under the SC/ST Act while permitting trial to continue for offences under Sections 323 and 504 IPC, emphasizing that appellate powers under Section 14-A(1) should be exercised when essential statutory ingredients are prima facie absent, and the High Court erred in concluding public view was established merely because some incident occurred outside the house, since the complaint specifically stated abuses were hurled inside the premises.

**VINEETA SRINANDAN VS HIGH COURT OF JUDICATURE AT BOMBAY ON ITS OWN MOTION [CRL.A. NO.-002267 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court in Criminal Appeal No. 2267 of 2025 set aside the Bombay High Court's order sentencing Vineeta Srinandan to one-week simple imprisonment and a ₹2,000 fine under Section 12 of the Contempt of Courts Act 1971, holding that the High Court misdirected itself by refusing to accept her unconditional apology. While affirming that her circular scandalised the Court and constituted criminal contempt under Section 2(c), the Court ruled that once genuine remorse is demonstrated the proviso to Section 12 obliges the Court to consider discharge or remission; the Explanation clarifies that even a qualified apology cannot be rejected if bona fide. Distinguishing *Rajendra Sail v. M.P. High Court Bar Association* (2005) 6 SCC 109, *Roshan Lal Ahuja In re* 1993 Supp (4) SCC 446, *D.C. Saxena v. CJI* (1996) 5 SCC 216 and *Perspective Publications (P) Ltd. v. State of Maharashtra* AIR 1971 SC 221—where either no apology was offered or allegations were far graver—the Court emphasised that precedents must be applied only when factual matrices are materially similar, as held in *Royal Medical Trust v. Union of India* (2017) 16 SCC 605 and *Union of India v. Dhanwanti Devi* (1996) 6 SCC 44. Finding that the appellant promptly tendered an unqualified apology, resigned from the Board and lacked mala fides, the Court exercised mercy and remitted the entire sentence, allowing the appeal and disposing of pending applications.

**THE STATE OF UTTAR PRADESH THROUGH PRINCIPAL SECRETARY VS MILKIYAT SINGH [C.A. NO.-007050-007051 - 2010]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court held that Section 103 of the Multi-State Cooperative Societies Act, 2002 does not automatically convert every State-registered cooperative society into a multi-State society merely because the parent State was reorganised; the decisive ground is whether the society's objects, not its area of operation, extend to more than one State. Rejecting the High Court's conflation of "objects" with "area of operation", the Court emphasised that Section 103 is attracted only where the bye-laws show that the principal objects span more than one State, as mandated by Section 5(1)(a) of the 2002 Act. The domicile of members or procurement of sugarcane from neighbouring States is irrelevant; the enquiry is

confined to the territorial reach of the society's objects as framed in its bye-laws. Distinguishing Naresh Shankar Srivastava v. State of U.P. where operations actually straddled two States, the Court found that Kisan Cooperative Sugar Factory's objects remained confined to Uttar Pradesh despite the 2000 bifurcation. Consequently, it set aside the Allahabad High Court judgment dated 26th September 2008, allowed the appeals, and dismissed the writ petitions challenging the State's privatisation measures.

**JATINDER KUMAR VS JEEWAN LATA [C.A. NO.-014905-014905 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court allowed the husband's appeal and dissolved the twenty-year marriage under Article 142 of the Constitution, holding that the relationship had irretrievably broken down. The decisive ground was that the parties, both government school teachers, had lived separately since November 2005 despite attempts at reconciliation including mediation, rendering continuation of the marital bond meaningless. The Court rejected the wife's opposition noting no sincere reconciliation efforts could salvage the relationship, and exercised its extraordinary constitutional power to do complete justice where statutory grounds under Section 13 of the Hindu Marriage Act were insufficient. Following the precedent in *Shilpa Sailesh v. Varun Sreenivasan* (2023) where the Court dissolved marriages on irretrievable breakdown principles, the bench directed the husband to pay ₹20 lakhs as permanent alimony within two months, enhancing his offered ₹15 lakhs considering their professional status and long separation. The Court set aside the Punjab and Haryana High Court's 28th February 2014 order and the trial court's 14th August 2012 judgment dismissing the divorce petition, directing that all pending civil or criminal proceedings between the parties stand closed upon payment proof.

**BHAGYASHREE BISI VS ANIMESH PADHEE [C.A. NO.-014904-014904 - 2025]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta**

The Supreme Court allowed the appeal and set aside the divorce decree granted on desertion under Section 13(1)(ib) of the Hindu Marriage Act, 1955, instead dissolving the marriage under Article 142 of the Constitution on the parties' consent. The decisive ground was the irretrievable breakdown of marriage evidenced by over five years of separation and the appellant-wife's express willingness to accept divorce by mutual consent, rendering the contested desertion finding unnecessary. The Court rejected the respondent-husband's insistence on sustaining the desertion ground, holding that when both parties—well-earning professionals—irrevocably desire termination, continued litigation would serve no purpose but prolong agony. Emphasising the constitutional power to do complete justice, the Court invoked its precedent in *Shilpa Sailesh v. Varun Sreenivasan* (2023) 3 SCC 792, which permits dissolution on breakdown despite absence of statutory consent decree, and *Anil Kumar Jain v. Maya Jain* (2009) 10 SCC 415, affirming that Article 142 can override technical statutory rigours. As a one-time full and final settlement, the appellant-wife was directed to pay Rs 25 lakhs permanent alimony within two months to the Registry, withdrawal whereof would entitle her to the drawn-up divorce decree and closure of all matrimonial proceedings.

**P. ANJANAPPA (D) BY LRS. VS A.P. NANJUNDAPPA [C.A. NO.-003934-003934 - 2006]**

**Bench: Justice Vikram Nath, Justice Sandeep Mehta, Justice N.V. Anjaria**

The Supreme Court allowed the appeal and set aside the concurrent decrees, holding that the registered release deeds of 1956 and 1967 (Ex.D-15 and Ex.D-16) validly excluded plaintiff no. 2 and defendant no. 3 from the coparcenary, while the unregistered palupatti of 11.02.1972 (Ex.D-17) was admissible for collateral purposes to prove severance of joint status and separate enjoyment between plaintiff no. 1 and defendant no. 5. The decisive ground was that a registered release for consideration divests coparcenary interest ipso facto without need of further "acting upon", and an unregistered family arrangement is admissible under Section 17(2)(i) Registration Act read with *Thulasidhara v. Narayanappa* (2019) 6 SCC 409 and *Kalyani v. Narayanan* 1980 Supp SCC 298 to explain subsequent conduct. The Court rejected the lower courts' demand for metes-and-bounds partition and stamp-duty

re-agitation once documents were admitted. Applying the notional partition rule under unamended Section 6 Hindu Succession Act, 1956, it computed shares as 8/21 each to plaintiff no. 1 and defendant no. 5 in Schedule A and items 1-16 of Schedule C, 1/21 to each daughter's branch, nil to plaintiff no. 2 and defendant no. 3, and confirmed defendant no. 6's half share in Schedule B and item 17 of Schedule C outside the family hotchpot, directing the trial court to draw a final decree by metes and bounds accordingly.

**AKSHAY GUPTA VS ICICI BANK LIMITED [C.A. NO.-001708 - 2023]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol**

The parties, including the borrowers, builder, and bank, reached a settlement agreement resolving their dispute. Terms included the borrowers paying the outstanding principal amount upfront, the bank waiving charges and offering a 30% discount on the pre-EMI, and the builder paying 50% of the outstanding pre-EMI. Final judgment concluded the proceedings after addressing minor remaining issues in a batch of multiple appeals.

**RAMANUJ KUMAR VS PRIYANKA [C.A. NO.-014276-014276 - 2024]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The marriage between the appellant and respondent was dissolved due to irretrievable breakdown, with no possibility of reconciliation. The marriage was acknowledged as completely and irrevocably broken, despite previous dismissals of the husband's divorce petition by lower courts. The respondent-wife was granted reasonable visitation rights to her daughter, who had been in the exclusive care of the appellant-husband since infancy, for the welfare of the child.

**SHAKUNTLA DEVI VS THE STATE OF UTTAR PRADESH [CRL.A. NO.-001131-001131 - 2018]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The mother-in-law was convicted under Section 306 of the Indian Penal Code for abetment of suicide. Evidence, including testimony from the deceased's younger brother, indicated that she repeatedly tortured and abused the deceased over dowry demands, contributing to the suicide. The prosecution's case was found to be fair and credible. Although the mother-in-law's old age was considered a mitigating factor, the sentence of 3 years' rigorous imprisonment was deemed reasonable.

**EBY CHERIAN VS JEREMA JOHN [C.A. NO.-006924-006924 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appellant father's requirement to file a fresh application for overnight custody on each visit to India was deemed impractical, causing uncertainty for the child and financial strain for the father. The child was comfortable with the father, highlighting the importance of meaningful contact with both parents for the child's welfare. A structured interim access schedule was established, granting the father custody for alternate weekends during his visits of at least 7 consecutive days and equal division of school vacations, with measures in place to ensure stability for the child. The Family Court was instructed to address the pending custody petition expeditiously.

**BALJINDER KUMAR @ KALA VS STATE OF PUNJAB [CRL.A. NO.-002688-002689 - 2024]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appeals of the accused-appellant were allowed, leading to the overturning of convictions by the lower courts. Major contradictions and inconsistencies in the testimonies of key prosecution witnesses, PW1 and PW2, undermined their reliability. Investigative lapses included the absence of independent witnesses for the recovery of the alleged murder weapon and blood-stained clothes, along with a lack of proper forensic evidence. The prosecution failed to establish the accused's guilt beyond reasonable doubt, resulting in acquittal of all charges. Discrepancies in key witness testimonies that are central to the prosecution case were deemed significant.

