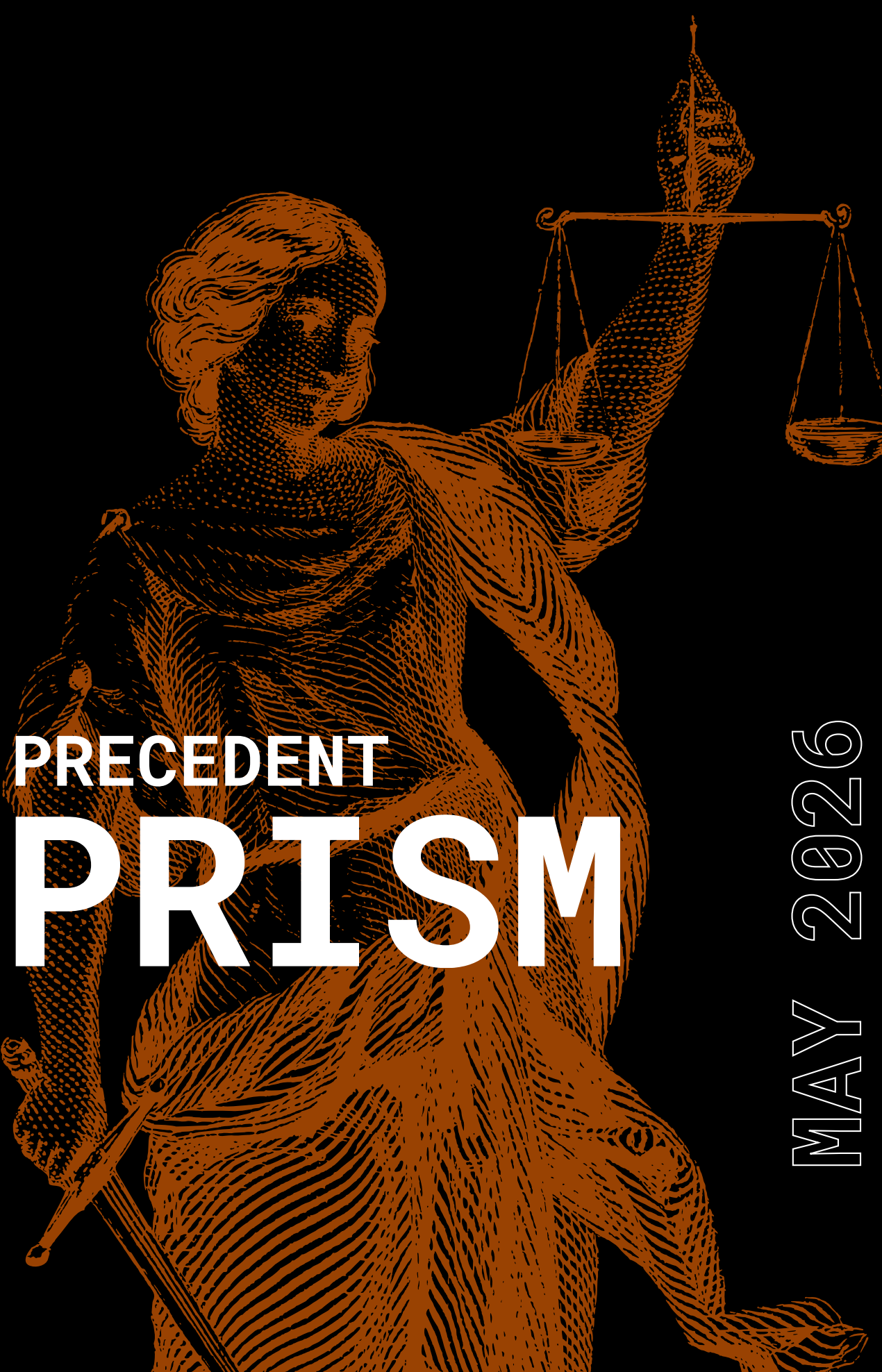




PRECEDENT PRISM

MAY 2026

PRECEDENT PRISM

Vakeel Khoj presents PRECEDENT PRISM, a monthly compendium of significant Supreme Court decisions. This initiative brings together the most impactful rulings across constitutional, criminal, civil, and regulatory law, offering concise summaries of facts, legal issues, judgments, and reasoning. Aimed at legal professionals, students, and researchers, PRECEDENT PRISM serves as a reliable tool for staying updated with the evolving contours of Indian jurisprudence.

FROM EDITOR'S DESK

After the successful release of the June Edition of Precedent Prism and in light of the encouraging feedback from our readers — comprising legal professionals, academicians, and students — we are delighted to announce the launch of the September - October Edition of Precedent Prism.

This edition continues our mission to bring together the most significant and impactful judgments of the Hon'ble Supreme Court of India, covering key domains such as constitutional, criminal, civil, and regulatory law. Each case summary has been carefully curated to present the facts in brief, issues in question, and the reasoning and findings of the Hon'ble Court, providing readers with a concise yet comprehensive understanding of evolving legal principles.

To further enhance accessibility, this edition enables readers to directly access the complete text of each judgment through embedded links to the official website of the Hon'ble Supreme Court of India.

We express our sincere gratitude to all readers and contributors for their continued encouragement and support.

This edition has been edited and compiled under the leadership of Ms. Aadyaa Katiyar (Final Year, with valuable contributions from Ms. Ishita Jawla & Mr. Jay Goyal, whose commitment and efforts have significantly enriched this publication.

Vakeel Khoj remains dedicated to making Precedent Prism a reliable monthly resource for staying informed about the ever-evolving landscape of Indian jurisprudence.

*Ms. Aadyaa Katiyar
(Managing Partner at Vakeel Khoj)*

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*Mr. Nikhilesh Pratap Singh Gour
(Founder & CEO at Vakeel Khoj)*

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*Adv. (Dr.) Abhimanyu Singh
(Managing Partner at ManuLegal & Associates)*

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*Adv. (Dr.) Udai Bhan Singh Gour
(Founder at Gour Legal Associates)*

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1. CONSTITUTIONAL & ELECTION LAW

Case 1.1: ECI's Special Intensive Revision of Bihar Electoral Rolls Upheld

Assn. for Democratic Reforms v. ECI, 2026 SCC OnLine SC 990 | Bench: Surya Kant CJI & Joymalya Bagchi J.

◆ **FACTS**

The Election Commission of India (ECI) conducted a Special Intensive Revision (SIR) of electoral rolls specifically in the State of Bihar. The exercise involved re-verification and revision of the electoral database on an intensive basis. Several writ petitions were filed by civil society organisations and political parties challenging the validity of this exercise. The petitioners contended that the SIR conflicted with the Representation of the People Act, 1950 (RP Act) and the Registration of Electors Rules, 1960, as it was not provided for under these statutory instruments. Additionally, it was argued that the manner of conducting the SIR exercise undermined the sanctity of the electoral process and the constitutional imperative of free and fair elections guaranteed under Part XV of the Constitution.

◆ **ISSUES**

1. Whether the SIR exercise conducted by the ECI is constitutionally valid and consistent with the RP Act and the 1960 Rules?
2. Whether the SIR exercise conflicts with any specific provision of the Representation of the People Act, 1950 or the Registration of Electors Rules, 1960?
3. Whether SIR detracts from the constitutional imperative of free and fair elections under Part XV of the Constitution?

◆ **JUDGMENT**

The Supreme Court upheld the validity of the SIR process. The Court held that the SIR exercise does not stand in direct conflict with the RP Act or the 1960 Rules. The Court found that the exercise is traceable to Section 21(3) of the RP Act read with Article 324 of the Constitution, and is undertaken to advance the very objective which Part XV of the Constitution is designed to protect, ensuring an accurate and authentic electoral roll as a foundational prerequisite for free and fair elections. The Court emphatically declared that Article 324 is not a dead letter, and the ECI has wide supervisory powers over elections. All writ petitions challenging the SIR exercise were dismissed.

Case 1.2: Punjab Municipal Elections on Ballot Papers Upheld; EVMs Not Mandated
Ruchita Garg v. State of Punjab, SLP (C) No. 18893/2026 | Bench: Surya Kant CJI, Joymalya Bagchi & Vipul M. Pancholi JJ.

◆ **FACTS**

The State Election Commission of Punjab decided to conduct municipal elections across the state through traditional ballot papers and ballot boxes rather than Electronic Voting Machines (EVMs). The decision was taken in the exercise of its discretionary authority. The Punjab & Haryana High Court declined to interfere with this decision when challenged. The High Court's order was then challenged by the petitioner before the Supreme Court by way of a Special Leave Petition (SLP), arguing that the use of ballot papers instead of EVMs was contrary to law and to the precedent laid down by the Supreme Court in *Assn. for Democratic Reforms v. ECI*, (2025) 2 SCC 732.

◆ **ISSUES**

1. Whether the use of ballot papers instead of EVMs for Punjab municipal elections violates the law laid down by the Supreme Court in *Assn. for Democratic Reforms v. ECI*, (2025) 2 SCC 732?
2. Whether the Punjab & Haryana High Court erred in declining to interfere with the State Election Commission's decision?
3. Whether the Court should interfere with the High Court's order?

