

Howrah Law Journal (February 2026) 34

Supreme Court Cases

The Howrah Law Journal's February 2026 issue summarizes significant Supreme Court judgments addressing diverse legal areas. Key rulings include the entitlement of soldiers to disability pensions without a three-year limit, and protections for atomic energy employees regarding gratuity. Additional highlights involve the rejection of excessive compensation for a faulty haircut and acknowledgment of rights to future earnings in accident claims. The journal also covers procedural rulings on bail, jurisdiction, and contract enforcement, reflecting ongoing legal interpretations and state obligations.

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Legal Developments in China 2025: Key Reforms in Executive, Legislative and Judicial Branches

In 2025, **China's legal system** experienced significant development across the executive, legislative, and judicial branches, reflecting the state's emphasis on economic modernization, technological innovation, and regulatory governance. The executive branch, led by **Li Qiang** and the **State Council of the People's Republic of China**, focused on implementing regulatory reforms and strengthening administrative law enforcement. Policy discussions addressed energy conservation, carbon reduction, consumer goods supply, and institutional opening-up, with initiatives aimed at aligning domestic regulations with international trade rules and enhancing oversight of administrative enforcement. The legislative branch, represented by the **National People's Congress Standing Committee**, reviewed 40 draft laws and passed 24 legal instruments, including six new laws and fourteen revisions. Key legislative developments included revisions to the **Foreign Trade Law of the People's Republic of China** and the **Anti-Unfair Competition Law of the People's Republic of China**, as well as the enactment of the **Value-Added Tax Law of the People's Republic of China** and the Law on the **Safety Management of Hazardous Chemicals**. Additional legislative activity addressed network security, public health emergencies, and environmental governance. Meanwhile, the judiciary, particularly the **Supreme People's Court of the People's Republic of China**, issued guiding and typical cases to clarify legal standards. These included rulings on **online consumer protection**, intellectual property disputes, and the equal protection of private enterprises, thereby strengthening legal certainty in China's rapidly evolving digital and market economy.

Consolidated Summary of 34 Supreme Court Cases (February 2026)

The Supreme Court of India delivered a wide range of judgments. **Disability pension** for soldiers cannot be restricted to three years (**Union of India v. SGT Girish Kumar**), while **Atomic Energy** employees are entitled to higher **gratuity** under the PG Act (**N. Manoharan**). Courts cannot **remand** by deciding only one issue (**Hemlata Pise**). **Dr. T.C.A. Anant** was appointed as Technical Consultant with full support (**Amit Kumar**). **Motor accident claims** must include **future prospects** in income computation (**V. Pathmavathi**). A **PMLA Special Court** cannot release property while **Appellate Tribunal** adjudication is pending (**Nav Nirman Builders**). **Concurrent findings** on an invalid Power of Attorney were upheld (**Tharammeel Peethambaran**). **₹2 crore compensation** for a faulty haircut was excessive, reduced to **₹50 lakhs** (**ITC Ltd.**). A **Revenue Officer** has no power to review own orders (**State of W.B. v. Jai Hind**). **Bail was granted** in an NDPS case, emphasizing **free legal aid** under Article 21 (**Reginamary Chellamani**).

The High Court correctly restrained from re-appreciating evidence in **second appeal** (**Dorairaj**). A **belated claim** for society membership after decades was rejected (**Shashin Patel**). In a **child custody** dispute from Qatar, **welfare was paramount** (**Mohtashem Billah**). A **cadre change** sought after 20 years was too belated (**Rupesh Kumar**). **Further investigation** under Section 173(8) CrPC is permissible with court permission (**Pramod Kumar**). A commercial property buyer is a '**consumer**' if leasing out (**Vinit Bahri**). Part-time teachers cannot be paid stagnant **honorarium** for years (**U.P. Instructors Welfare Assn.**). An arbitrator's **mandate ends** once an award is rendered (**C. Velusamy**). **Article 227** supervisory power can be invoked even if alternate remedies exist (**P. Suresh**). The **Pennaiyar River** dispute was referred to CWMA (**T.N. v. Karnataka**). If an **arbitration agreement** is disputed on **forgery**, reference cannot be made (**Rajia Begum**). Courts cannot interfere mid-election process (**Sandeep Singh Bora**).