**M/S. EDELWEISS ASSET RECONSTRUCTION LIMITED VS REGIONAL PF COMMISSIONER II AND RECOVERY OFFICER, RO BENGALURU (KORAMANGALA) [C.A. NO.-011105-011105 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The issue of priority and first charge between the EPFO and secured creditors (Axis Bank, State Bank of India, and State Bank of Travancore) over auction proceeds of properties requires examination by the High Court. The High Court needs to consider the relevant facts and laws, including Section 11(2) of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, and Section 35 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, after adding Axis Bank as a party to the proceedings.

**SRI CHIKKEGOWDA VS STATE OF KARNATAKA ETC. [C.R.L.A. NO.-000541-000543 - 2015]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The High Court partly allowed appeals against the Trial Court's acquittal of some accused, identifying the reasons for acquittal as perverse and unsupported by evidence. The High Court emphasized the credibility of the injured eyewitness's testimony over medical evidence regarding the time of death. A balanced approach led to the conviction of some accused while others were acquitted due to insufficient evidence, stemming from a single incident.

**HARSHIT HARISH JAIN VS THE STATE OF MAHARASHTRA [C.A. NO.-001002-001002 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Karol, Justice Sandeep Mehta**

The appellants' claim for a stamp duty refund is subject to the two-year limitation period of Section 48(1) of the Maharashtra Stamp Act, 1958, as their right to claim arose on the execution of the Cancellation Deed on 17.03.2015, before the amendment that reduced the limitation period to six months. The Chief Controlling Revenue Authority (CCRA) lacked the statutory power to review and recall its earlier order granting the refund, as no provision in the Act allows for such review. The initial order allowing the refund, along with interest at 6% per annum from the date of the first order, is reinstated.

**MADHUKAR VS THE STATE OF MAHARASHTRA [C.R.L.A. NO.-002957-002957 - 2025]**

**Bench: Justice Vikram Nath, Justice Sanjay Kumar**

The appeals were allowed, and the order dismissing the petitions to quash two FIRs was set aside. The offense under Section 376 IPC is typically not compoundable; however, in this case, the second FIR seemed reactionary, and the complainant expressed a desire not to pursue prosecution, having married and wishing to move on. The decision to quash FIR No. 302 of 2023 and FIR No. 304 of 2023 arose from the amicable resolution between the parties, with the continuation of criminal proceedings deemed unnecessary and an abuse of process.

**VARUN KUMAR ALIAS SONU VS THE STATE OF HIMACHAL PRADESH [CRL.A. NO.-001295-001295 - 2018]**

**Bench: Justice Manoj Misra, Justice Vipul M. Pancholi**

The appellant was convicted for offenses under Sections 363, 366, 376, and 377 of the Indian Penal Code. The victim's testimony was deemed credible, and the medical evidence did not eliminate the possibility of rape and sexual intercourse, despite the victim's minor status at around 15 years old. The appeal against the co-accused was dismissed, affirming the acquittal for that individual.

**HARIBHAU @ BHAUSAHEB DINKAR KHARUSE VS THE STATE OF MAHARASHTRA [CRL.A. NO.-001755-001755 - 2011]**

**Bench: Justice Prashant Kumar Mishra, Justice Vipul M. Pancholi**

The acquittal of the appellants (accused no. 3, 4, and 6) by the trial court was deemed unsustainable. The High Court reappraised the evidence, finding the appellants guilty as members of an unlawful assembly with the common objective to commit murder and grievous assault. Consistent and corroborated ocular and medical evidence demonstrated their active participation in the premeditated attack, leading to the application of vicarious liability under Sections 302 and 307 read with Section 149 of the Indian Penal Code. The appeals were dismissed, and the convictions and sentences from the High Court were affirmed.

**PUNIMATI VS THE STATE OF CHHATTISGARH [CRL.A. NO.-003647-003648 - 2025]**

**Bench: Justice Prashant Kumar Mishra, Justice Vipul M. Pancholi**

The Supreme Court in Criminal Appeals Nos. 3647-3648 of 2025 allowed the appeals and set aside the conviction of the appellants under Section 302 read with Sections 148 and 149 IPC, holding that the prosecution failed to prove guilt beyond reasonable doubt. The decisive ground was the unreliable testimony of PW-4, the deceased's mother, whose deposition contained material contradictions regarding the manner of assault and the identity of weapons used by individual accused. The Court rejected the prosecution's reliance on PW-4 as the sole eyewitness, emphasizing that while related witnesses cannot be discarded per se, their testimony requires close scrutiny. The Court noted the prosecution's failure to examine Indu Bai, the granddaughter who allegedly informed PW-4 about the assault, and that independent witnesses PW-1, PW-2 and PW-3 turned hostile. The medical evidence was found inconclusive as PW-7, the doctor, could not definitively link the three incise wounds to the single stone allegedly seized. The Court ruled that conviction cannot rest merely on PW-4's testimony when corroboration is lacking and material witnesses remain unexamined. Consequently, the judgments of the Trial Court and Chhattisgarh High Court affirming conviction and life imprisonment were set aside, and the appellants' bail bonds were discharged.

**JEMABEN VS THE STATE OF GUJARAT [CRL.A. NO.-001934 - 2017]**

**Bench: Justice Rajesh Bindal, Justice Vipul M. Pancholi**

The appellant was convicted of murder under Section 302 of the Indian Penal Code. Evidence, including the deceased's dying declaration and medical records, demonstrated that the appellant poured kerosene on the deceased and set her on fire. The High Court's decision to overturn the trial court's acquittal was based on a clear assessment of the prosecution's evidence.

**G. PRASAD RAGHAVAN VS UNION TERRITORY OF PUDUCHERRY [CRL.A. NO.-004416-004416 - 2025]**

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The ingredients of the offences under Sections 406 and 420 of the Indian Penal Code read with Section 34 were not established against the appellant, who was a minor during the alleged transaction in 2015. Orders dismissing the appellant's discharge application and criminal revision application were quashed, leading to the approval of the discharge application. Proceedings against the appellant based on the FIR were also quashed and set aside.

**ROCKY VS STATE OF TELANGANA [CRL.A. NO.-005252-005252 - 2025]** 

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The Supreme Court dismissed Rocky's appeal against the Telangana High Court's 19.02.2025 order that, while quashing Section 406 IPC, maintained cognizance under Sections 420, 344 and 506 IPC, holding that the criminal proceedings cannot be stifled at the threshold merely because they arise from a 2008-2010 construction contract dispute. The decisive ground is that the disputed No-Dues Certificate of 10.06.2010, whose authenticity the complainant contests, fails the four-step test laid down in Pradeep Kumar Kesarwani v. State of U.P., 2025 SCC OnLine SC 1947, as it is neither of sterling quality nor uncontroverted nor sufficient to negate the prima facie case disclosed by the FIR, charge-sheet and four witness statements alleging inducement to work on assurance of payment that was withheld. Rejecting the argument that the five-year delay and subsequent civil suit render the prosecution mala fide, the Court reiterated the Bhajan Lal principle that Section 482 CrPC power is sparing and exercisable only where allegations are absurd or barred, and that coexistence of civil and criminal remedies is permissible when factual matrix supports both. The Court ultimately held that the High Court correctly found ingredients of cheating, wrongful confinement and criminal intimidation prima facie made out, and declined to re-appreciate evidence in appellate jurisdiction.

**LAXMIKANT SHARMA VS STATE OF M.P. [C.A. NO.-014588-014588 - 2025]** 

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The Supreme Court allowed the appeal against the Madhya Pradesh High Court's judgment affirming termination of a contractual Monitoring and Evaluation Consultant, holding that the appellant possessed requisite qualifications when "postgraduate degree in Statistics" is reasonably construed. The decisive ground was that the appellant's M.Com. degree included Business Statistics and Indian Economic Statistics as principal subjects, coupled with certification from his university and the Director, W.S.O. who expressly confirmed eligibility and recommended continuation. Rejecting the State's rigid interpretation elevating form over substance, the Court found the termination arbitrary as no government university in Madhya Pradesh offers a standalone PG degree titled "Statistics", the 8-member inquiry committee's report was prepared without hearing the appellant violating natural justice, and authorities mechanically relied on this flawed report despite subsequent expert opinion. The Court distinguished Zahoor Ahmad Rather and Shifana P.S. on facts, emphasizing this case involves actual qualification fulfillment rather than seeking equivalence, and held that singling out the appellant while retaining similarly qualified candidates violated Article 14's guarantee against discriminatory treatment. Following GRIDCO Ltd. v. Sadananda Doloi, the Court ruled that even contractual state actions must satisfy constitutional requirements of fairness and non-arbitrariness, set aside the impugned judgment, and directed reinstatement with consequential benefits within four weeks.

**JOTHI @ NAGAJOTHI VS THE STATE, REP. BY THE INSPECTOR OF POLICE [CRL.A. NO.-000259-000259 - 2025]** 

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The Supreme Court dismissed Criminal Appeal No. 259/2025 and affirmed the conviction of appellant Jothi under Sections 8(c) read with 20(b)(ii)(C) and 29(1) of the NDPS Act for possessing 23.500 kg of ganja, holding that procedural deviations did not vitiate the prosecution case. The decisive ground was that the prosecution had established an unbroken chain of custody: samples drawn at the spot by PWs 1-3 were duly sealed, produced before the Magistrate on 20.10.2019, and forwarded to the forensic laboratory where PW-6 detected cannabinoids in intact sealed packets, thereby rebutting allegations of non-compliance with Section 52-A. Rejecting the contention that sampling must occur before a Magistrate, the Court followed Bharat Aambale v. State of Chhattisgarh (2025) 8 SCC 452, which holds that mere non-compliance is fatal only if it compromises substance integrity or creates reasonable doubt. The absence of independent witnesses was held inconsequential under Surinder Kumar v. State of Punjab (2020) 2 SCC 563, as official witnesses corroborated each other without cross-exposure of

contradiction. Minor weight reduction from 50 g to 40.6 g was explained by natural drying, consistent with *Noor Aga v. State of Punjab* (2008) 16 SCC 417. The Court ruled that statutory minimum sentence of ten years' rigorous imprisonment and ₹1 lakh fine for each count cannot be reduced on humanitarian grounds, leaving the appellant to seek executive remission.