◆ **JUDGMENT**

The Supreme Court dismissed the SLP and upheld the Punjab & Haryana High Court's order declining to intervene. The three-Judge Bench held that no case for interference was made out with the High Court's discretionary order, thereby permitting Punjab to conduct its municipal elections via ballot papers rather than EVMs. The Court implicitly recognised that the election law framework does not mandatorily compel State Election Commissions to use EVMs in all elections, and that the use of ballot papers is a legally valid method of conducting elections.

2. EDUCATION LAW

Case 2.1: TET Mandatory for In-Service Teachers; Compliance Deadline Extended to 31 August 2028

Anjuman Ishaat-e-Taleem Trust v. State of Maharashtra, 2026 SCC OnLine SC 998 | Bench: Dipankar Datta & Manmohan JJ.

◆ FACTS

Review petitions were filed by various States, teachers' associations and individual teachers challenging the Supreme Court's earlier judgment in *Anjuman Ishaat-e-Taleem Trust v. State of Maharashtra* (2025). That judgment had held that in-service teachers appointed prior to the Right to Education (RTE) Act, 2009 and having more than 5 years of service remaining, were required to pass the Teacher Eligibility Test (TET) mandated under Section 23 of the RTE Act within 2 years from 1 September 2025, failing which they would be ineligible to continue in service. Petitioners argued this amounted to retrospective application of qualifications and conflicted with the National Council for Teacher Education (NCTE) Act. Several States highlighted the massive number of in-service teachers who would be affected.

◆ ISSUES

1. Whether Section 23 of the RTE Act, 2009 mandates TET qualification as an ongoing requirement for in-service teachers?
2. Whether the earlier judgment amounts to retrospective application of qualifications, conflicting with the NCTE Act?
3. Whether service conditions of existing teachers can be altered by judicial direction requiring passage of TET?
4. Whether the 2-year compliance deadline should be extended given the practical difficulties faced by thousands of teachers?

◆ JUDGMENT

The Court reaffirmed the correctness of the earlier 2025 judgment in its entirety. All review grounds were rejected. The Court held that Section 23 of the RTE Act always contemplated acquisition of prescribed qualifications by in-service teachers, and that TET is a mandatory eligibility requirement rooted in Article 21-A of the Constitution (right to quality education for children). The Court declared: "The RTE Act is a child centric legislation and must be read so. Service of teachers cannot come at the cost of educational future of the children." However, invoking extraordinary powers under Article 142 of the Constitution to ensure complete

justice, the Court extended the compliance deadline from 2 years to 3 years, fixing 31 August 2028 as the final date for all in-service teachers to obtain TET qualification.

**Case 2.2: Right to Education in Mother Tongue; Rajasthan Directed to Introduce
Rajasthani in Schools**

Padam Mehta v. State of Rajasthan, 2026 SCC OnLine SC 849 | Bench: Vikram Nath & Sandeep Mehta JJ.

◆ **FACTS**

A petition was filed challenging the State of Rajasthan's sustained failure to implement mother tongue-based education and to formally recognize and introduce the Rajasthani language in government and private schools. The petitioner argued that the right to receive education in one's mother tongue is constitutionally protected, and that the National Education Policy (NEP) 2020 explicitly mandated mother tongue-based education at foundational stages. Despite this, Rajasthan had not taken concrete steps to recognize Rajasthani as a medium of instruction or even as a subject in schools. The Rajasthan High Court's judgment had gone against the petitioners, holding that such policy decisions were within the exclusive domain of the State government. That judgment was challenged in appeal before the Supreme Court.

◆ **ISSUES**

1. Whether the right to receive education in one's mother tongue is a fundamental right under the Constitution, specifically under Article 19(1)(a)?
2. Whether the State can be directed by the Court to recognize the Rajasthani language and introduce it as a medium of instruction in schools?
3. Whether the State's failure to implement NEP 2020 directives on mother tongue-based education can be judicially enforced?

◆ **JUDGMENT**

The Supreme Court set aside the Rajasthan High Court's judgment and ruled in favour of the petitioners. The Court held that the right to receive education in one's mother tongue flows from Article 19(1)(a) of the Constitution (freedom of speech and expression), which encompasses the right to express oneself and receive knowledge in one's mother tongue. The Court issued comprehensive directions to the State of Rajasthan: (i) formulate a comprehensive policy for mother tongue-based education aligned with the NEP 2020 framework; (ii) recognize Rajasthani as a regional language for all educational purposes; (iii) progressively adopt Rajasthani as a medium of instruction at foundational stages of education; and (iv)

introduce Rajasthani as a compulsory subject in all schools, both government and private, in a phased, time-bound manner.

Case 2.3: NEET Paper Leak Case: Notice Issued to NTA

FAIMA v. NTA, 2026 SCC OnLine SC 958 | Bench: P.S. Narasimha & Alok Aradhe JJ.

◆ FACTS

The Federation of All India Medical Association (FAIMA) filed a petition against the National Testing Agency (NTA) raising serious concerns about systemic irregularities in the NEET-UG (National Eligibility cum Entrance Test, Undergraduate) examination for medical admissions. The petition specifically targeted NTA's failure to implement recommendations made by a High-Level Committee of Experts that had been constituted by the Government of India to investigate the paper leak controversy and propose systemic reforms to prevent recurrence. The NEET-UG paper leak had caused widespread public controversy, with multiple FIRs registered across the country and allegations of organised cheating networks operating across States.

◆ ISSUES

1. Whether NTA has complied with the recommendations of the High-Level Committee of Experts constituted to address systemic issues in the NEET-UG examination?
2. What accountability mechanism should be enforced to ensure NTA reforms itself and implements the Committee's recommendations?

◆ JUDGMENT

The Division Bench issued notice to the NTA and directed it to file an affidavit detailing the specific steps taken to implement the High-Level Committee of Experts' recommendations. The Court pointedly observed: "NTA has not learnt its lesson yet," signalling strong judicial dissatisfaction with the agency's conduct and pace of reform in the ongoing paper-leak controversy. The Court made clear that mere assurances would not suffice and demanded concrete, verifiable action. The matter was posted for further hearing after the affidavit was filed.

Case 2.4: MBBS Students' Legal Battle Ends; Degrees to Be Issued

Jashandeep Kaur v. Union of India, 2026 SCC OnLine SC 955 | Bench: Pamidighantam Sri Narasimha & Alok Aradhe JJ.

◆ FACTS

A group of MBBS students became caught in a prolonged legal dispute arising from conflicting regulatory frameworks, specifically the Competency Based Medical Education (CBME) Curriculum Guidelines issued by the National Medical Commission (NMC) and a subsequent Corrigendum that revised the minimum pass mark requirements for MBBS students. The conflict between the original guidelines and the Corrigendum created confusion about applicable passing criteria and threw the academic progression of students caught during this transition period into legal uncertainty. Their MBBS courses were effectively completed in practice but degrees could not be issued due to pending litigation challenging the validity of the CBME framework and the Corrigendum.

◆ ISSUES

1. Whether the petitioners' MBBS courses should be regularised and degrees issued despite pending litigation regarding the applicability of CBME Curriculum Guidelines and the NMC Corrigendum?
2. Whether the Court could use equitable jurisdiction to grant relief without finally deciding the contested legal questions?

◆ JUDGMENT

Invoking its equitable jurisdiction to prevent manifest injustice to the students, the Supreme Court regularised the admission, conduct, and conclusion of the MBBS courses undertaken by the petitioners. The Court directed that their degrees be issued within 3 weeks without awaiting the final resolution of the larger legal dispute. The larger question of law regarding the applicability of the CBME Guidelines and the validity of the NMC Corrigendum was kept expressly open for future consideration after hearing the NMC, ensuring that the legal issue would be resolved on merits in a future proceeding.

3. CRIMINAL LAW

Case 3.1: Bail Condition of Cleaning Police Stations Declared Null and Void

In re Bail Conditions, Orissa High Court & District Courts, 2026 SCC OnLine SC 809 | Bench: Surya Kant CJI & Joymalya Bagchi J.

◆ **FACTS**

The Supreme Court took suo motu (on its own motion) cognizance of a disturbing judicial practice that had emerged across courts in Odisha. The Orissa High Court and several subordinate courts had been routinely imposing, as a condition for bail, a direction requiring accused persons to undertake the cleaning and maintenance of police stations. These conditions were being imposed indiscriminately in a variety of criminal matters, raising serious concerns about the constitutional validity of such directions. No statutory basis existed under the Code of Criminal Procedure or any other law for imposing such conditions. The practice had come to the Supreme Court's attention through reported cases.

◆ **ISSUES**

1. Whether imposing a condition of cleaning police stations as a bail condition is constitutionally valid?
2. Whether such bail conditions violate the accused's fundamental rights to dignity, equality, and personal liberty under Articles 14, 19, and 21 of the Constitution?
3. Whether courts have the power under the CrPC to impose humiliating or degrading conditions while granting bail?