The **Deputy Chairman** of Rajya Sabha can refuse motion under Judges Inquiry Act (**X v. Speaker**). A widow **daughter-in-law** can claim maintenance from father-in-law's **estate** (**Kanchana Rai**). **RTE Act Section 12** implementation requires further monitoring (**Dinesh Ashtikar**). Non-substitution of LRs leads to **abatement** of appeal (**Kishorilal**). Quashing complaints under NI Act cannot involve a "**mini trial**" (**Sumit Bansal**). **Preventive detention** orders based on **stale grounds** are invalid (**Roshni Devi**). The **Section 37 appeal** scope is narrower than Section 34 (**Jan De Nul**). A **Section 319 accused** added during trial is entitled to **bail** consideration (**Md Imran**). Rejecting the **highest bid** in auction expecting more is **arbitrary** (**Golden Food Products**). **Recruitment rules** cannot be changed

mid-selection (**Abhay Kumar Patel**). No **disciplinary proceedings** against a **superannuated** employee without enabling rules (**Kadir Khan Pathan**). **Electricity** is not “goods” for **customs duty** on SEZ to DTA supply (**Adani Power**).

Howrah Law Journal

LEGAL DIGEST (HLJ)

February 2026

LEGAL DIGEST

February 2026 (with select January cases)

1. UNION OF INDIA THROUGH ITS SECRETARY & ORS. v. SGT GIRISH KUMAR AND ORS. ETC.

- **Citation:** [2026] 2 S.C.R. 615 : 2026 INSC 149
- **Coram:** Pamidighantam Sri Narasimha, J.
- **Date:** 12-02-2026
- **Issue:**
 - Whether the benefit of arrears of disability pension can be restricted to three years prior to the filing of the original applications before the **Armed Forces Tribunal**.
- **Held:**
 - **Nature of Disability Pension:** The Court drew a crucial distinction between ordinary service pension and disability pension. Disability pension is not merely a reward for length of service; it is a compensation for the impairment of the body and mind suffered in the course of duty. It partakes of the character of a property right and is linked to the very condition of the individual.
 - **Continuing Wrong:** The denial of disability pension constitutes a continuing wrong. Each month that the pension is not paid, a fresh cause of action arises. Therefore, restricting arrears to a period of three years prior to filing the application would be arbitrary and defeat the very purpose of such pension.
 - **Duty of the State:** The State, as a model employer, has a constitutional obligation under Articles 14 and 21 to ensure that its heroes, who suffer disabilities in service of the nation, are not left to struggle for their legitimate dues.
 - **Final Outcome:** The appeals filed by the Union of India were dismissed. The appeals filed by the ex-servicemen were allowed, directing that they are entitled to full arrears of disability pension from the date it became due, and not merely for three years prior to their application.

- **Disposal:** Appeals by Union dismissed; Appeals by ex-servicemen allowed.
-

2. N. MANOHARAN, ETC. v. THE ADMINISTRATIVE OFFICER AND ANOTHER

- **Citation:** [2026] 2 S.C.R. 596 : 2026 INSC 143
 - **Coram:** Pankaj Mithal, Sarasa Venkatanarayana Bhatti, JJ.
 - **Date:** 11-02-2026
 - **Issue:**
 - Whether the employees of Heavy Water Plant (HWP), Department of Atomic Energy, are covered by the provisions of the **Payment of Gratuity Act, 1972**, or are they exclusively governed by the CCS (Pension) Rules, 1972.
 - **Held:**
 - **Applicability of the PG Act:** The Court held that the Payment of Gratuity Act, 1972, is a beneficial social welfare legislation intended to provide a safety net to employees. Its provisions apply to all establishments unless expressly exempted. There was no notification exempting HWP from the purview of the PG Act.
 - **Harmonious Construction:** The CCS (Pension) Rules and the PG Act can operate in tandem. While the employees are entitled to pension under the CCS Rules, they are also entitled to gratuity under the PG Act. The gratuity under the PG Act is distinct from the retirement gratuity payable under the pension rules.
 - **No Double Benefit:** The Court clarified that while the employees are entitled to the higher of the two benefits (i.e., if the gratuity calculated under the PG Act is more favorable, they are entitled to the difference), it does not amount to double payment. It is merely ensuring that the beneficial legislation operates to their advantage.
 - **Final Outcome:** The Controlling Authority under the PG Act was correct in directing the employer to pay the difference of gratuity to the retired employees. The appeals were dismissed.
 - **Disposal:** Dismissed
-