**JAYANTIBHAI CHATURBHAI PATEL VS STATE OF GUJARAT [CRL.A. NO.-000890-000891 - 2017]**

**Bench: Justice Sanjay Karol, Justice Vipul M. Pancholi**

The Supreme Court allowed the appeals and set aside the conviction of the appellant-doctor under Section 376(2)(d) IPC, holding that the prosecution failed to prove guilt beyond reasonable doubt. The decisive ground was that the victim (PW-1) and her husband (PW-2) turned hostile and did not support the prosecution's case, and the Court emphasized that conviction cannot be based merely on the FIR or investigating officer's testimony when key witnesses disown their allegations. Rejecting the High Court's presumption that the witnesses were "won over," the Court held such an inference impermissible without evidence. The medical evidence also did not corroborate rape—no injuries were found on the victim's private parts, and semen was absent. Additionally, the panch witnesses (PW-3, PW-4) discredited the recovery of clothes, stating they signed blank papers at police instance. The Court relied on *State of Rajasthan v. Bhawani\** (2003) 7 SCC 291 and *Paramjeet Singh v. State of Uttarakhand\** (2010) 10 SCC 439 to reiterate that hostile witness testimony requires corroboration and courts must be cautious in relying on it. Ultimately, the Court held that the prosecution's case, built on unreliable and unsubstantiated evidence, could not sustain conviction.

**KOLANJIAMMAL (D) THR LRS VS THE REVENUE DIVISIONAL OFFICER PERAMBALUR DISTRICT AND ORS. [C.A. NO.-002322-002322 - 2013]**

**Bench: Justice Satish Chandra Sharma, Justice Vipul M. Pancholi**

The Supreme Court dismissed the appellant's challenge to the auction of her properties under the Tamil Nadu Revenue Recovery Act, 1864, holding that her failure to file applications under Sections 37-A or 38 within the mandatory 30-day period constituted an insurmountable bar to relief. The decisive ground was that the statutory mechanism under Sections 37-A and 38 provides a complete, self-contained remedy for setting aside sales, and the appellant's belated challenge after four years was impermissible. The Court rejected arguments that interim High Court orders rendered statutory applications unnecessary, distinguishing between stay of confirmation and stay of auction itself, and held that parallel writ proceedings cannot excuse non-compliance with mandatory statutory requirements. Following *Rajasthan Housing Board v. Krishna Kumari* (2005) 13 SCC 151, the Court emphasized that interim protection should not frustrate legitimate revenue recovery, while *Valji Khimji v. Official Liquidator* (2008) 9 SCC 299 established that confirmed sales create vested rights immune to collateral attack absent fraud or material irregularity. The Court affirmed that deposits made pursuant to interim orders, absent formal applications under Section 37-A, cannot retrospectively cure procedural non-compliance, and that the 1987 ex-parte decree having attained finality, recovery proceedings were properly initiated. Consequently, the High Court's concurrent findings in writ appeal and review were upheld as neither perverse nor suffering from jurisdictional error.

**GOPAL SINGH VS STATE OF UTTARAKHAND [CRL.A. NO.-001408-001408 - 2014]** 

**Bench: Justice Abhay S. Oka, Justice Ujjal Bhuyan**

The Supreme Court of India allowed the appeal, quashing and setting aside the judgments of the lower courts only with respect to the two appellants, Gopal Singh and Avtar Singh. The Court held that the prosecution failed to establish the identity of the appellants as the accused persons who committed the alleged offenses, as the eyewitness testimonies did not identify them as the accused when they were not present in the court. The other witness testimonies were either hearsay or did not specifically name the appellants. As the identity of the appellants as the accused was not proven, the Supreme Court concluded that this was a case of "no evidence" against them.

**KANGRA CENTRAL COOPERATIVE BANK LIMITED VS THE KANGRA CENTRAL COOPERATIVE BANK  
PENSIONERS WELFARE ASSOCIATION(REGD) [SLP(C) NO.-015870 - 2025]**

**Bench: Justice Ahsanuddin Amanullah, Justice Prashant Kumar Mishra**

The Supreme Court dismissed SLP(C) No.15870/2025 filed by Kangra Central Cooperative Bank Limited against the High Court's dismissal of its review petition, holding the second SLP not maintainable after the petitioner had withdrawn an earlier miscellaneous application seeking recall of the 23.09.2024 dismissal order without reserving liberty to approach the Court again. The decisive ground is that once an SLP is dismissed simpliciter and the subsequent recall application is withdrawn sans fresh liberty, the original High Court judgment attains finality inter partes and cannot be re-agitated under Article 136; the doctrine of merger does not apply to dismissal simpliciter, yet allowing a second bite would offend the public policy of finality embodied in the maxim interest reipublicae ut sit finis litium and amount to abuse of process. Rejecting the Bank's plea of financial peril to 186 pensioners, the Court distinguished *Manisha Nimesh Mehta v ICICI Bank* (2024) 9 SCC 573 and followed *Upadhyay & Co. v State of U.P.* (1999) 1 SCC 81, *T.K. David v Kuruppampady Bank* (2020) 9 SCC 92 and *Satheesh V.K. v Federal Bank* (2025) 259 Comp Cas 354 to hold that Order XLVII Rule 7 CPC bars an appeal against rejection of review and the principle therein extends to Article 136 jurisdiction. While upholding the preliminary objection, the Court, exercising Article 142, capped the Bank's pension liability to 141 retirees and 45 spouses totalling ₹30-35 crores and directed that this cap shall not constitute precedent.

**DHARAMVIR SINGH VS SHRI RAJIV MEHRISHI [C.A. NO.-002375-002375 - 2025]** 

**Bench: Justice B.R. Gavai, Justice Augustine George Masih**

The Supreme Court of India held that the appellant was entitled to the revised pay-scale from 1987, despite the typographical errors in the previous High Court orders. The High Court had initially granted the appellant the revised pay-scale, but erroneously stated that the four-year service requirement was completed in 1997 instead of 1987. While the High Court corrected this error in a review petition, it made the same mistake again. The Supreme Court, noting the obvious errors, partly allowed the appeal and directed the respondents to revise the appellant's pay-scale from August 1987, with arrears paid along with 6% interest within three months.

**GANESAN VS THE STATE OF TAMILNADU REP. BY INSPECTOR OF POLICE [CRL.A. NO.-000860-000860 - 2023]**

**Bench: Justice B.R. Gavai, Justice K. Vinod Chandran**

The Supreme Court of India upheld the appellant's conviction under Sections 498A, 324, and 307 of the Indian Penal Code, but modified the sentence under Section 307 from 12 years of rigorous imprisonment (RI) to 7 years RI. The court found that the appellant had premeditated the attack on his mother-in-law and wife, with clear evidence of his intention. The court discussed the limits on the sentencing powers of the appellate court, stating that it cannot impose a punishment higher than the maximum that could have been imposed by the trial court. The judgment was delivered by a bench of two judges and this appears to be a single case and not a batch matter.

**UNION OF INDIA VS FUTURE GAMING SOLUTIONS P.LTD. AND ANR.ETC [C.A. NO.-004289-004290 - 2013]** 

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court of India upheld the judgments of the High Court of Sikkim, holding that the activities of the lottery distributors (the respondent-assessees) do not constitute a "service" and are thus beyond the purview of "taxable service" under the Finance Act, 1994. The Court found that the activity of promotion, marketing, organizing or assisting in organizing games of chance including lottery falls within the expression "betting and gambling" under Entry 62 of List II of the Seventh Schedule of the Constitution. Consequently, the power to levy any tax on such activity lies exclusively with the State Legislature, and Parliament lacks the legislative competence to impose service tax on these activities. The Court rejected the arguments of the Union of India and observed that the amendments made to the Finance Act, 1994 over the years to impose service tax on the lottery distributors were unsuccessful, as the relationship between the State Government and the distributors was found to be one of principal-to-principal, and not principal-agent.

**SARITA CHOUDHARY VS HIGH COURT OF MADHYA PRADESH [W.P.(C) NO.-000142 - 2024]** 

**Bench: Justice B.V. Nagarathna, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court held that the termination of services of the two petitioner judicial officers, Ms. Sarita Choudhary and Ms. Aditi Kumar Sharma, was punitive and arbitrary, violating principles of natural justice. The Court found that their ACRs and the complaints against them were not properly considered, and the termination was founded on misconduct allegations rather than solely on their performance. Accordingly, the Court set aside the termination orders and directed the High Court to reinstate the petitioners within 15 days with continuity in service, though without backwages for the period of termination. The Court also directed the High Court to deal with the pending complaints against the petitioners in accordance with law.

**ZON HOTELS PVT. LTD. VS GOA COASTAL ZONE MANAGEMENT AUTHORITY [C.A. NO.-009328 - 2022]** 

**Bench: Justice B.V. Nagarathna, Justice Prasanna B. Varale**

The Supreme Court held that the Goa Coastal Zone Management Authority's (GCZMA) order determining environmental compensation payable by the appellant was in violation of the principles of natural justice, as the appellant was not provided an opportunity to be heard before the determination. The National Green Tribunal (NGT) erred in sustaining the GCZMA's order instead of remanding the matter back to the GCZMA for fresh determination after hearing the appellant. The Supreme Court set aside the NGT's order, construed the GCZMA's earlier order as a show cause notice, and directed the GCZMA to re-determine the environmental compensation payable after providing the appellant an opportunity to reply and be heard.

**JAI RAM VS SOM PRAKASH [C.A. NO.-001416-001417 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court held that the High Court erred in setting aside the order of the District Court that had revoked the grant of probate in favor of respondent Som Prakash. The Supreme Court found that the High Court should not have considered the issue of limitation under Article 137 of the Limitation Act, 1963, as the respondents had not raised this plea before the District Court and there was no evidence on record regarding the limitation issue. In the absence of any pleading or evidence on the limitation aspect, the High Court could not have set aside the District Court's order on this ground.

The Supreme Court has set aside the High Court's order and restored the appeals before the High Court, directing it to consider the appeals purely on merits without going into the question of limitation. The Supreme Court has held that all contentions on the merits of the appeals are reserved for the parties to raise before the High Court.