◆ **JUDGMENT**

The Supreme Court declared all bail conditions requiring the cleaning of police stations or similar physically demeaning acts as "abhorrent, degrading, and unknown to law," and struck them down as null and void ab initio. The Court issued omnibus directions to all courts across the country to refrain from imposing such humiliating or degrading conditions while granting bail. The Court emphasised that bail conditions must serve the legitimate purposes of ensuring the accused's attendance at trial, preventing tampering of evidence, or protecting witnesses; they cannot be designed to humiliate, punish, or degrade the accused who is still presumed innocent. The Court held that the dignity of every person, including an accused, is inviolable under Article 21.

Case 3.2: Section 311 CrPC Cannot Be Invoked to Fill Defence Lacunae

State of Tripura v. Panna Ahmed, 2026 SCC OnLine SC 960 | Bench: Dipankar Datta & Satish Chandra Sharma JJ.

◆ FACTS

In a criminal trial before a Sessions Court in Tripura, the prosecutrix (the victim, examined as PW-1) had already been subjected to cross-examination by the defence on four separate occasions spread over a period of approximately five years. Despite this extensive cross-examination, four years after the last cross-examination, the defence filed an application under Section 311 of the Code of Criminal Procedure seeking recall of the prosecutrix with a list of 94 additional questions. The Additional Sessions Judge rejected this application. However, the Tripura High Court set aside the trial court's rejection order and directed recall of the prosecutrix. The State challenged the High Court's order before the Supreme Court.

◆ ISSUES

1. Whether Section 311 CrPC can be invoked by the defence merely to fill lacunae in its own case, particularly where the witness has already been cross-examined multiple times?
2. Whether repeated recall and re-examination of a prosecutrix in sensitive offences is legally permissible, and what are its consequences on victims?
3. Whether the High Court was correct in interfering with the trial court's rejection of the recall application?

◆ JUDGMENT

The Supreme Court set aside the Tripura High Court's order and restored the trial court's decision rejecting the recall application. The Court held authoritatively that the power under Section 311 CrPC cannot be exercised merely to fill up lacunae in the defence case. Section 311 is intended to aid the cause of justice, not to give a litigant an indefinite right to re-examine witnesses to plug gaps in their strategy. The Court further observed that witnesses, particularly victims of heinous and sensitive offences such as sexual assault, cannot be expected to repeatedly appear before courts to face multiple rounds of cross-examination. Such repeated recalls cause psychological re-traumatisation to victims and must not be permitted as a tactic to harass or delay justice.

Case 3.3: Medical Negligence: Telephonic Advice on Painkiller Not Gross Criminal Recklessness

Supriya Kumari M.C. v. State of Kerala, 2026 SCC OnLine SC 928 | Bench: Pankaj Mithal & Prasanna B. Varale JJ.

◆ FACTS

An anaesthetist was prosecuted under Section 304-A of the Indian Penal Code (IPC), which deals with causing death by rash or negligent act, for alleged medical negligence arising from the post-operative death of a patient who had undergone a piles surgery. The anaesthetist had administered anaesthesia during the surgery and had remained on duty throughout, ensuring that the patient was in stable condition before her duty hours ended. When an emergency arose later that night, she was no longer physically present at the hospital. She was called telephonically by the nursing staff and, based on the clinical information relayed to her, advised the administration of a painkiller, which is standard post-operative care. Thereafter, the patient's condition deteriorated and the patient died. The anaesthetist was charged on the basis that her telephonic advice amounted to gross criminal recklessness.

◆ ISSUES

1. Whether telephonic advice to administer a post-operative painkiller, given by an anaesthetist who had completed her duty hours and was not physically present, constitutes gross criminal recklessness?
2. Whether the threshold for criminal medical negligence under Section 304-A IPC was met on the facts of this case?
3. Whether continuation of criminal proceedings would amount to abuse of process of law?

◆ JUDGMENT

The Supreme Court quashed all criminal proceedings against the anaesthetist, holding that continuation would amount to a clear abuse of process of law. The Court held that even accepting the factual version at its highest, the telephonic advice to administer a standard post-operative painkiller constituted routine and expected medical advice, not gross criminal recklessness. The Court reiterated the settled legal standard for criminal medical negligence: the act or omission must be one "which no medical professional in his ordinary senses and prudence would have done or failed to do." Advising a painkiller over the phone after surgery does not come anywhere close to meeting this threshold. The Court cautioned against indiscriminate criminal prosecution of medical professionals for every adverse patient outcome.

Case 3.4: Gravity of Offence Alone Cannot Deny Premature Release; MHA's Rejection Quashed

Rohit Chaturvedi v. State of Uttarakhand, 2026 SCC OnLine SC 865 | Bench: B.V. Nagarathna & Ujjal Bhuyan JJ.

◆ FACTS

The petitioner, Rohit Chaturvedi, had been incarcerated for over 22 years for a serious offence. During this entire period of custody, his conduct had been reported as satisfactory by prison authorities. The State of Uttarakhand had itself recommended premature release. A co-accused convicted in the same case had already been granted remission and released. The petitioner's case was referred to the Ministry of Home Affairs (MHA), which rejected his premature release plea by a brief, cryptic communication dated 9 July 2025. The MHA's communication contained no reasons, no assessment of the petitioner's conduct or reformation, and appeared to base refusal solely on the heinous nature of the offence committed. The petitioner challenged this before the Supreme Court.

◆ ISSUES

1. Whether remission/premature release can be denied solely on the ground of the heinous or grave nature of the offence?
2. Whether the MHA's cryptic, non-speaking order rejecting premature release was legally valid?
3. Whether reasons must be recorded while rejecting a remission plea, particularly when the State itself has recommended release?

◆ JUDGMENT

The Supreme Court quashed the MHA's communication as a non-speaking and cryptic order that reflected complete non-application of mind. The Court held that the power to grant remission is a reformatory function aimed at assessing whether a convict has reformed, rehabilitated, and is ready for reintegration into society, it is not a re-sentencing exercise. The gravity of the offence is "exhausted at the stage of sentencing" and cannot alone justify perpetual denial of remission. All relevant factors, conduct in prison, years served, State recommendation, co-accused's release, family circumstances, must be considered. Noting the petitioner's 22+ years of incarceration, satisfactory conduct, and State recommendation, the Court took the extraordinary step of directing that the petitioner be treated as prematurely released without requiring his physical surrender before any authority.

4. CRIMES AGAINST WOMEN & CHILDREN

Case 4.1: Comprehensive Victim Protection Plan for Human Trafficking Survivors

Prajwala v. Union of India, Misc. Application No. 530/2022, decided 29-5-2026 | Bench: J.B. Pardiwala & R. Mahadevan JJ.

◆ **FACTS**

A PIL filed by Prajwala, a prominent anti-trafficking NGO, sought enforcement of the Union Government's earlier assurances recorded by the Supreme Court in *Prajwala v. Union of India*, (2015) 17 SCC 29. These assurances pertained to establishing an Organised Crime Investigation Agency (OCIA) dedicated to trafficking cases and formulating a comprehensive anti-trafficking law, neither of which had been implemented despite passage of over a decade. The petition specifically focused on commercial sexual exploitation (CSE) victims, women and girls trafficked into prostitution, and argued that the State had failed in its constitutional and statutory obligations to rescue, rehabilitate, and reintegrate survivors. The case raised the question of whether rehabilitation of trafficking survivors is a constitutional right or merely a governmental policy option.

◆ **ISSUES**

1. Whether the State has fulfilled its constitutional and statutory obligations toward human trafficking survivors?
2. Whether rehabilitation of trafficking victims is a constitutional right flowing from Article 21?
3. What institutional framework and comprehensive plan is required to address pre-rescue, rescue, and post-rescue stages of trafficking cases?

◆ **JUDGMENT**

The Supreme Court issued a landmark comprehensive "Victim Protection Plan" addressing all critical stages of human trafficking, Pré-rescue operations, the rescue itself, immediate post-rescue support, long-term rehabilitation, social reintegration, and prosecution of traffickers. The Court affirmed unequivocally that rehabilitation is not merely a governmental welfare policy, it is an integral and enforceable component of Article 21 (the right to life with dignity). Rescuing victims from trafficking is necessary but legally insufficient, the State bears a continuing constitutional obligation to rehabilitate every survivor. The Court simultaneously recommended legislative and policy reforms to strengthen India's anti-trafficking framework, including the establishment of institutional mechanisms for coordinated enforcement.

Case 4.2: Dowry Death, Simulated Hanging, Not Suicide; Conviction Upheld

Gour Acharjee v. State of Tripura, 2026 SCC OnLine SC 931 | Bench: Prashant Kumar Mishra & K.V. Viswanathan JJ.

◆ FACTS

The deceased woman was found hanging in her matrimonial home within 15 months of marriage. The husband was convicted by the trial court under Section 302 (murder) and Section 498-A (cruelty) of the IPC. The conviction was upheld by the High Court. The husband challenged the conviction before the Supreme Court, with the primary defence being that the death was a case of suicide by hanging and not homicide. The defence relied on the absence of eyewitness evidence to a homicidal act. Post-mortem reports and medical evidence formed the crux of the dispute, with the defence disputing the interpretation of medical findings.