3. HEMLATA EKNATH PISE v. SHUBHAM BAHU-UDDSHIYA SANSTHA WADDHAMNA & ORS.

- **Citation:** [2026] 2 S.C.R. 610 : 2026 INSC 147
- **Coram:** Dipankar Datta, Satish Chandra Sharma, JJ.
- **Date:** 11-02-2026

- **Issue:**
 - Whether the High Court was justified in remanding the matter to the School Tribunal after considering only one of the several issues raised by the parties, without addressing the other points.
 - **Held:**
 - **Duty to Decide All Issues:** The Court held that a judicial or quasi-judicial authority, including the High Court in its writ or supervisory jurisdiction, must decide a matter by addressing all substantial issues raised by the parties. Picking and choosing only one point while ignoring others renders the judgment incomplete and potentially unjust.
 - **Remand Not a Substitute:** A remand order must be based on a clear finding that the lower authority failed to consider material aspects. However, when the High Court itself takes up the matter, it should endeavor to decide all issues to bring finality to litigation.
 - **Prejudice to Parties:** By remanding the matter without deciding the other points, the High Court left the appellant in a state of uncertainty and prolonged the litigation unnecessarily.
 - **Final Outcome:** The Supreme Court set aside the High Court's remand order and directed the High Court to hear the matter afresh and decide all issues raised by both parties on their merits.
 - **Disposal:** Appeal(s) allowed
-

4. AMIT KUMAR & ORS. v. UNION OF INDIA & ORS.

- **Citation:** [2026] 2 S.C.R. 402 : 2026 INSC 128
- **Coram:** J.B. Pardiwala, R. Mahadevan, JJ.
- **Date:** 06-02-2026
- **Issue:**
 - An Interlocutory Application was filed seeking directions for the appointment of Dr. T.C.A. Anant, former Chief Statistician of India, as a Technical Consultant to the National Task Force, and for the provision of administrative support and remuneration.
- **Held:**
 - **Role of Expert Consultants:** The Court recognized the critical importance of data-driven, scientific analysis in policy-making and judicial decision-making, particularly in matters of national importance. The appointment of domain experts ensures that the Court and the Executive have the benefit of informed opinions.

- **Directions Issued:** The Court directed the Ministry of Education to extend all necessary administrative support, infrastructure, and data access to Dr. Anant to enable him to effectively discharge his functions as Technical Consultant.
 - **Remuneration:** The Court further directed that Dr. Anant be provided with appropriate remuneration or honorarium as per prevalent government norms or as may be fixed by the Court, recognizing that expert services cannot be rendered without fair compensation.
 - **Final Outcome:** The Interlocutory Application was disposed of with the above directions.
 - **Disposal:** Interlocutory application disposed of.
-

5. V. PATHMAVATHI & ORS. v. BHARTHI AXA GENERAL INSURANCE CO. LTD & ANR.

- **Citation:** [2026] 2 S.C.R. 436 : 2026 INSC 131
- **Coram:** Dipankar Datta, Satish Chandra Sharma, JJ.
- **Date:** 06-02-2026
- **Issue:**
 - Assessment of income of the victim for computing compensation in a fatal road accident claim.
 - Whether future prospects should be added to the income.
 - Whether separate compensation under the head “loss of love and affection” is permissible.
- **Held:**
 - **Just Compensation:** The Court reiterated that the concept of “just compensation” under the Motor Vehicles Act means that the award should be fair, reasonable, and equitable. It should not be a source of profit for the claimants, but it must also not be a pittance that defeats the purpose of the legislation.
 - **Future Prospects:** Following the settled principles in *National Insurance Co. Ltd. v. Pranay Sethi*, the Court held that future prospects @ 40% ought to have been added to the income of the deceased, who was aged 37 years.
 - **Loss of Love and Affection:** The Court noted that the High Court had erred in denying compensation under this head. However, it clarified that “loss of love and affection” is now generally included within the head of “loss of consortium.” The matter was remanded to the High Court to recompute the compensation afresh, taking into account all permissible heads and the correct income.