**BINOD KUMAR SINGH VS NATIONAL INSURANCE COMPANY LTD. THROUGH MANAGING DIRECTOR [C.A. NO.-002214-002214 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court of India allowed the appeal filed by the truck owner against the National Insurance Company, holding that the truck was covered under a valid All India Permit (National Permit) at the time of the fire incident in 2014. The Court found that the insurance company's ground for repudiating the claim, i.e., non-payment of authorization fee beyond 14.10.2013, was frivolous as the truck was being used within the state of Bihar where it was registered, and the authorization fee was only required when the truck moved out of the state. The Court directed the insurance company to process the claim and pay the amount to the appellant along with 9% interest per annum from the date of the complaint.

**C.S. UMESH VS T.V. GANGARAJU [C.A. NO.-002278-002279 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court set aside the judgments of the High Court's Division Bench and the Single Judge, finding fault with the procedure adopted by the appellant in seeking a modification of the earlier order through an oral mention. The Court held that the appellant's unilateral oral request for modification, without proper notice to the respondents, was improper and in violation of principles of natural justice. The Court restored the writ petition to the High Court, directing it to be heard afresh in accordance with law. While not making any observations on the merits, the Court awarded costs against the appellant for the inappropriate procedure followed.

**HARI NANDAN SINGH VS THE STATE OF JHARKHAND [CRL.A. NO.-000683-000683 - 2025]** 

**Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court of India allowed the appeal and discharged the appellant, Hari Nandan Singh, from the charges under Sections 353, 298, and 504 of the Indian Penal Code. The court found that the essential ingredients of these offences were not made out based on the facts presented in the FIR. The court set aside the previous orders of the lower courts and held that the appellant should be discharged from all three offences.

**SUNEETI TOTEJA VS STATE OF U.P. [CRL.A. NO.-000975-000975 - 2025]****Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

The Supreme Court, in a judgment delivered by a three-judge bench, held that the appellant, a government employee, was acting in her official capacity as the Presiding Officer of the Internal Complaints Committee when she filed a counter-affidavit before the Central Administrative Tribunal, and therefore prior sanction for prosecution under Section 197 of the Code of Criminal Procedure was required. The court rejected the arguments on "deemed sanction", finding that the lack of a timely decision on sanction cannot be considered equivalent to sanction being granted. Since the competent authority (Bureau of Indian Standards) had eventually denied sanction for prosecution of the appellant, the court quashed the chargesheet, summoning order and subsequent proceedings against the appellant.

**SACHIN VS STATE OF MAHARASHTRA [CRL.A. NO.-002073-002075 - 2025]****Bench: Justice B.V. Nagarathna, Justice Satish Chandra Sharma**

Orders convicting and sentencing the appellant were found to be erroneous, leading to the restoration of the original 7-year rigorous imprisonment sentence. Since the appellant had already served 11 years and 8 months, exceeding the sentence, an immediate release from jail was ordered to ensure complete justice. The pending appeal in the High Court was rendered unnecessary.

**THE STATE OF JHARKHAND VS SUNNY KUMAR @ SUNNY KUMAR SAO [CRL.A. NO.-000538-000538 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Supreme Court set aside the High Court's order granting bail to the respondent-accused, Sunny Kumar, in a case registered under Section 18 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act. The Court noted that the respondent-accused was involved in another NDPS case after being granted bail in the present case. The Court held that the rigors of Section 37 of the NDPS Act would apply, regardless of the quantity of the alleged contraband being only of an intermediate quantity. The Court directed the respondent-accused to be taken into custody in the present case and ordered the Trial Court to expedite the trial and conclude it within four months.

**HITESH UMESHBHAI MASHRU VS THE STATE OF GUJARAT [CRL.A. NO.-000812-000812 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The Supreme Court of India, in a bench of two judges, has allowed the appeal filed by Hitesh Umeshbhai Mashru, the appellant, against the High Court's rejection of his application for anticipatory bail. The Court noted that the charge-sheet has already been filed in the case, where the appellant is accused of offences under Sections 493 and 376(2)(n) of the Indian Penal Code, based on a complaint filed by the prosecutrix (respondent no.2). The Court, without expressing any opinion on the merits of the case, has directed that in the event of the appellant's arrest, he shall be released on bail on such terms and conditions as may be imposed by the Trial Court, subject to his continued cooperation with the investigation. The Court has also made it clear that the respondent-State shall be at liberty to file an appropriate application seeking the cancellation of bail if the appellant violates or breaches any of the conditions imposed by the Trial Court.

**STATE (NCT) OF DELHI VS RAJEEV SHARMA [CRL.A. NO.-000608-000608 - 2021]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The term "imprisonment for a term of not less than ten years" in Section 167(2)(a)(i) of the Code of Criminal Procedure includes offenses with a maximum punishment of 14 years, even without a minimum. The State's appeal was dismissed, and the High Court's decision to grant the respondent bail under Section 167(2) was upheld due to the expiration of the 90-day investigation period. The trial court was directed to expedite the trial.

**THE STATE OF PUNJAB VS HARI KESH [CRL.A. NO.-000104-000104 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

The High Court's decision to quash the sanction order and set aside the proceedings was improper, as the trial had already commenced and several witnesses had been examined. Under Section 19 of the Prevention of Corruption Act, interference with the Special Judge's order is only permissible if a failure of justice is established, which the High Court did not address. The case proceeded, restoring the Special Court's proceedings and allowing the respondent-accused to raise issues regarding the sanction during the trial.

**MAMTA KAUR VS STATE OF PUNJAB [CRL.A. NO.-000136-000136 - 2025]**

**Bench: Justice Bela M. Trivedi, Justice Prasanna B. Varale**

Mamta Kaur's appeal regarding her anticipatory bail petition was accepted after the High Court rejected it in a case under Section 306 of the Indian Penal Code. If arrested in connection with the FIR, she will be eligible for bail under terms set by the Trial Court.

**RIKHAB CHAND JAIN VS UNION OF INDIA [C.A. NO.-006719-006719 - 2012]**

**Bench: Justice Dipankar Datta, Justice Aravind Kumar**

The Supreme Court dismissed the appeal holding that the High Court rightly refused to entertain the writ petition under Article 226 where the appellant had failed to pursue the equally efficacious statutory remedy of reference under Section 130A of the Customs Act, 1962 within the 180-day limitation period against the CEGAT order dated 23.6.2000, thereby disabling himself through his own default. The decisive ground is that when the alternative forum designated by statute is the same High Court in a different jurisdiction, bypassing that machinery by invoking writ jurisdiction must be declined, following *Thansingh Nathmal v. A. Mazid* (1964) and *A. V. Venkateswaran v. Ramchand Sobhraj Wadhvani* (1961) which mandate exhaustion of statutory remedies and deny discretionary relief where the right is lost through the petitioner's laches. The Court rejected the contention that the writ was maintainable because the confiscation order had not been considered by CEGAT, finding no proper pleading or verified assertion that this point was raised and ignored; mere mention under "grounds" without sworn verification is insufficient. The belated invocation eighteen months after the limitation expired violated the principle that even under Article 226 the writ must be moved within a reasonable period indicated by the statutory limitation, and delay cannot be excused by invoking parallel remedies.

**KRISHNAKANT KWIVEDY VS STATE OF CHHATTISGARH [CRL.A. NO.-003452-003452 - 2025]****Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The High Court's order quashing criminal proceedings against the 2nd, 3rd, and 4th respondents in a dowry case was set aside. The allegations in the FIR were found to disclose prima facie offenses under the Dowry Prohibition Act, 1961. Claims of misrepresentation and malafide intent by the respondents were deemed factual issues to be resolved at trial. Criminal proceedings are to continue according to law.

**ABHISHEK GUPTA VS DINESH KUMAR [C.A. NO.-014545-014546 - 2025]****Bench: Justice Dipankar Datta, Justice Augustine George Masih**

The Supreme Court held that an intra-court special appeal under Chapter VIII Rule 5 of the Allahabad High Court Rules, 1952 is maintainable at the instance of a non-party whose rights are directly prejudiced by a Single Judge's Article 226 order, and set aside the Division Bench judgment dated 30-10-2025 that had dismissed the appellant's special appeal as barred. The decisive ground is that Rule 5, which ordinarily excludes a further appeal against an order passed in writ jurisdiction, must yield to the overriding principles of natural justice and the maxim ubi jus ibi remedium; since the appellant – a fair-price-shop licensee who had replaced respondent No. 1 – was never impleaded in the writ petition yet faced divestiture by the Single Judge's 10-06-2025 judgment, the denial of any appellate remedy would amount to shutting out an affected party without hearing. Rejecting the respondents' suppression plea and distinguishing Sheet Gupta v. State of U.P., AIR 2010 All 46 (FB) which had construed Rule 5 but never dealt with non-party prejudice, the Court applied Smt. Jatan Kanwar Golcha v. Golcha Properties (P) Ltd., AIR 1971 SC 374 and State of Punjab v. Amar Singh, AIR 1974 SC 994 to hold that an appeal lies if the impugned order is binding or adverse to the non-party appellant. The special appeal is restored to file for expeditious disposal on merits; the fair-price-shop shall abide by the outcome, with liberty to both sides to agitate all contentions.

**THE SUPERINTENDENT OF PRISON VS VENKATESAN @ SENU @ SRINIVASAN @ BASKARAN @ RADIO @ PRAKASAM [CRL.A. NO.-001371-001371 - 2025]** [↗](#)

**Bench: Justice Dipankar Datta, Justice Manmohan**

The grant of set-off for pre-sentence detention to respondents Venkatesan and Ravichandran under Section 428 of the Code of Criminal Procedure was deemed not maintainable. A previous Supreme Court decision relied upon by the High Court had conflicting views that could not be reconciled. The matter is referred to a larger bench for authoritative interpretation of Section 428, and the High Court's order for set-off is stayed pending further orders.