◆ ISSUES

1. Whether the hanging of the deceased was suicidal or homicidal in nature, based on medical and circumstantial evidence?
2. Whether the medical evidence and authoritative medical jurisprudence supported a finding of "simulated hanging"?
3. Whether the husband discharged the burden of explaining the circumstances of the death occurring in his house under Section 106 of the Evidence Act?

◆ JUDGMENT

The Supreme Court upheld the conviction under Section 302 IPC, holding definitively that the case was one of "simulated hanging or homicidal hanging" and not suicide. The Court relied comprehensively on medical evidence, post-mortem findings, and authoritative texts on medical jurisprudence, noting specifically the absence of a typical upward-sloping ligature mark consistent with self-suspension, and the presence of multiple ante-mortem injuries on the body that strongly negated suicide. The Court reiterated the well-settled principle that persons who were inmates of the house at the time of death owe a legal duty to explain the circumstances under which the death occurred within that house. The husband completely failed to discharge this burden. The absconding convict was directed to be apprehended and taken into custody immediately.

Case 4.3: Bail Cancelled in Dowry Death Case; Statutory Presumption Must Be Applied

Mahesh Chand v. State of U.P., 2026 SCC OnLine SC 793 | Bench: J.B. Pardiwala & Vijay Bishnoi JJ.

◆ FACTS

The husband of the deceased was charged in a dowry death case. The Allahabad High Court had granted bail to the accused husband in the dowry death case. The deceased's father challenged the bail grant before the Supreme Court, arguing that bail was awarded on wholly superficial grounds without proper application of mind. Specifically, the High Court had relied on an alleged delay in filing the FIR and a cursory reading of the cause of death, without appreciating the weight of the statutory presumption that applies in all dowry death cases where there is evidence of cruelty before death within 7 years of marriage.

◆ ISSUES

1. Whether bail in a dowry death case can legitimately be granted on grounds such as alleged delay in FIR filing or a superficial reading of the cause of death?
2. Whether courts considering bail in dowry death cases are obligated to apply the statutory presumption under Section 118 of the Bharatiya Sakshya Adhiniyam, 2023 (formerly Section 113-B of the Evidence Act, 1872)?

◆ JUDGMENT

The Supreme Court cancelled the bail granted by the Allahabad High Court. The Court held that in cases involving dowry death where there is prima facie evidence of cruelty and the death has occurred within 7 years of marriage, bail courts are legally obligated to apply the statutory presumption under Section 118 of the Bharatiya Sakshya Adhiniyam, 2023 (BSA), formerly Section 113-B of the Indian Evidence Act. This presumption raises a rebuttable inference that the accused was responsible for the death. The Court held that bail cannot be granted on tenuous grounds such as alleged delay in filing the FIR or a superficial reading of the cause of death, which do not effectively rebut the statutory presumption. The grant of bail was set aside.

5. BAIL LAW

Case 5.1: UAPA Bail: Smaller Bench Cannot Hollow Out Larger Bench Ruling Without Disagreeing

Syed Iftikhar Andrabi v. NIA, 2026 SCC OnLine SC 881 | Bench: B.V. Nagarathna & Ujjal Bhuyan JJ.

◆ **FACTS**

The case arose in the sensitive context of bail applications under Section 43-D(5) of the Unlawful Activities (Prevention) Act, 1967 (UAPA), which places stringent conditions on the grant of bail in terrorism-related matters. A co-equal Division Bench of the Supreme Court in *Gulfisha Fatima v. State (NCT of Delhi)*, 2026 SCC OnLine SC 10 had effectively diluted, without expressly disagreeing with, the authoritative three-Judge Bench ruling of the Supreme Court in *Union of India v. K.A. Najeeb*, (2021) 3 SCC 713, which had held that the constitutional right to bail arising from Article 21 cannot be abridged by statutory restrictions in cases of prolonged incarceration without trial. The present Bench was confronted with the question of whether *Gulfisha Fatima* was validly decided.

◆ **ISSUES**

1. Whether a smaller or co-equal Bench can effectively hollow out a larger Bench decision without expressly disagreeing with it or making a reference to a larger Bench?
2. What is the correct legal position on the right to bail in UAPA cases following *K.A. Najeeb*?
3. Whether the constitutional principle of "bail is the rule, jail is the exception" flowing from Article 21 can be displaced by statutory legislation like UAPA?

◆ **JUDGMENT**

The Court expressed serious reservations about the correctness of the *Gulfisha Fatima* judgment and reaffirmed that *K.A. Najeeb* is good law and binding precedent protected by the doctrine of stare decisis. The Court clarified that "bail is the rule and jail is the exception" is a constitutional principle flowing from Article 21 and the presumption of innocence, it cannot be displaced or overridden by ordinary legislation. The Court clarified that *K.A. Najeeb* was not creating an automatic entitlement to bail merely on account of delay in trial, but was issuing a stern warning against treating the statutory embargo in UAPA as the sole and sufficient justification for perpetuating pre-trial incarceration indefinitely. The Court unequivocally held that no lower court or co-equal Bench can dilute, circumvent, or disregard a larger Bench precedent without formally referring the matter to a larger Bench.

Case 5.2: Right to Speedy Trial Prevails Over Offence Gravity; Bail Granted
Sahil Manoj Machare v. State of Maharashtra, 2026 SCC OnLine SC 810 | Bench: J.B. Pardiwala & Vijay Bishnoi JJ.

◆ **FACTS**

The petitioner had been in judicial custody for nearly 4 years in connection with a case before a court in Maharashtra. Despite being in custody for this extended period, not a single witness had been examined in the trial during these 4 years, revealing a complete stagnation of the criminal proceedings. The Bombay High Court had denied regular bail to the petitioner, placing significant emphasis on the gravity and serious nature of the alleged offence as the primary reason to withhold bail. The petitioner approached the Supreme Court arguing that his fundamental right to a speedy trial under Article 21 had been violated and that bail could not be withheld indefinitely merely on account of the nature of the offence.

◆ **ISSUES**

1. Whether the fundamental right to a speedy trial under Article 21 of the Constitution can override the gravity of the alleged offence as a factor in bail applications?
2. Whether an accused who has suffered extended pre-trial incarceration without trial progress is entitled to bail irrespective of the seriousness of the alleged offence?

◆ **JUDGMENT**

The Supreme Court directed the petitioner's release on bail, holding that when the constitutional right to a speedy trial, guaranteed under Article 21, has been infringed by prolonged incarceration without trial, courts must grant bail even where the alleged offence is of a serious and grave nature. The gravity or heinousness of the alleged offence cannot be used as a blanket, impenetrable shield to deny bail to an accused who has suffered pre-trial incarceration lasting years without meaningful trial progress. The Court held that in such circumstances, the constitutional infringement of the right to speedy trial tilts the balance decisively in favour of the grant of bail.

6. ARBITRATION & ADR

Case 6.1: BOCW Cess: Arbitral Award Restored; Cess Enforceable Only After Welfare Board Constitution

Navayuga Engg. Co. Ltd. v. Sikkim Urja Ltd., 2026 SCC OnLine SC 957 | Bench: Sanjay Kumar & K. Vinod Chandran JJ.

◆ **FACTS**

An application under the Arbitration and Conciliation Act, 1996, concerning the liability to pay Building and Other Construction Workers' (BOCW) Welfare cess under the BOCW (Regulation of Employment and Conditions of Service) Act, 1996. An arbitral award was passed holding that BOCW cess was contractually attributable to Sikkim Urja Limited (the employer). The Sikkim High Court set aside this arbitral award. The contractor, Navayuga Engineering Company, challenged the High Court's order before the Supreme Court. The central controversy was whether BOCW cess can be levied and collected before the Welfare Boards mandated by the BOCW Act are constituted in the State.

◆ **ISSUES**

1. Whether the BOCW cess under the BOCW Act, 1996 is leviable before the constitution of State Welfare Boards under the Act?
2. Whether the arbitral award holding the cess payable was legally correct and should be restored?

◆ **JUDGMENT**

The Supreme Court set aside the Sikkim High Court's judgment and restored the arbitral award in full. The Court held that the controversy was squarely covered by the recently decided ruling in *Prakash Atlanta (JV) v. NHAI (2026)*, which had conclusively settled that BOCW cess cannot be levied until Welfare Boards are duly constituted under the BOCW Act, 1996. Consequently, the contractual allocation of the cess burden to Sikkim Urja Limited as found in the arbitral award was upheld, and the High Court's interference with the arbitral award was reversed.

Case 6.2: Courts' 'Disturbing Tendency' to Reassess Facts in Arbitral Awards Deprecated
Bangalore Metro Rail Corpn. Ltd. v. Navayuga Engineering Co., 2026 SCC OnLine SC 874 |
Bench: Sanjay Kumar & K. Vinod Chandran JJ.

◆ **FACTS**

An arbitral award was passed in favour of Navayuga Engineering Company against Bangalore Metro Rail Corporation Limited (BMRCL) in a construction contract dispute. The Karnataka High Court set aside a stay and restored the arbitral award in its entirety. BMRCL filed a Special Leave Petition before the Supreme Court challenging the Karnataka High Court's order restoring the award. The case provided the Supreme Court an opportunity to comment on the increasing tendency of Indian courts to go behind and reassess the factual findings in arbitral awards while exercising limited supervisory jurisdiction under Sections 34 and 37 of the Arbitration and Conciliation Act, 1996.