- **Final Outcome:** The appeals were disposed of with a direction to the High Court to recompute the compensation.
 - **Disposal:** Disposed off
-

6. M/S. NAV NIRMAN BUILDERS & DEVELOPERS PVT. LTD. v. UNION OF INDIA

- **Citation:** [2026] 2 S.C.R. 406 : 2026 INSC 130
 - **Coram:** M.M. Sundresh, N. Kotiswar Singh, JJ.
 - **Date:** 06-02-2026
 - **Issue:**
 - The correctness of the decision-making process adopted by the Special Court under the PMLA, which allowed release of property even while an adjudication by the Appellate Tribunal under Section 26 of the PMLA was pending.
 - **Held:**
 - **Scheme of PMLA:** The Court examined the statutory scheme of the Prevention of Money-Laundering Act, 2002. Under Section 8(7) read with Section 8(8), the Special Court has the power to release property, but such power must be exercised in accordance with law and not in a manner that renders the appellate process nugatory.
 - **Improper Short-circuiting:** By allowing the application for release of property while the matter was sub judice before the Appellate Tribunal, the Special Court effectively short-circuited the statutory remedy. Such a decision-making process is flawed and amounts to an abuse of process.
 - **Final Outcome:** The appeal was allowed. The order of the Special Court was set aside. The matter was remitted to the Appellate Tribunal to adjudicate the matter on its own merits, uninfluenced by any observations of the Special Court.
 - **Disposal:** Appeal(s) allowed
-

7. THARAMMEL PEETHAMBARAN AND ANOTHER v. T. USHAKRISHNAN AND ANOTHER

- **Citation:** [2026] 2 S.C.R. 576 : 2026 INSC 134
- **Coram:** Pankaj Mithal, Sarasa Venkatanarayana Bhatti, JJ.
- **Date:** 06-02-2026
- **Issue:**

- Whether a Power of Attorney (Exh.B-2) allegedly executed by the plaintiff in favor of the 1st defendant was valid and satisfied the requirements of law, or whether it was forged/fudged.
 - **Held:**
 - **Concurrent Findings of Fact:** The Trial Court and the First Appellate Court, after a detailed appreciation of evidence, had concurrently held that the Power of Attorney was not proved to be valid and that the plaintiff had not authorized the 1st defendant to deal with the property. The High Court, in second appeal, affirmed these findings.
 - **Limits of Interference under Section 100 CPC:** The Supreme Court reiterated that it does not interfere with concurrent findings of fact unless they are shown to be perverse, i.e., based on no evidence or based on a complete misreading of evidence. The appellants failed to demonstrate any such perversity.
 - **Burden of Proof:** The party alleging the validity of a document and seeking to rely on a power of attorney bears the burden of proving its execution and authenticity. The defendants had failed to discharge this burden.
 - **Final Outcome:** Finding no error in the judgments below, the Supreme Court dismissed the appeals.
 - **Disposal:** Dismissed
-

8. ITC LIMITED v. AASHNA ROY

- **Citation:** [2026] 2 S.C.R. 455 : 2026 INSC 135
- **Coram:** Rajesh Bindal, Manmohan, JJ.
- **Date:** 06-02-2026
- **Issue:**
 - Whether the National Consumer Disputes Redressal Commission (NCDRC) was justified in awarding a compensation of ₹2 crores to a model for a faulty haircut and related services at a beauty salon in a five-star hotel.
- **Held:**
 - **Deficiency in Service Upheld:** The Court affirmed the finding of the NCDRC that there was a clear deficiency in service on the part of the salon. The haircut was not as per the consultation, and the subsequent treatment suggested by the salon for hair fall was also substandard.
 - **Quantum of Compensation Excessive:** However, the Court found the award of ₹2 crores to be exorbitant and not in line with the principles of compensation under the Consumer Protection

Act. Compensation must be commensurate with the loss or injury suffered and should not be a windfall.