**BISWAJIT DAS VS CENTRAL BUREAU OF INVESTIGATION [CRL.A. NO.-002052-002052 - 2014]** [↗](#)

**Bench: Justice Dipankar Datta, Justice Manmohan**

The conviction of the appellant under the Indian Penal Code and the Prevention of Corruption Act for fraudulently obtaining insurance claim settlements was upheld. The appeal was broadened to address all legal contentions raised. Although the conviction was maintained, the sentence was partially altered, resulting in no requirement for the appellant to serve the remainder of his prison term due to time already served. This case involved multiple accused persons.

**THE STATE OF KARNATAKA VS T.N. SUDHAKAR REDDY [CRL.A. NO.-005001-005001 - 2024]** 

**Bench: Justice Dipankar Datta, Justice Sandeep Mehta**

The Supreme Court of India held that a preliminary inquiry is not mandatory in every case under the Prevention of Corruption Act, as the source information report submitted to the Superintendent of Police prima facie disclosed the commission of a cognizable offence by the public servant.

The court further held that the Superintendent of Police's composite order directing registration of the FIR and authorizing the Deputy Superintendent of Police to conduct the investigation was valid, as it was a well-reasoned order demonstrating application of mind, contrary to the High Court's finding that it was passed in a mechanical manner.

The Supreme Court thus allowed the appeal, set aside the High Court's judgment quashing the FIR, and restored the FIR against the respondent.

**SAMIULLAH VS THE STATE OF BIHAR [C.A. NO.-013429-013429 - 2025]** 

**Bench: Justice J.B. Pardiwala, Justice K.V. Viswanathan**

The Supreme Court struck down Rules 19(xvii) and (xviii) of the Bihar Registration Rules, 2008 as ultra vires Section 69 of the Registration Act, 1908, holding that requiring production of jamabandi/holding allotment proof as a precondition for registering sale deeds constitutes an impermissible collateral inquiry into title. The decisive ground was that the Registration Act mandates registration of documents, not titles, and the impugned sub-rules empower registering authorities to adjudicate ownership—an exercise beyond their statutory competence under the Act’s scheme. Rejecting the State’s contention that mutation certificates merely identify property, the Court held that making them mandatory when 95% of jamabandis name deceased persons and surveys remain incomplete since 1911 arbitrarily restricts the constitutional right to alienate property under Article 300A. Distinguishing *K. Gopi v. Sub-Registrar*, the Court emphasized that while Section 21 requires sufficient property description, it cannot compel proof of mutation which neither creates nor proves title. The judgment reaffirmed that mutation entries are merely fiscal records rebuttable in civil suits, and directed the Law Commission to examine blockchain-based conclusive titling to remedy the presumptive system perpetuating 66% of civil litigation. The Court quashed the 2019 amendment and constituted a committee to integrate registration with guaranteed title using emerging technologies.

**K. KRISHNAMURTHY VS THE DEPUTY COMMISSIONER OF INCOME TAX [C.A. NO.-002411-002411 - 2025]** 

**Bench: Justice J.B. Pardiwala, Justice Manmohan**

The Supreme Court of India held that the imposition of penalty under Section 271AAA of the Income Tax Act, 1961 is not automatic and the Assessing Officer must satisfy certain conditions precedent before levying the penalty. The Court ruled that while the assessee admitted an undisclosed income of Rs.2,27,65,580/- during the search and complied with the conditions under Section 271AAA(2), the penalty is leviable at the rate of 10% on the additional undisclosed income of Rs.2,49,90,000/- that was not admitted during the search but was disclosed later during the assessment proceedings. The Court directed the assessee to pay the penalty accordingly.

**NIRMITI DEVELOPERS THROUGH ITS PARTNERS VS THE STATE OF MAHARASHTRA [C.A. NO.-003238-003239 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

The Supreme Court held that the reservation of the plot in question had lapsed due to the failure of the appropriate authority to acquire the land within the timelines prescribed under Sections 49 and 127 of the Maharashtra Regional and Town Planning Act, 1966. The court analyzed the provisions of Sections 49 and 127 in detail and found that under both sections, the reservation would have lapsed as the authorities failed to acquire the land within the prescribed one-year period after the confirmation of the purchase notice. The court also noted the gross delay of almost 30 years in acquiring the land and stated that it would have declared the reservation to have lapsed even under Article 142 to do complete justice. Accordingly, the Supreme Court allowed the appeals, set aside the High Court's order, and declared that the reservation of the plot had lapsed due to the authorities' failure to acquire the land within the statutory timelines.

**AMIT KUMAR VS UNION OF INDIA [CRL.A. NO.-001425-001425 - 2025]**

**Bench: Justice J.B. Pardiwala, Justice R. Mahadevan**

Discharge of appellants from charges under Sections 420 and 120B IPC was valid due to lack of evidence for deliberate withholding of information or conspiracy. The AICTE approved the 'Business School of Delhi' with knowledge of the bank loan and land mortgage, and no AICTE official was implicated. The CBI's petition under Section 482 Cr.P.C was maintainable, but not appropriate when a statutory remedy under Section 397 Cr.P.C was available.

**AIRPORTS AUTHORITY OF INDIA VS PRADIP KUMAR BANERJEE [C.A. NO.-008414-008414 - 2017]** 

**Bench: Justice J.K. Maheshwari, Justice Sandeep Mehta**

The Supreme Court held that the High Court's Division Bench erred in interfering with the concurrent findings of the Disciplinary Authority and Appellate Authority, as affirmed by the learned Single Judge. The Court observed that in departmental inquiries, the standard of proof is preponderance of probabilities, which is different from the "beyond reasonable doubt" standard required in criminal proceedings. The Court further held that the Division Bench's finding of bias against the Disciplinary Authority was also erroneous, as the appeal was heard by a special sub-committee and not the Chairperson who had acted as the Disciplinary Authority. The Supreme Court set aside the impugned judgment of the Division Bench and restored the dismissal order passed against the respondent-employee.

**UNION TERRITORY OF J AND K (PREVIOUSLY STATE OF JAMMU AND KASHMIR) VS RAJA MUZAFFAR BHAT [C.A. NO.-008055 - 2022]****Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

A District Survey Report (DSR) lacking a proper replenishment study cannot serve as the basis for granting environmental clearance for sand mining activities. The J&K Expert Appraisal Committee and the J&K Environment Impact Assessment Authority incorrectly approved environmental clearance using an incomplete DSR. Appeals by the Union Territory of J&K, the National Highways Authority of India, and the project proponent were dismissed, affirming the decision to set aside the environmental clearance.

**EDCONS(MKS) CASTINGS P.LTD. VS WEST BENGAL STATE ELECT.BD.. [C.A. NO.-002592-002592 - 2013]****Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The West Bengal State Electricity Board was not justified in withdrawing the 25% concession on the total energy charge granted to EDCONS (MKS) Castings Pvt. Ltd. as per the agreement dated 18.01.1999. The decision made on 16.11.2000 was deemed unsustainable, illegal, and arbitrary since the Board had previously recognized the appellant as a 'New Industry' and could not unilaterally alter the agreement after more than two years. The Board is directed to provide the agreed 25% concession for three years.

**SINGAMASETTY BHAGAVATH GUPTHA VS ALLAM KARIBASAPPA(D) BY LRS./ALLAM DODDABASAPPA (D) BY LRS. [C.A. NO.-012048-012049 - 2018]****Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The High Court erred in reversing the District Court's findings that certain documents related to an offer and acceptance were fabricated. The District Court's dismissal of an application to transfer the appellant's share in a partnership firm was restored, along with the cancellation of a transfer deed dated 11.03.1983. The High Court's misapprehension of the evidence and its incorrect assumptions about the finality of orders and transactions were noted. Appeals by the appellants were allowed, while the respondents' appeals against the High Court's judgment were dismissed.

**ATOMBERG TECHNOLOGIES PRIVATE LIMITED VS EUREKA FORBES LIMITED [T.P.(C) NO.-001983 - 2025]****Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The patent infringement suit filed by Eureka Forbes Limited against Atomberg Technologies Private Limited will be transferred to the Bombay High Court, where Atomberg's earlier suit for "Groundless Threat of Infringement" is pending. The issues and evidence in both suits substantially overlap, and consolidating them in the same forum will ensure consistency and prevent conflicting judgments. Atomberg's transfer petition is allowed, while Eureka Forbes' petition to move the "Groundless Threat" suit to Delhi is dismissed.

**TALLI GRAM PANCHAYAT VS UNION OF INDIA [C.A. NO.-000731 - 2023]****Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court dismissed the appeal holding that limitation under Section 16(h) of the National Green Tribunal Act, 2010 commences from the earliest date when environmental clearance is communicated by any duty bearer, applying the principle of first accrual from *Khatri Hotels (P) Ltd. v. Union of India* (2011) 9 SCC 126. The decisive ground was that MoEF&CC uploaded the EC on its website on 05.01.2017, making it publicly accessible and completing communication, rendering the appeal filed on 19.04.2017 hopelessly barred despite the appellant's RTI-based knowledge claim dated 14.02.2017. Rejecting the contention that incomplete newspaper publication vitiated communication, the Court held that substantial compliance under Clause 10 of EIA Notification 2006 requires only publication of the factum of EC with substance of conditions, not entire text, following *Save Mon Region Federation v. Union of India* 2013(1) All India NGT Reporter 1 and *Medha Patkar v. Ministry of Environment & Forests* 2013 SCC Online NGT 63 which establish that when multiple stakeholders have concurrent communication obligations, limitation triggers from the earliest completed act. The Court affirmed that environmental

clearances operate in rem and cannot be frustrated by selective reliance on later communications, emphasizing that limitation must operate with rigour once the right to sue first accrues.