◆ **ISSUES**

1. Whether the Karnataka High Court was correct in restoring the arbitral award?
2. Whether there exists a problematic tendency among Indian courts to improperly reassess and substitute facts while adjudicating challenges to arbitral awards under the Act?

◆ **JUDGMENT**

The Supreme Court dismissed the SLP filed by BMRCL and upheld the Karnataka High Court's order restoring the arbitral award in full. The Court also vacated the interim order that had been granted in November 2024. Critically, the Court endorsed the Karnataka High Court's observation, and expressed its own implicit agreement, that courts in India have developed a "disturbing tendency" to set aside arbitral awards by re-examining and reassessing facts, which is fundamentally contrary to the limited scope of judicial interference under Sections 34 and 37 of the Arbitration and Conciliation Act, 1996. The Court reiterated that courts are not appellate bodies over arbitral awards and must exercise extreme restraint in interfering with factual findings of arbitral tribunals.

Case 7.1: ISRO Daily-Wage Workers Regularised; Gang Labourers Scheme Quashed
R. Iyyappan v. Union of India, 2026 SCC OnLine SC 742 | Bench: Vikram Nath & Sandeep Mehta JJ.

◆ **FACTS**

Long-serving daily-wage employees engaged at the Indian Space Research Organisation (ISRO), a sensitive government scientific establishment, filed petitions seeking regularisation of their services after years of working in ISRO facilities on a contractual/daily-wage basis. The Central Administrative Tribunal (CAT) had earlier passed binding directions requiring regularisation, and these directions had attained finality up to the Supreme Court level, meaning they could not be revisited or circumvented. However, ISRO instead of complying, framed the Gang Labourers (Employment for Sporadic Types of Work) Scheme, 2012 as an alternative arrangement that fell short of regularisation. The Madras High Court upheld ISRO's position and rejected the regularisation claims, holding that the Scheme constituted sufficient compliance.

◆ **ISSUES**

1. Whether the Gang Labourers (Employment for Sporadic Types of Work) Scheme, 2012 framed by ISRO complied with the earlier binding and final directions of the CAT?
2. Whether the long-serving daily-wage employees at ISRO are entitled to regularisation of their services?

◆ **JUDGMENT**

The Supreme Court set aside the Madras High Court's judgment. The Court held categorically that the Gang Labourers Scheme, 2012 failed to comply with the binding directions of the CAT that had attained finality all the way up to the Supreme Court, rendering the scheme invalid as a subterfuge to avoid compliance. The Court directed regularisation of all long-serving daily-wage ISRO workers who satisfied the requirements set out in the CAT's earlier orders. The Court emphasised that binding judicial directions of the CAT and the Supreme Court cannot be lawfully circumvented through alternative subordinate schemes or administrative arrangements that fall short of what was ordered.

Case 7.2: Canara Bank Disciplinary Enquiry Vitiating; Regulation 10 Joint Enquiry Held Directory

Canara Bank v. Prem Latha Uppal, 2026 SCC OnLine SC 847 | Bench: S.V.N. Bhatti & Vijay Bishnoi JJ.

◆ FACTS

A Senior Manager of Canara Bank was subjected to a departmental disciplinary enquiry for alleged irregularities in sanctioning credit facilities to two trading firms. During the enquiry proceedings, the presenting officer relied on statements and documents from persons who were not actually examined as witnesses during the disciplinary proceedings, meaning the charged officer had no opportunity to cross-examine these individuals whose statements were being used against her. Additionally, Regulation 10 of the Canara Bank Officer Employees' (Discipline and Appeal) Regulations, 1976, provided that where multiple employees are involved, disciplinary proceedings "may" be conducted jointly. The question arose whether this was a mandatory requirement giving employees the right to demand a joint hearing.

◆ ISSUES

1. Whether reliance on statements of persons not examined as witnesses during a departmental enquiry violates natural justice and vitiates the enquiry?
2. Whether Regulation 10 of the Canara Bank Officer Employees' (Discipline and Appeal) Regulations, 1976, providing for joint enquiry, is mandatory (giving a right to insist on a common enquiry) or merely directory?

◆ JUDGMENT

The Supreme Court partly upheld the High Court's decision setting aside the punishment order. The Court held that the departmental enquiry findings were vitiated by a fundamental breach of natural justice: the presenting officer had relied on statements of persons who were not examined as witnesses during the enquiry, thereby depriving the charged officer of her right to cross-examine them. This is a cardinal principle of natural justice, no adverse material can be relied upon without giving the affected party an opportunity to challenge it through cross-examination. On the second issue, the Court clearly held that Regulation 10 is directory and not mandatory, the word "may" therein cannot be read as "shall," and no employee has a vested right to insist on a common joint enquiry simply because another employee is also facing charges.

Case 7.3: Police Constable Dismissed for Serving Under Two Identities; Criminal Proceedings Ordered

State of Jharkhand v. Ranjan Kumar, 2026 SCC OnLine SC 824 | Bench: Ahsanuddin Amanullah & R. Mahadevan JJ.

◆ **FACTS**

A constable in the Jharkhand Police was discovered to have secured employment in not one but two different police forces under two different names, implying he had fabricated credentials and identities to fraudulently gain entry into government service twice. When discovered, he was subjected to disciplinary proceedings at all three tiers, original, appellate, and revisional, and all three tiers concurrently upheld his dismissal from service. Despite these three layers of concurrent findings of fraud, a Division Bench of the Jharkhand High Court reversed all the disciplinary findings and reinstated the constable. The State challenged the High Court's judgment before the Supreme Court.

◆ **ISSUES**

1. Whether fraudulent entry into public employment by using fabricated credentials and dual identities warrants dismissal from service?
2. Whether the Jharkhand High Court Division Bench was justified in reversing three tiers of concurrent disciplinary findings of fraud?

◆ **JUDGMENT**

The Supreme Court set aside the Jharkhand High Court Division Bench's order and restored the dismissal from service. The Court held unequivocally that public employment, particularly in the police force, which is entrusted with upholding law and order and the rule of law, cannot be converted into an instrument of fraud. Persons who secure entry into government service by deception, fabrication, and dual identity seriously erode the Rule of Law and the integrity of public institutions. The Court expressly held that such misconduct of the gravest nature warranted dismissal. Beyond restoring the dismissal, the Court went further and ordered the initiation of criminal proceedings against the respondent for the fraud perpetrated upon the State.

Case 7.4: Manipur DGP Appointment from Outside Cadre Permitted

Prakash Singh v. Union of India, 2026 SCC OnLine SC 975 | Bench: Surya Kant CJI, Joymalya Bagchi & Vipul M. Pancholi JJ.

◆ FACTS

Manipur has been in the grip of unprecedented and prolonged ethnic and civil unrest since 2023, with violence between communities causing massive displacement, loss of life, and breakdown of law and order in several districts. Against this extraordinary backdrop, the State Government of Manipur sought permission from the Supreme Court, which had been supervising police reforms under the Prakash Singh guidelines, to appoint the Director General of Police (DGP) from outside the Manipur cadre, i.e., by bringing in an IPS officer from another cadre or from the central deputation reserve. This was a departure from the ordinary procedure under the Prakash Singh guidelines and UPSC regulations governing DGP appointments.

◆ ISSUES

1. Whether the extraordinary ethnic and civil strife in Manipur constitutes a special circumstance justifying deviation from the standard Prakash Singh guidelines on DGP appointment from within the home cadre?
2. Whether the State Government may be permitted to appoint its DGP from outside the Manipur IPS cadre under such circumstances?

◆ JUDGMENT

The Supreme Court found merit in the State Government of Manipur's application and allowed the appointment of the Manipur DGP from outside the regular cadre. The Court recognised the unprecedented and ongoing ethnic and civil unrest in Manipur as a truly special circumstance of extraordinary gravity that justified deviation from the ordinary cadre-based appointment procedure. The Court's approval was conditioned on ensuring that the appointment would serve the cause of effective and impartial law enforcement in the State during this exceptionally difficult period.

8. CORPORATE & INSOLVENCY LAW

Case 8.1: IBC Cannot Be Used as Coercive Recovery Tool in Contractual Property Disputes

Dhanlaxmi Bank Ltd. v. Mohd. Javed Sultan, 2026 SCC OnLine SC 820 | Bench: Pamidighantam Sri Narasimha & Alok Aradhe JJ.

◆ **FACTS**

An application under Section 7 of the Insolvency and Bankruptcy Code, 2016 (IBC) was filed to initiate the Corporate Insolvency Resolution Process (CIRP) against a corporate debtor. The National Company Law Tribunal (NCLT) admitted the application and triggered CIRP. The National Company Law Appellate Tribunal (NCLAT) set aside the NCLT's admission order. The matter came to the Supreme Court on appeal. Crucially, the underlying dispute was not a standard financial debt-default scenario but arose from an individual contractual property transaction already pending adjudication before the Debt Recovery Tribunal (DRT). The allegation was that the IBC was being weaponised as a coercive pressure tool to extract settlement in what was essentially a contractual dispute rather than a genuine insolvency situation.