**BALAJI STEEL TRADE VS FLUDOR BENIN S.A [ARBIT.PETITON NO.-000065 - 2023]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court dismissed the Section 11(6) petition seeking appointment of an Indian arbitrator, holding that the Buyer-Seller Agreement (BSA) between an Indian partnership and Fludor Benin S.A. constituted an international commercial arbitration under Section 2(1)(f) with Benin as the juridical seat and Benin law as curial law, thereby ousting Part I of the Arbitration and Conciliation Act, 1996 by force of Section 2(2). The decisive ground was that the BSA's arbitration clause, reinforced by Article 5 of the Addendum, expressly designated Benin as seat and governing law, while subsequent Sales Contracts and HSSAs with other group entities were merely ancillary, consignment-specific instruments that neither novated the BSA nor created a composite dispute attracting the group-of-companies doctrine. Rejecting arguments of Indian-seat inference from later contracts or invocation of the group-of-companies doctrine, the Court applied BALCO, Mankastu Impex, BGS SGS SOMA and PASL Wind to affirm that Indian courts lack jurisdiction to appoint arbitrators for foreign-seated arbitrations. It further held the petitioner estopped by the Delhi High Court's dismissal of the anti-arbitration injunction suit under Section 45, which had already concluded that the BSA was the operative "mother agreement" and that no novation or composite transaction existed. Consequently, the petition was dismissed with parties bearing their own costs.

**ADARSH SAHKARI GRIH NIRMAN SWAWLAMBI SOCIETY LTD VS THE STATE OF JHARKHAND [C.A. NO.-014585-014585 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court allowed the appeal and set aside the Jharkhand High Court's judgment, holding that the Principal Secretary's Memo No. 494 dated 20.02.2009 mandating Assistant Registrar's recommendation as a pre-condition for stamp duty exemption under Section 9A of the Indian Stamp (Bihar Amendment) Act, 1988 is illegal. The decisive ground is that once a cooperative society is registered under Section 5 of the Jharkhand Self-Supporting Cooperative Societies Act, 1996, the registration certificate under Section 5(7) constitutes conclusive evidence of its existence as a body corporate under Section 6, rendering any additional verification requirement superfluous and based on irrelevant considerations. The Court rejected the State's contention that the requirement prevents misuse by fake societies, emphasizing that administrative decisions imposing unnecessary burdens without value addition violate principles of good governance and ease of doing business. Applying the administrative law principle that executive actions based on irrelevant considerations are illegal, the Court held that the Memo's requirement disrupts transactional efficiency contrary to Section 9A's object of promoting cooperative movement through stamp duty exemption on premises transfers to members. The Court ultimately ruled that statutory authorities must accept the registration certificate as conclusive proof without demanding additional recommendations, setting aside the impugned Memo and restoring the cooperative society's right to seamless registration of transfer documents.

**THE STATE OF JHARKHAND VS THE INDIAN BUILDERS JAMSHEDPUR [C.A. NO.-008261-008262 - 2012]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court in Civil Appeal Nos. 8261-8262 of 2012 (State of Jharkhand v. Indian Builders Jamshedpur) held that contractual prohibitory clauses barring claims for idle labour, machinery, and business losses bind arbitral tribunals, rejecting the High Court's reliance on Bharat Drilling. The decisive ground was that clauses 4.20.2 and 4.20.4 expressly excluded such claims, and party autonomy under Section 31(7) of the Arbitration and Conciliation Act, 1996 permits parties to contractually restrict arbitrable claims. The Court rejected the respondent's contention that Bharat Drilling (2009) 16 SCC 705 immunized arbitrators from contractual bars, distinguishing it as dealing merely with interest under

Section 31(7), not prohibited claims. Emphasizing that contract is the foundation of legal relations, the Court applied Pam Developments (2024) 10 SCC 715 which held arbitrators must respect express contractual exclusions, and CORE (2024) INSC 857 which declared party autonomy the "backbone" of arbitration. Finding Bharat Drilling's extension to prohibited claims erroneous, the Court referred it to a larger bench for reconsideration, set aside the High Court's judgment restoring the award on claims 3, 4 and 6, and dismissed the respondent's claims as contractually barred, upholding the Civil Court's order under Section 34.

**NATIONAL COOPERATIVE DEVELOPMENT CORPORATION VS ASSISTANT COMMISSIONER OF INCOME TAX [C.A. NO.-004612-004612 - 2014]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court dismissed NDC's appeals, holding that dividend income, bank deposit interest, and SDF service charges do not qualify for deduction under Section 36(1)(viii) of the Income Tax Act, 1961 as they are not "profits derived from the business of providing long-term finance." The decisive ground is that the 1995 Finance Act deliberately replaced "total income" with the restrictive phrase "derived from" to ring-fence the fiscal benefit exclusively to profits from core long-term lending activity, defined as loans/advances repayable with interest after five years. Rejecting the appellant's "integrated business" plea, the Court applied Cambay Electric (1978) 2 SCC 644 and Orissa Warehousing (1999) 4 SCC 197 to hold that "derived from" demands a direct, first-degree nexus, narrower than "attributable to," and excludes ancillary or second-degree income. Dividends on redeemable preference shares, being return on share capital, cannot be equated with interest on loans (Bacha F. Guzdar (1954) 2 SCC 563). Interest on short-term deposits of idle funds and service charges for administering government-funded SDF loans are merely attributable, not derived from, long-term finance business. Consequently, all ten civil appeals were dismissed with no order as to costs.

**M/S ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED (APGENCO) VS M/S TECPRO SYSTEMS LIMITED [C.A. NO.-014836-014836 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court dismissed APGENCO's appeals and upheld the Telangana High Court's order under Section 11(6) of the Arbitration and Conciliation Act, 1996 appointing an Arbitral Tribunal, ruling that at the referral stage the court need only be prima facie satisfied of the existence of an arbitration agreement and cannot conduct a mini-trial on whether an individual consortium member may invoke it. The Court emphasized that Section 11(6-A) confines judicial scrutiny to the existence, not the validity or enforceability, of the arbitration clause; all substantive objections—whether the Consortium alone is "Contractor" under Clause 1.1.63 GCC, whether Purchase Orders' exclusive civil-court jurisdiction clauses supersede the GCC arbitration clause, whether a member that lost lead status and is under liquidation can sue, and whether other members' consent is required—are for the Tribunal under Section 16 kompetenz-kompetenz. Following Cox & Kings Ltd. v. SAP India Pvt. Ltd. (2024) 4 SCC 1 and the Constitution Bench in In re Interplay Between Arbitration Agreements under Arbitration and Conciliation Act, 1996 and Stamp Act, 1899 (2024) 6 SCC 1, the Court held that once the GCC Clause 22.2 arbitration clause is prima facie traceable and the claimant member is prima facie a "party," reference is mandatory; detailed examination of consortium agreement terms, severability of obligations, and insolvency impact must await the arbitral forum.

**M.K. RANJITSINH VS UNION OF INDIA [W.P.(C) NO.-000838 - 2019]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court in M.K. Ranjitsinh v. Union of India (2025 INSC 1472) accepted the expert committee's balanced blueprint for saving the critically-endangered Great Indian Bustard without throttling India's renewable-energy transition, directing that the revised priority habitat be frozen at 14,013 km<sup>2</sup> in Rajasthan and 740 km<sup>2</sup> in Gujarat where no new overhead lines (except 11 kV and below), no wind

turbines and no solar parks above 2 MW shall be permitted; all 80 km of 33 kV lines identified by the Wildlife Institute of India must be undergrounded within two years, 66 kV and above lines re-routed through dedicated 5-km corridors, while 11 kV lines shall use insulated horizontal cables, rejecting pleas for blanket bird-flight-diverters until their efficacy is scientifically proven and holding that corporate environmental responsibility under Section 135 read with Section 166(2) of the Companies Act 2013 and Article 51A(g) of the Constitution obliges generators to internalise extinction-risk costs, following the “species-best-interest” standard laid down in Centre for Environmental Law, WWF-India v. Union of India (2013) 8 SCC 234 and reiterating that the State shall consider alternate land for projects already allotted inside the priority belt, with the Inspector-General (Wildlife), MoEFCC, tasked to oversee completion of mitigation works by 31 December 2027.

**THE SUPERINTENDING ENGINEER OPERATION TELANGANA STATE SOUTHERN POWER DISTRIBUTION COMPANY LTD. VS CH. BHASKARA CHARY [C.A. NO.-004724-004724 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The High Court's reliance on a seniority list rather than simply a list of eligible candidates is upheld. The argument from the appellant is rejected, maintaining that the respondent's case should be considered equally with other candidates who had less experience. The genuineness of the respondent's service certificate and the availability of vacancies are left for the appellant to resolve upon reconsidering the respondent's case. Specific directions are given for swift action on this matter, emphasizing the need to evaluate the respondent's situation in light of relevant facts.

**SHAH SAMIR BHARATBHAI VS THE STATE OF GUJARAT [C.A. NO.-011028-011028 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

Contractually appointed Assistant Professors are entitled to the minimum pay scale of regularly appointed counterparts based on the principle of 'equal pay for equal work'. Payment of arrears will be calculated at 8% from three years prior to the filing of writ petitions. Multiple civil appeals concerning pay parity for contractually appointed Assistant Professors have been addressed together.

**ALL INDIA FOOTBALL FEDERATION VS RAHUL MEHRA [SLP(C) NO.-030748-030749 - 2017]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Joymalya Bagchi**

The proposed constitution of the All India Football Federation (AIFF) must be adopted with modifications to align with the National Sports Development Code and good governance principles. Key issues addressed include the inclusion of eminent players in the general body, eligibility criteria, definitions of "office-bearers," the number of vice-presidents, disqualification events, "conflict of interest," applicability to state associations, delegation of powers, promotion and relegation principles, relevance of BCCI judgments, amendments to the constitution, and the status of the current administration. The AIFF is required to implement the modified constitution within 4 weeks, marking a new beginning for Indian football.

**MUKESH PRASAD SINGH VS THE THEN RAJENDRA AGRICULTURAL UNIVERSITY (NOW DR. RAJENDRA PRASAD CENTRAL AGRICULTURAL UNIVERSITY) [C.A. NO.-003547-003547 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The appellant, a former employee of Rajendra Agricultural University, is entitled to benefits from the General Provident Fund-cum-pension-cum-gratuity scheme because he did not opt for the Contributory Provident Fund scheme within the required timeframe. The default retiral scheme for employees is the General Provident Fund-cum-pension-cum-gratuity scheme unless a specific option for the alternative scheme is selected. Previous High Court decisions support this interpretation. The University is directed to provide the appellant with the relevant retiral benefits.