◆ **ISSUES**

1. Whether the IBC can be invoked as a coercive recovery tool in an individual contractual property dispute that is already pending before the Debt Recovery Tribunal (DRT)?
2. Whether every payment default automatically triggers and justifies the initiation of CIRP under Section 7 IBC, regardless of the nature of the underlying transaction?

◆ **JUDGMENT**

The Supreme Court affirmed the NCLAT's order setting aside the CIRP initiation and dismissed the appeal. The Court held that the present case did not involve a genuine "financial debt-default" scenario that warrants the extraordinary remedy of CIRP under the IBC. The IBC was enacted to address genuine corporate insolvency, it cannot be misused as a coercive debt recovery mechanism in individual contractual property disputes that are more appropriately before the DRT or civil courts. The Court reaffirmed that CIRP is not a substitute for ordinary civil remedies and that the IBC must not be weaponised to gain commercial leverage.

◆ **FACTS**

Proceedings under Sections 397 and 398 of the Companies Act, 1956, which deal with oppression of members and mismanagement of a company respectively, were filed by a person against a hospital management company. The respondent claiming to be an aggrieved member alleged oppression and mismanagement in the company. The company disputed the maintainability of the petition on the ground that the respondent's name was not formally entered in the company's register of members. The question was whether the expression "member" in Sections 397 and 398 is confined solely to persons formally registered in the register, or whether it encompasses persons who have a substantive proprietary interest in the company even without formal registration.

◆ **ISSUES**

1. Whether the expression "member" in Sections 397 and 398 of the Companies Act, 1956 is confined to persons whose names formally appear in the register of members?
2. Whether a person who has a substantive proprietary interest and is consistently treated as a stakeholder, but whose name is not on the formal register, can maintain an oppression petition?

◆ **JUDGMENT**

The Supreme Court upheld the decisions of the High Court and Company Law Board treating the respondent as a "member" eligible to maintain the oppression petition. The Court held that "member" under Sections 397 and 398 of the Companies Act, 1956 cannot be narrowly and technically construed as confined only to those formally registered in the register of members. Section 41 prescribes various recognised modes by which membership can be constituted and is not intended to make formal registration the exclusive and determinative test. Where contemporaneous records, consistent conduct of the parties, financial dealings, shareholding agreements, and consistent recognition of proprietary interest collectively demonstrate that a person is a genuine stakeholder, the absence of their name from the formal register will not defeat their right to maintain an oppression petition.

9. PROPERTY LAW

Case 9.1: Benami Act 2016 Amendment Is Retrospective; Confiscation a Civil Consequence

Manjula v. D.A. Srinivas, 2026 SCC OnLine SC 831 | Bench: J.B. Pardiwala & R. Mahadevan JJ.

◆ **FACTS**

An Order 7 Rule 11 application was filed seeking rejection of a civil suit at the threshold stage on the ground that the suit was barred as it sought to enforce a benami transaction. While the suit was ostensibly framed as one based on a will and inheritance, the substantive claim was that certain properties were purchased by the deceased using the plaintiff's money but were held in the deceased's name for the plaintiff's benefit, a classic benami arrangement. This attracted the bar under the Prohibition of Benami Property Transactions Act, 1988, as amended by the Prohibition of Benami Property Transactions (Amendment) Act, 2016. Multiple legal questions arose, including whether the 2016 amendments applied retrospectively and whether confiscation under the Benami Act violated the constitutional protection against double jeopardy.

◆ **ISSUES**

1. Whether the 2016 amendments to the Prohibition of Benami Property Transactions Act, 1988 are retrospective in operation?
2. Whether confiscation of property under the Benami Act violates Article 20(2) of the Constitution (protection against double jeopardy)?
3. When can courts reject a plaint at the threshold stage under Order 7 Rule 11 on benami grounds?
4. Whether a fiduciary or trust-like relationship exists between a company director and an employee, creating an exception to the benami bar?

◆ **JUDGMENT**

The Supreme Court delivered a comprehensive judgment on multiple issues. It held: (i) the 2016 amendments to the Benami Act are retrospective and apply to transactions entered into before the amendments; (ii) there is no fiduciary relationship between a company director and an employee that would create an exception to the benami bar; (iii) contracts designed to circumvent the law cannot be enforced by courts; (iv) courts must examine the legal sustainability of claims at the threshold stage, clever or artful drafting must not be allowed to

carry a benami suit to full trial; (v) confiscation is a civil consequence distinct from criminal prosecution, and the double jeopardy protection under Article 20(2) does not apply to it; (vi) once a transaction is judicially declared benami and the finding attains finality, confiscation follows automatically without requiring separate fresh adjudication.

Case 10.1: Wife's Professional Career and Separate Residence Not Cruelty or Desertion
Ann Saurabh Dutt v. Saurabh Iqbal Bahadur Dutt, 2026 SCC OnLine SC 850 | Bench: Vikram Nath & Sandeep Mehta JJ.

◆ **FACTS**

A dentist by profession, the wife had resided separately from her Army Officer husband in order to pursue her professional career and to make stable arrangements for the medical care of their minor daughter, who had special medical needs. A Family Court had recorded findings of "cruelty" and "desertion" against the wife, and these findings were affirmed by the Gujarat High Court. The basis of these findings was essentially that the wife had chosen to reside separately and prioritise her professional career and her child's medical needs, instead of living with her husband at his posting locations. The wife challenged these findings before the Supreme Court, arguing that they reflected deeply patriarchal assumptions about a woman's place in marriage.

◆ **ISSUES**

1. Whether a wife's decision to pursue her professional career and reside separately for the welfare of herself and her minor daughter constitutes "cruelty" or "desertion" within the meaning of the Hindu Marriage Act?
2. Whether courts can legally penalise women for exercising their professional aspirations within the framework of a marriage?

◆ **JUDGMENT**

The Supreme Court set aside and expunged all findings of cruelty and desertion that had been recorded against the wife by the lower courts. The Court held unequivocally that marriage does not eclipse a woman's individuality, her fundamental right to work, or her professional aspirations, and she cannot be compelled to sacrifice these at the altar of matrimonial conventionality. The Court subjected the approach of the Family Court and the Gujarat High Court to sharp criticism, characterising their reasoning as "pedantic," "regressive," and "ultra-conservative," rooted in outdated patriarchal assumptions about gender roles in marriage. The Court made a landmark observation: "We are well into the 21st Century, and yet an attempt by a qualified woman to pursue her professional career... has been treated as an act of cruelty and desertion by the Courts below."

Case 10.2: Will Valid Despite Exclusion of Natural Heirs; Mere Suspicion Insufficient
Parvathi Nairthi v. Laxmi Nairthy, 2026 SCC OnLine SC 911 | Bench: Ujjal Bhuyan & Vijay Bishnoi JJ.

◆ **FACTS**

A testator (male) executed a Will bequeathing his properties to his sister, excluding his wife and children from the testamentary gift. The will expressly stated that the testator had already made adequate provision for his wife and children during his lifetime. The wife and children challenged the will's validity, arguing that the deliberate exclusion of natural heirs in favour of a collateral relative created suspicious circumstances sufficient to invalidate the will. The trial court, the first appellate court, and the High Court all concurrently upheld the validity of the will after examining the evidence of attestation, the testator's mental capacity, and the circumstances of execution.

◆ **ISSUES**

1. Whether the exclusion of natural heirs (wife and children) from a Will, in favour of a collateral relative (sister), by itself creates "suspicious circumstances" that justify invalidating the Will?
2. Whether three concurrent findings of courts upholding the will required interference by the Supreme Court?

◆ **JUDGMENT**

The Supreme Court affirmed all three concurrent findings and upheld the Will in its entirety. The Court held that the exclusion of natural heirs cannot, by itself, vitiate or invalidate a Will, particularly where the Will clearly states that the testator had already made adequate provision for his wife and children during his lifetime. The testamentary freedom of a testator is a valuable right and must be respected. Mere suspicion arising from the fact of exclusion, without any concrete evidence of fraud, undue influence, lack of testamentary capacity, or improper execution, is insufficient to defeat a Will that has been duly proved. The Court found no basis to interfere with the three courts' concurrent findings.

11. CONSUMER & ELECTRICITY LAW

Case 11.1: TPDDL Cannot Recover Depreciation for Power Plant That Stopped Supply in 2018

Delhi Electricity Regulatory Commission v. Tata Power Delhi Distribution Ltd., 2026 SCC OnLine SC 819 | Bench: Alok Aradhe & Pamidighantam Sri Narasimha JJ.

◆ FACTS

The Delhi Electricity Regulatory Commission (DERC) challenged an order of the Appellate Tribunal for Electricity (APTEL). APTEL had permitted Tata Power Delhi Distribution Limited (TPDDL) to recover the entire capital cost of the Rithala Combined Cycle Power Plant through depreciation charges to be spread over 15 years, even though the plant had ceased to supply any electricity to Delhi consumers since March 2018, i.e., for several years before the tariff true-up in question. DERC argued that allowing consumers to pay for depreciation of an asset that was not actually supplying electricity to them was contrary to regulatory principles. TPDDL contended that Regulation 6.32 of the DERC Tariff Regulations, 2011 gave it an absolute right to recover depreciation over the regulatory life of the asset regardless of actual supply.