**C PRABHAKAR RAO AND ANR VS SAMA MAHIPAL REDDY AND ANR [C.A. NO.-003548-003548 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court correctly condoned the delay in filing an application to set aside the ex-parte decree but mistakenly restored the suit without assessing the merits of the application. The procedures for condoning delay and setting aside an ex-parte decree are distinct and should be addressed independently. The direction to restore the suit was set aside, with instructions for the Trial Court to evaluate the application on its own merits.

**D.P.C.C. VS LODHI PROPERTY CO. LTD.ETC. [C.A. NO.-000757-000760 - 2013]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The Delhi Pollution Control Committee and similar regulatory boards can impose and collect restitutionary or compensatory damages as fixed sums or bank guarantees to prevent environmental damage under Sections 33A of the Water Act and 31A of the Air Act. This power is distinct from penalties that require judicial procedures. The action is supported by the Polluter Pays principle and the obligation to address environmental damage. The process for imposing such measures must adhere to principles of transparency and fairness, detailed in subordinate legislation that reflects natural justice principles. A previous decision by the High Court, which upheld that the boards lacked authority to levy environmental damages, has been reversed based on this legal principle.

**MOHAMMED ENTERPRISES (TANZANIA) LTD. VS FAROOQ ALI KHAN [C.A. NO.-000048-000048 - 2025]**

**Bench: Justice Pamidighantam Sri Narasimha, Justice Manoj Misra**

The High Court should not have entertained a writ petition from a suspended director of a corporate debtor challenging an approved resolution plan by the Committee of Creditors (CoC) due to his delay in approaching the court despite being aware of the grounds earlier. The director was advised to pursue statutory remedies under the Insolvency and Bankruptcy Code (IBC), which serves as a complete code with adequate checks and balances. The order of the High Court was set aside, and the Adjudicating Authority was directed to complete the Corporate Insolvency Resolution Process (CIRP) proceedings expeditiously.

**PRADEEP ARORA VS DIRECTOR, HEALTH DEPARTMENT [C.A. NO.-014742-014742 - 2025]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice R. Mahadevan**

The Supreme Court held that the appellant's claim under the Pradhan Mantri Garib Kalyan Yojana insurance scheme was maintainable as there was sufficient evidence of requisitioning of services under Regulation 10 of the Maharashtra COVID-19 Regulations, 2020 issued under Sections 2, 3 and 4 of the Epidemic Diseases Act, 1897. The decisive ground was that the NMMC notice dated 31.03.2020, which directed Dr. Surgade to keep his dispensary open during lockdown and warned of prosecution under Section 188 IPC for non-compliance, constituted valid requisitioning of services for COVID-19 duties, distinguishing this from merely encouraging clinics to remain operational. Rejecting the High Court's narrow interpretation, the Court ruled that in unprecedented pandemic circumstances, requisitioning could be inferred from executive actions and statutory powers exercised, not just individual appointment letters, particularly when read conjointly with the PMGKY-Package scheme's inclusive coverage of private healthcare workers requisitioned by States. The Court emphasized that the scheme's purpose was to assure frontline workers and cannot be defeated by overly technical requirements of specific requisition documents. Following the principle of liberal interpretation in pandemic situations, the Court directed that individual claims must be decided based on credible evidence establishing that the deceased actually performed COVID-19-related duties, with claimants bearing the burden of proof. The appeal was disposed of with these observations, partially modifying the High Court's judgment.

**P. RAMMOHAN RAO VS K. SRINIVAS [C.A. NO.-002717-002719 - 2025]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The Supreme Court of India held that the period of officiating service (1990–2005) of the appellants, who were appointed as temporary Assistant Executive Engineers (AEEs) between 1990–1992, should be counted for determining their seniority over the 1997 batch of regularly appointed AEEs (private respondents). The court found that the appellants' case fell under Proposition (B) of the Direct Recruit Class II Engg. Officers' Association judgment, where the initial appointment was not made as per the rules but the appointee continued uninterruptedly until regularization. The court rejected the High Court's reasoning that the state government became "functus officio" after the initial G.O.M. No. 234 in 2005 and could not have issued the revised G.O.M. No. 262 in 2006 to provide seniority to the 1990–1992 batch. The court also rejected the need for hearing the private respondents before issuing the revised G.O.M. Consequently, the Supreme Court allowed the appeals, set aside the High Court's judgment, and upheld the validity of G.O.M. No. 262, which granted seniority to the appellants appointed between 1990–1992 over the 1997 batch of regularly appointed candidates.

**CMJ FOUNDATION VS THE STATE OF MEGHALAYA [C.A. NO.-009694-009694 - 2024]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The Supreme Court of India held that the appointment of the Chancellor of the CMJ University was invalid as it was not approved by the Visitor (Governor of Meghalaya) as required under the Act. The court found that the dissolution order dated 31st March, 2014 passed by the State Government was in accordance with the procedure laid down under Section 48 of the CMJ University Act, 2009 and the directions issued by the Supreme Court. The court also held that the Division Bench of the High Court was not justified in remanding the matter to the Single Judge for reconsideration on merits, after upholding the validity of the dissolution order. Accordingly, the Supreme Court dismissed the appeal filed by the CMJ Foundation and allowed the appeal filed by the State Government, thereby affirming the dissolution of the CMJ University.

**BSES RAJDHANI POWER LTD. VS DELHI ELECTRICITY REGULATORY, COMMISSION [C.A. NO.-004906-004906 - 2015]** 

**Bench: Justice Pamidighantam Sri Narasimha, Justice Sandeep Mehta**

The creation, continuation, and liquidation of "regulatory assets" by electricity regulatory commissions must comply with the Electricity Act, National Tariff Policies, Electricity Rules, and regulations. An increase in long-standing regulatory assets indicates "regulatory failure," impacting stakeholders, especially consumers. Regulatory commissions are obligated to manage these assets efficiently and ensure timely liquidation. Tariffs must be cost-reflective, revenue gaps should be exceptional, regulatory assets cannot exceed 3% of the approved annual revenue requirement, and existing regulatory assets must be liquidated within four years. Monitoring of these directives is essential for effective implementation.

**AMRIT YADAV VS THE STATE OF JHARKHAND [C.A. NO.-013950-013951 - 2024]****Bench: Justice Pankaj Mithal, Justice Sandeep Mehta**

The Supreme Court held that the advertisement dated July 29, 2010 issued by the Deputy Commissioner, Palamu for appointment of Class IV employees was invalid and unconstitutional, as it did not specify the total number of posts, the number of reserved and unreserved seats, and the procedure for selection. The Court found that the appointments made pursuant to this flawed advertisement were a nullity in law, as they violated the principles of transparency and equality under Articles 14 and 16 of the Constitution. The High Court's order directing the state to prepare a fresh panel of selected candidates without impleading the earlier appointees was upheld, as the earlier appointments were a nullity and the affected parties did not need to be heard. The Supreme Court quashed all the appointments made pursuant to the invalid advertisement and directed the state to issue a fresh advertisement in compliance with the law and the observations made in the judgment.

This was a batch matter with multiple appeals filed against the High Court's judgments.

**VISHAL SHAH VS MONALISHA GUPTA [C.R.L.A. NO.-000870-000870 - 2025]****Bench: Justice Pankaj Mithal, Justice Sandeep Mehta**

The Supreme Court of India held that the initiation of extradition proceedings against the appellant was unjustified, as his non-appearance was due to the impoundment of his passport without following the principles of natural justice. The court found the marriage between the appellant and respondent had irretrievably broken down, considering the short duration of cohabitation, multiple litigations between the parties, and their inability to reconcile despite mediation attempts. Exercising its extraordinary power under Article 142 of the Constitution, the court dissolved the marriage and directed the appellant to pay a lump sum permanent alimony of Rs. 25 lakhs to the respondent. The court also held that the impounding of the appellant's passport was illegal and ordered the authorities to release it within one week.

**RAJA KHAN VS STATE OF CHHATTISGARH [C.R.L.A. NO.-000070-000070 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

The Supreme Court set aside the conviction of the appellant-accused under Sections 302 and 201 of the Indian Penal Code, holding that the prosecution failed to prove the chain of circumstances leading to the guilt of the accused beyond reasonable doubt. The Court found serious inconsistencies and doubts regarding the recovery of the weapon and the deceased's gold chains based on the disclosure statement of the accused under Section 27 of the Evidence Act. The Court also had doubts about the last seen theory as the testimonies were not properly corroborated. The judgment was written by a single judge, and this appears to be an individual case, not a batch matter.

**DEEPAK SINGH ALIAS DEEPAK CHAUHAN VS MUKESH KUMAR [C.A. NO.-002255-002255 - 2025]**

**Bench: Justice Sanjay Karol, Justice Manmohan**

The Supreme Court of India allowed the appeal filed by the claimant-appellant, Deepak Singh alias Deepak Chauhan, against the High Court's judgment that enhanced the compensation awarded by the Motor Accident Claims Tribunal (MACT) from Rs. 7,09,303/- to Rs. 23,90,719/-. The Supreme Court held that the High Court's reliance on minimum wages to calculate the compensation was not appropriate, and instead directed that the claimant's notional income be taken as Rs. 10,000/- per month. Based on this, the Supreme Court recomputed the total compensation to be Rs. 34,56,110/- along with 7.5% interest per annum from the date of filing the claim petition, excluding the delay period in preferring the appeal before the Supreme Court.