◆ ISSUES

1. Whether a generating utility can recover depreciation from consumers for a period when the concerned generating asset has ceased to supply electricity to consumers?
2. Whether Regulation 6.32 of the DERC Tariff Regulations, 2011 confers an absolute and unconditional right to depreciation recovery regardless of actual electricity supply?

◆ JUDGMENT

The Supreme Court allowed DERC's appeal and set aside the APTEL order. The Court held that Regulation 6.32 of the 2011 Regulations does not override the broader statutory and regulatory framework governing electricity tariffs, and does not confer an absolute and unconditional right to recover depreciation from consumers for periods when the generating asset is technically free to but is not actually supplying electricity. Permitting such recovery would require consumers to pay for an asset that delivers no benefit to them, which violates the fundamental principles of cost-reflective tariff regulation. The Court also held that true-up proceedings cannot be used to reopen or reconfigure the established tariff framework in a manner that creates windfall benefits for utilities at consumers' expense.

Case 11.2: Mediclaim Amount Not Deductible from MACT Motor Accident Compensation
New India Assurance Co. Ltd. v. Dolly Satish Gandhi, 2026 SCC OnLine SC 861 | Bench: Sanjay Karol & Vipul M. Pancholi JJ.

◆ **FACTS**

The case required the Supreme Court to definitively settle a recurring and vexed question of law on which different High Courts across India had taken contradictory positions: whether the amount received by an accident victim under a mediclaim policy or medical insurance (which the victim had taken out independently, paying her own premiums) should be deducted from the compensation awarded to her by a Motor Accident Claims Tribunal (MACT) under the Motor Vehicles Act, 1988, specifically under the head of medical expenses. The divergence of views among High Courts had created legal uncertainty across motor accident compensation cases.

◆ **ISSUES**

1. Whether the amount received by an accident victim as mediclaim or medical insurance is deductible from the compensation awarded by the Motor Accident Claims Tribunal under the Motor Vehicles Act, 1988?

◆ **JUDGMENT**

The Supreme Court definitively and conclusively settled the legal position, holding that the amount received by an accident victim as mediclaim or medical insurance is NOT deductible from the compensation awarded by the MACT. The Court applied the principle that a wrongdoer (or the insurer of the vehicle that caused the accident) cannot benefit from a private insurance policy that the victim had prudently taken out at her own expense. The mediclaim insurance represents the victim's own prudent financial planning, it is separate from and independent of the compensation liability. The Court expressed concern about the "judicial uncertainty" created by contradictory High Court rulings on a settled question, and the judgment brings much-needed clarity and uniformity to motor accident compensation jurisprudence across India.

12. JUDICIAL PROCESS & PROCEDURE

Case 12.1: High Courts Must Pronounce Reserved Judgments Within 3 Months; 24-Hour Upload Mandate

Pila Pahan v. State of Jharkhand, 2026 SCC OnLine SC 1012 | Bench: Surya Kant CJI & Joymalya Bagchi J.

◆ **FACTS**

Proceedings before the Supreme Court brought into sharp focus a systemic problem: a practice in certain High Courts of reserving judgment after hearing arguments in matters, and then simply not pronouncing those reserved judgments for indefinite periods, sometimes spanning months or even years. Litigants were left in a state of complete uncertainty after arguments were heard, with no timeline for the judgment. The issue came before the Supreme Court in the context of appeals from the Jharkhand High Court, but raised a pan-India concern about institutional accountability of High Courts and the prolonged hardship caused to litigants by this practice.

◆ **ISSUES**

1. Whether procedural timelines can and should be mandatorily prescribed for the pronouncement of reserved judgments by High Courts?
2. What accountability mechanism should exist to ensure that reserved judgments are not left pending indefinitely?
3. What is the mandatory timeline for uploading judgments once pronounced?

◆ **JUDGMENT**

The Supreme Court issued comprehensive and binding institutional directions applicable to all High Courts: (i) High Courts must endeavour to pronounce reasoned judgments within a maximum period of 3 months from the date of reserving a judgment; (ii) once a judgment is pronounced, it must be uploaded to the court's website within 24 hours. The Court explained that these directions were issued to ensure transparency, institutional accountability, and expedition in the disposal of reserved matters, protecting litigants from the injustice of indefinite post-hearing uncertainty. The 3-month timeline and 24-hour upload requirement were framed as aspirational institutional standards with strong judicial emphasis on compliance.

Case 12.2: Punjab & Haryana HC's Order Set Aside for Hallucination of Facts
Sunny v. State of Punjab, 2026 SCC OnLine SC 883 | Bench: Sanjay Kumar & K. Vinod Chandran JJ.

◆ **FACTS**

The Punjab & Haryana High Court passed a judicial order that contained a factually incorrect observation, the High Court recorded that the appellant had been named in the FIR (First Information Report) from the very beginning. In fact, the appellant had not been named in the original FIR at all. He was implicated much later, based on a disclosure statement made by a co-accused who was arrested in a separate and entirely different FIR. This distinction was materially important because being named in an FIR from the outset and being implicated subsequently on the basis of a disclosure statement are treated differently in bail and anticipatory bail matters. The High Court's factual error fundamentally affected its legal analysis.

◆ **ISSUES**

1. Whether a High Court order based on factually incorrect, or "hallucinated", findings that misrepresent the actual record can be legally sustained?
2. What is the consequence of recording non-existent facts in judicial orders?

◆ **JUDGMENT**

The Supreme Court set aside the Punjab & Haryana High Court's order. The Court noted with concern that the High Court had incorrectly recorded, contrary to the actual record, that the appellant was named in the FIR from the beginning, when he had in fact been implicated much later through a disclosure statement in a separate FIR. The Court characterised this as "hallucination of facts without application of mind", a pointed and memorable phrase, and held that judicial orders based on non-existent or factually incorrect premises cannot be legally sustained. The matter was remanded for fresh consideration by the High Court on the actual, correct facts.

Case 12.3: Digitally Signed Order Alone Is Final; Corrections Before Signing Permissible

Fakir Mamad Suleman Sameja v. Adani Ports and Special Economic Zones Ltd., 2026 SCC OnLine SC 842 | Bench: J.K. Maheshwari & Atul S. Chandurkar JJ.

◆ FACTS

An application was filed before the Supreme Court claiming that the digitally signed order subsequently uploaded on the Court's official system differed materially from what had been dictated by the judge(s) in open court during the pronouncement. The applicants contended that the signed, uploaded order had been altered or corrected after dictation in open court, and that the version dictated in open court should prevail as the authentic judicial order. The application sought review and rewriting of the final signed order. The case raised a fundamental question about what constitutes the final, authentic, and binding expression of a court's decision in the era of digitally signed court orders.

◆ ISSUES

1. Which constitutes the final and binding judicial order, the version orally dictated in open court, or the digitally signed order subsequently uploaded to the Court's systems?
2. Are corrections, refinements, and enhancements made to a dictated draft before signing legally permissible?

◆ JUDGMENT

The Supreme Court dismissed the application as "wholly misconceived and not maintainable." The Court reiterated the clear and settled position: the digitally signed order alone constitutes the final, authentic, and binding expression of the Court's judicial opinion in any matter. What is orally dictated in open court is merely a draft that has not yet been perfected. Corrections, refinements, additions, and enhancements made to a dictated draft before the order is formally signed are entirely permissible as part of the judicial drafting process, provided these do not result in material changes in the court's legal conclusions that would require the parties to be heard again. The digitally signed, formally uploaded order is the definitive judicial record.

13. CONTEMPT OF COURT

Case 13.1: Contempt Conviction of Sr. Advocate Yatin Oza Suspended; 'Final Act of Forgiveness'

Yatin Narendra Oza v. Suo Motu, High Court of Gujarat, 2026 SCC OnLine SC 835 | Bench: J.K. Maheshwari & Atul S. Chandurkar JJ.

◆ **FACTS**

During the COVID-19 pandemic, at a live press conference held on 5 June 2020, Senior Advocate Yatin Oza, who was also the then-President of the Gujarat High Court Advocates' Association, made severely critical allegations against the functioning of the Gujarat High Court and its Registry. Among the statements made, the Gujarat High Court considered the characterisation of the institution as a "gambling den" as scandalous and grossly damaging to the institution of the judiciary and its functioning. The Gujarat High Court took suo motu cognizance and by order dated 6 October 2020, convicted Yatin Oza for criminal contempt of court under Section 2(c)(i) of the Contempt of Courts Act, 1971. This conviction and the sentence imposed were challenged before the Supreme Court.

◆ **ISSUES**

1. Whether the Gujarat High Court's conviction of Yatin Oza for criminal contempt warranted interference on merits?
2. Whether the Supreme Court should exercise its extraordinary powers under Article 142 to provide relief to the convicted Senior Advocate despite affirming the conviction?

◆ **JUDGMENT**

The Supreme Court held that the Gujarat High Court's findings of fact and the legal reasons for the criminal contempt conviction did not require interference on merits, the conviction was upheld as legally sound. However, in a remarkable exercise of judicial magnanimity, the Supreme Court invoked its extraordinary powers under Article 142 of the Constitution as "a final act of forgiveness" toward the Senior Advocate, who had apologised, and indefinitely suspended Yatin Oza's contempt conviction and the sentence imposed thereon. The practical effect was that the conviction remained on record as a legal finding, but the sentence was suspended, effectively granting him relief without disturbing the legal findings against him.

14. SC/ST ACT

Case 14.1: Caste Abuse Inside House Without Public Gaze Not an Offence Under SC/ST Act

Gunjan v. State (NCT of Delhi), 2026 SCC OnLine SC 834 | Bench: N.V. Anjaria & Prashant Kumar Mishra JJ.

◆ **FACTS**

The appellants faced charges under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC/ST Act), as well as Section 506 read with Section 34 IPC, arising from alleged caste-based verbal abuse made inside a private residential house. The victim alleged that the accused abused her using caste-specific derogatory language within the confines of the house. The Delhi High Court upheld the framing of charges under the SC/ST Act, holding that the incident was sufficient to attract the Act's provisions. The appellants challenged the framing of charges before the Supreme Court.

◆ **ISSUES**

1. Whether caste-based verbal abuse occurring inside a private residential house, without the incident being "in a place within public view," constitutes an offence under Sections 3(1)(r) and 3(1)(s) of the SC/ST Act?
2. Whether "public view" is a sine qua non (essential condition) for the offences under these provisions of the SC/ST Act?

◆ **JUDGMENT**

The Supreme Court set aside the Delhi High Court's judgment and quashed both the FIR and the charge-sheet against the appellants. The Court held that for an offence to be made out under Sections 3(1)(r) and 3(1)(s) of the SC/ST Act, the insult, intimidation, or abuse must occur "in a place within public view", this is a sine qua non and an essential jurisdictional ingredient of these specific offences. The requirement of "public view" is not a technicality but a substantive element of the offence. Since the alleged caste-based abuse occurred inside a private residential house where there was no public gaze, and no member of the public could witness the incident, the SC/ST Act's provisions under these sections were simply not attracted on the facts. The FIR and charge-sheet were accordingly quashed.

15. DEBT & FINANCIAL LAWS

Case 15.1: Private Loan Transactions Can Constitute 'Deposits' Under MPID Act
Alka Agrawal v. State of Maharashtra, 2026 SCC OnLine SC 866 | Bench: Manoj Misra & N.V. Anjaria JJ.

◆ FACTS

The appellants had advanced money to the respondents under written arrangements that were described as "loans." The respondents had promised to return the principal amount along with interest/returns after a specified period. When the respondents defaulted and failed to repay, the appellants invoked the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID Act), arguing that these transactions constituted "deposits" under the Act. The Bombay High Court rejected this argument, holding that pure loan transactions between private parties do not constitute "deposits" under the MPID Act. The High Court also held that since earlier IPC-based criminal proceedings had failed, MPID proceedings were also barred. The appellants challenged both findings.

◆ ISSUES

1. Whether private loan transactions with promised returns constitute "deposits" under Section 2(c) of the MPID Act, 1999?
2. Whether failure of earlier criminal proceedings initiated under the IPC operates as a bar to the invocation of proceedings under the MPID Act?

◆ JUDGMENT

The Supreme Court set aside the Bombay High Court's order and ruled in favour of the appellants on both issues. First, the Court held that any transaction involving the receipt of money from another person coupled with an obligation to return that money along with promised returns, interest, or profits constitutes a "deposit" under Section 2(c) of the MPID Act, irrespective of whether the transaction is formally labelled a "loan" in the document. The substance of the arrangement, not its label, determines its character. The expression "financial establishment" under Section 2(d) is wide enough to include any such person who receives such money. Second, failure of IPC-based criminal proceedings does not bar invocation of the MPID Act, as the IPC and the MPID Act operate in entirely separate legal spheres with different aims, elements, and procedures.

16. ENVIRONMENT & PUBLIC SAFETY

Case 16.1: Stray Dogs: ABC Rules Directions Affirmed; Comprehensive Guidelines Issued
City Hounded by Strays, Kids Pay Price, In Re, 2026 SCC OnLine SC 894 | Bench: Vikram Nath, Sandeep Mehta & N.V. Anjaria JJ.

◆ FACTS

In a suo motu case concerning the menace of stray dogs in urban areas across India, particularly incidents involving attacks on children, the Supreme Court had issued directions on 7 November 2025 under the Animal Birth Control Rules, 2023 (ABC Rules). Several applications were subsequently filed seeking modification, recall, or clarification of those directions. Other applications sought an expansion of the directions to cover gated housing societies, housing complexes, parks, and other public places. Key to the litigation was the scope of Rule 11(19) of the ABC Rules, 2023, which deals with the re-release of sterilised stray dogs after sterilisation.

◆ ISSUES

1. Whether the directions of 7 November 2025 were validly issued and should be affirmed?
2. Whether the directions should be extended to gated housing societies, housing complexes, parks, and other public premises frequented by the public?
3. What is the scope of Rule 11(19) of the ABC Rules, 2023, regarding re-release of sterilised dogs?

◆ JUDGMENT

The Supreme Court issued comprehensive directions and affirmed the earlier directions dated 7 November 2025. The Court confirmed that gated housing societies, housing complexes, parks, and other public premises that are regularly frequented by people are excluded from the operation of re-release of sterilised stray dogs under Rule 11(19) of the ABC Rules, 2023. The Court further issued broad, nationwide directions for the systematic sterilisation and vaccination of stray dogs and directed full implementation of the ABC Rules framework. The judgment balanced animal welfare concerns with the safety and security of citizens, particularly children, in public spaces.

Case 16.2: Formaldehyde Units Allowed to Operate Pending Environmental Clearance
Neetu Solvents v. Vineet Nagar, 2026 SCC OnLine SC 811 | Bench: J.K. Maheshwari & Atul S. Chandurkar JJ.

◆ **FACTS**

Formaldehyde manufacturing units located in Rajasthan and Haryana were operating without having obtained prior Environmental Clearance (EC) under the Environmental Impact Assessment (EIA) Notification, 2006, although they held valid Consent to Establish (CTE) and Consent to Operate (CTO) from the respective State Pollution Control Boards. The units had set up and commenced operations on the basis of their valid State Board consents, which are separately issued and are different regulatory instruments from the Central/State EC under the EIA Notification. The National Green Tribunal (NGT) issued closure orders against these units, holding that operation without prior EC was illegal. The units challenged the closure orders.

◆ **ISSUES**

1. Whether manufacturing units that set up and operated with valid CTE and CTO from State Pollution Control Boards can be directed to be shut down merely because they lacked a separate prior EC under the EIA Notification, 2006?
2. What is the effect of regulatory authorities themselves having not insisted on EC during the establishment and operation of these units?

◆ **JUDGMENT**

The Supreme Court set aside the NGT's closure orders and permitted the units to continue their manufacturing operations. The Court adopted a pragmatic and equitable approach, holding that units that were established and had been operating pursuant to valid CTE and CTO from the competent State Pollution Control Boards cannot be visited with the drastic remedy of closure merely because the separate requirement of prior EC under the EIA Notification had not been appreciated or enforced by the regulatory authorities themselves at the time. The Court recognised that the regulatory ambiguity created by multiple overlapping consent and clearance requirements, and the failure of the authorities themselves to enforce the EC requirement, created equitable grounds for relief. The Court directed regularisation of the EC requirement through a time-bound process.

Case 16.3: Vehicle Tracking Devices and Panic Buttons Mandated in Public Service Vehicles

S. Rajaseekaran v. Union of India, 2026 SCC OnLine SC 877 | Bench: J.B. Pardiwala & K.V. Viswanathan JJ.

◆ FACTS

A road safety advocate and petitioner before the Supreme Court raised concerns about passenger safety in public transport across India. The petition specifically sought judicial directions for mandatory installation of three critical safety devices in all public service vehicles: Vehicle Location Tracking Devices (VLTDs) to enable real-time tracking; panic buttons to allow passengers to summon emergency assistance; and Speed Limiting Devices (SLDs) to prevent overspeeding. The petition highlighted incidents of road accidents and attacks on passengers in public transport and argued that these safety measures, while technologically available, were not being systematically mandated and enforced.

◆ ISSUES

1. Whether vehicle manufacturers can be mandated by court direction to install Speed Limiting Devices (SLDs) as standard equipment at the time of manufacture?
2. Whether Vehicle Location Tracking Devices and panic buttons must be mandatorily installed in all public service vehicles?

◆ JUDGMENT

The Supreme Court issued a series of directives aimed at improving vehicular and passenger safety in public transport. It mandated the installation of Vehicle Location Tracking Devices (VLTDs) and panic buttons in all public service vehicles to enable swift emergency response by law enforcement and emergency services. The Court also strongly expressed that all vehicle manufacturers are duty-bound to fit Speed Limiting Devices (SLDs) at the time of manufacture itself, as a built-in safety feature, and not as an afterthought or voluntary add-on. The directions were aimed at making public transport safer, reducing road accidents caused by speeding, and enabling faster emergency response in incidents involving passengers.



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