**CHANDAN PASI VS THE STATE OF THE BIHAR [CRL.A. NO.-005137-005138 - 2025]****Bench: Justice Sanjay Karol, Justice Nongmeikapam Kotiswar Singh**

The Supreme Court allowed the appeals of Chandan Pasi, Pappu Pasi and Gidik Pasi and remanded their cases to the Buxar Sessions Court to record fresh statements under Section 313 CrPC, holding that the trial court's perfunctory examination constituted a fatal non-compliance with the mandatory procedural safeguard. The decisive ground was that all three accused were asked identical, generic questions that merely repeated the prosecution's bald allegations without disclosing any specific incriminating circumstances from the evidence, thereby depriving them of meaningful opportunity to explain their position as required by *Sanatan Naskar v. State of W.B.* (2010) 8 SCC 249 and *Indrakunwar v. State of Chhattisgarh* 2023 SCC OnLine SC 1364, which emphasize that Section 313 is not a formality but a substantive right founded on natural justice principles. The Court rejected the prosecution's stance that omnibus denials sufficed, observing that the prosecutor's failure to assist the court in framing proper questions compounded the irregularity, and directed completion of the limited retrial within four months, clarifying that the remand affects only these three appellants and does not disturb the concurrent convictions of their co-accused. The Court ultimately held that failure to put every material circumstance to the accused vitiates the trial by denying them the *audi alterum partem* opportunity central to a fair criminal process.

**B.V. RAM KUMAR VS STATE OF TELANGANA [CRL.A. NO.-000654-000654 - 2025]** 

**Bench: Justice Sanjay Karol, Justice Sandeep Mehta**

The Supreme Court held that the allegations in the chargesheet against the appellant, B.V. Ram Kumar, do not make out a prima facie case for the offenses under Sections 269, 270, and 504 of the Indian Penal Code. The court found that the appellant, in his capacity as the Officiating Director of the institute, was merely reprimanding the complainant, Mary Anurupa, for her perceived indiscipline and negligence in the discharge of her duties, which was a reasonable expectation from a superior officer. The court held that such admonition by the appellant cannot be construed as an "intentional insult" with the intent to provoke the complainant to breach the public peace or commit any other offense under Section 504 IPC. Further, the allegations regarding the appellant's failure to maintain adequate supply of PPE kits and gloves were refuted by the statements of other witnesses during the investigation and did not make out a prima facie case under Sections 269 and 270 IPC. Accordingly, the Supreme Court quashed the criminal proceedings against the appellant, including the chargesheet and all the proceedings sought to be taken thereunder.

**STATE OF ODISHA VS SUDHANSU SEKHAR JENA [C.A. NO.-002803-002803 - 2025]** 

**Bench: Justice Sudhanshu Dhulia, Justice Ahsanuddin Amanullah**

The Supreme Court of India has allowed the appeals filed by the State of Odisha, holding that the entire period of service as Job Contractors cannot be counted towards pensionary benefits of the concerned employees. The court noted that as per the amended Odisha Pension Rules, 1992, only the period of Job Contract service necessary to make the employee eligible for pension can be added to their regular service for calculating pensionary benefits, and not the entire period of Job Contract employment. The court observed that there is a clear distinction in the Pension Rules between Work-Charged employees and Job Contract employees, and the principles applied for counting their prior service for pension differ. While the entire service of Work-Charged employees can be counted upon regularization, the same benefit is not available to Job Contract employees under the rules. The court left the issue of whether this distinction is valid open, as it was not argued before the court. The court, however, noted the delay and carelessness of the state government in pursuing these cases, and directed the state to pay costs of Rs. 1.5 lakhs to employees in cases where the appeals were dismissed due to delay.

**MAHARASHTRA STATE ROAD TRANSPORT CORPORATION VS SUBHASH S/O LAXMANRAO BRAMHE [C.A. NO.-003278-003278 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The Supreme Court held that the 2015 revision of salaries by the Maharashtra State Road Transport Corporation (MSRTC), cancelling the earlier pay fixation granted in 2010, was invalid. The Court ruled that the 2010 pay fixation was in compliance with a 2008 order of the Industrial Court, which had become final after MSRTC did not challenge it. The 2015 revision was not in line with the Supreme Court's earlier judgment in Maharashtra SRTC v. Premlal, which had clarified that the 1956 settlement on time scales of pay and the 1985 settlement on absorption of workers operated in different fields. The Court dismissed the appeals filed by MSRTC, upholding the orders of the Industrial Court and the High Court that had set aside the 2015 salary revision.

**JOYI KITTY JOSEPH VS UNION OF INDIA [CRL.A. NO.-001180-001180 - 2025]**

**Bench: Justice Sudhanshu Dhulia, Justice K. Vinod Chandran**

The detention order under the COFEPOSA Act was set aside because the detaining authority failed to assess the effectiveness of the bail conditions imposed by the Magistrate in preventing further smuggling activities. Although the individual was part of an organized smuggling syndicate for foreign gold, the lack of consideration regarding the bail's efficacy in curbing future offenses led to the annulment of the detention order.

**MAHA MINERAL MINING AND BENEFICATION PRIVATE LIMITED VS MADHYA PRADESH POWER GENERATING COMPANY LIMITED [C.A. NO.-011726-011726 - 2025]**

**Bench: Justice Surya Kant, Justice Joymalya Bagchi**

The disqualification of the appellant by the Tender Evaluation Committee under Clause 5(D) of the NIT for failing to submit the JV agreement was not justified, given the submission of a work execution certificate proving a 45% share in the JV consortium. The High Court improperly considered the disqualification under Clause 5(B) based on written submissions from the 2nd respondent without allowing the appellant an opportunity to respond. This matter has been remanded for fresh consideration regarding the disqualification under Clause 5(B).

**PRADIP N. SHARMA VS THE STATE OF GUJARAT [CRL.A. NO.-001001-001001 - 2025]** 

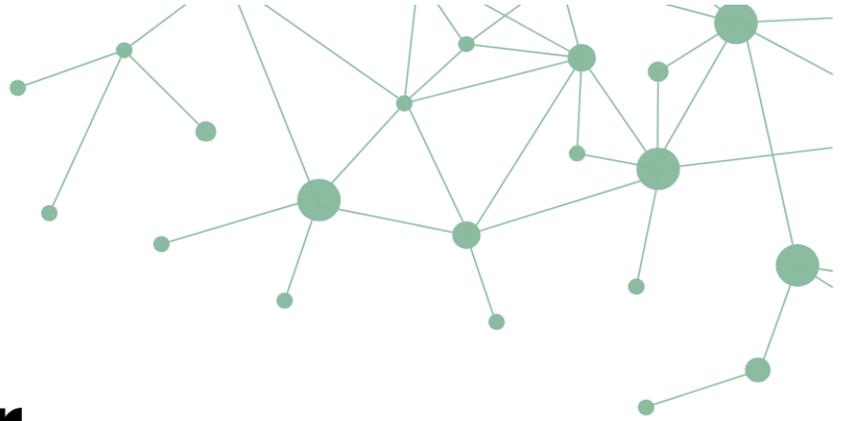
**Bench: Justice Vikram Nath, Justice Prasanna B. Varale**

The Supreme Court of India refused to quash the FIR against the appellant, finding that the allegations of misuse of official position, criminal breach of trust, and corrupt practices warranted a thorough investigation. However, the court granted the appellant anticipatory bail, as the offenses alleged pertained to the exercise of administrative discretion in passing an order, and custodial interrogation was not essential beyond scrutiny of official records. The court noted that this was a batch matter involving two criminal appeals arising from separate special leave petitions.

**IN RE : ASSENT, WITHHOLDING OR RESERVATION OF BILLS BY THE GOVERNOR AND THE PRESIDENT OF INDIA VS [SPL.REF. NO.-000001 - 2025]**

**Bench: Justice B.R. Gavai, Justice Surya Kant, Justice Vikram Nath, Justice Pamidighantam Sri Narasimha, Justice Atul S. Chandurkar**

The Supreme Court held that under Article 200, the Governor has three options only: grant assent, reserve for the President's consideration, or withhold assent and return the Bill (not a Money Bill) to the legislature with comments, the first proviso being a qualification not an additional option, and upon return, the Governor retains the power to assent or reserve. The decisive ground is that the Governor exercises these functions in his discretion, not bound by the aid and advice of the Council of Ministers, as discretion inheres in the textual scheme protecting federalism and enabling reservation where presidential assent is constitutionally mandated. The Court rejected the State of Tamil Nadu ruling that assent, withholding and reservation are justiciable, clarifying that neither judicially-fixed timelines nor "deemed assent" are constitutionally permissible; Article 361 immunizes the Governor from personal accountability but does not bar a limited mandamus to end unexplained inaction, though judicial review of merits is impermissible anterior to enactment. Reliance on Hoechst Pharmaceuticals, Kaiser-e-Hind and B.K. Pavitra establishes that presidential assent under Article 201 is likewise non-justiciable and no timeline can be imported into Articles 200 or 201; Article 142 cannot substitute or deem gubernatorial assent as that would violate separation of powers.



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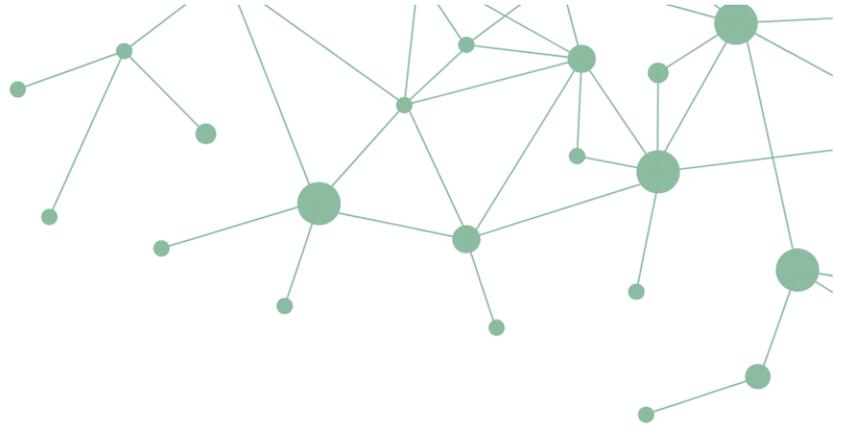
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