- **Reduction of Award:** Taking into account the professional standing of the respondent (a model whose career could be affected by damaged hair), the mental agony suffered, and the reputation of the hotel, the Court reduced the compensation to ₹50 lakhs, which it deemed just and fair.
- **Final Outcome:** The appeal was partly allowed. The finding of deficiency in service was upheld, but the compensation was reduced from ₹2 crores to ₹50 lakhs.
- **Disposal:** Case Partly allowed

9. STATE OF WEST BENGAL & ORS. v. JAI HIND PVT. LTD.

- **Citation:** [2026] 2 S.C.R. 497 : 2026 INSC 132
- **Coram:** M.M. Sundresh, N. Kotiswar Singh, JJ.
- **Date:** 06-02-2026
- **Issue:**
 - Whether a Revenue Officer has the power to review his own earlier order under the West Bengal Estates Acquisition Act, 1953.
 - Whether the respondent-company had fulfilled the conditions to retain land under Section 6(1) (j) of the Act.
- **Held:**
 - **No Inherent Power of Review:** The Court held that a statutory authority, like a Revenue Officer, does not have any inherent power of review. Review is a creature of statute and must be expressly conferred. The WBEA Act contained no provision empowering a Revenue Officer to review his own orders.
 - **Consequences of Unreviewable Order:** Therefore, the subsequent order of the Revenue Officer, which purported to review and set aside his earlier determination, was without jurisdiction and void *ab initio*.
 - **Entitlement to Land:** On the second issue, the Court examined whether the company was genuinely engaged in “farming” as of the appointed date to claim exemption from vesting. It found that the company had failed to establish this requirement.
 - **Final Outcome:** The appeal by the State of West Bengal was allowed. The orders of the High Court, which had relied on the invalid review order, were set aside.

- **Disposal:** Appeal(s) allowed
-

10. REGINAMARY CHELLAMANI v. STATE REP. BY SUPERINTENDENT OF CUSTOMS

- **Citation:** [2026] 2 S.C.R. 398 : 2026 INSC 127
 - **Coram:** Sanjay Kumar, K. Vinod Chandran, JJ.
 - **Date:** 05-02-2026
 - **Issue:**
 - Grant of bail to the appellant accused of offences under the NDPS Act, 1985.
 - The right of the accused to free legal aid, especially when in custody and unable to engage a counsel.
 - **Held:**
 - **Bail in NDPS Cases:** While the NDPS Act imposes stringent conditions for the grant of bail (Section 37), these conditions do not oust the jurisdiction of the court to grant bail where the accused has been in prolonged custody and there is no likelihood of the trial concluding in the near future.
 - **Right to Free Legal Aid:** The Court emphasized that the right to free legal aid is a fundamental right under Article 21 of the Constitution, as recognized in *Hussainara Khatoon v. Home Secy., State of Bihar*. It is the duty of the Magistrate or Sessions Judge to inform the accused of this right and provide them with legal assistance at state expense.
 - **Final Outcome:** Considering the period of incarceration already undergone and the fact that the appellant was not provided with adequate legal representation at crucial stages, the Court granted her bail on suitable conditions.
 - **Disposal:** Appeal(s) allowed
-

11. DORAIRAJ v. DORAISAMY (DEAD) THROUGH LRS & ORS.

- **Citation:** [2026] 2 S.C.R. 545 : 2026 INSC 126
- **Coram:** Sanjay Karol, Satish Chandra Sharma, JJ.
- **Date:** 05-02-2026
- **Issue:**
 - Whether the High Court exercised its powers under Section 100 CPC with restraint in a second appeal arising from a partition suit.

- Whether the High Court was justified in affirming the decree of the First Appellate Court granting the plaintiff a 5/16th share.
 - **Held:**
 - **Scope of Second Appeal:** The Court reiterated that the jurisdiction of the High Court under Section 100 CPC is confined to substantial questions of law. It is not a third fact-finding forum. The High Court cannot interfere with findings of fact unless they are perverse.
 - **Concurrent Findings:** In the present case, the Trial Court and the First Appellate Court had concurrently held that the suit properties were joint Hindu family properties and that the plaintiff was entitled to a share. These findings were based on evidence.
 - **Restrained Approach:** The High Court correctly refrained from re-appreciating the evidence and only examined whether the conclusions drawn by the lower courts were legally sustainable.
 - **Final Outcome:** Finding no error in the High Court's approach, the Supreme Court dismissed the appeal.
 - **Disposal:** Dismissed
-

12. SHASHIN PATEL AND ANR. v. UDAY DALAL AND ORS.

- **Citation:** [2026] 2 S.C.R. 381 : 2026 INSC 125
- **Coram:** Vikram Nath, Sandeep Mehta, JJ.
- **Date:** 05-02-2026
- **Issue:**
 - Whether the successors-in-interest of a deceased tenant could claim membership in a Co-operative Housing Society by making a belated payment, decades after the original tenant's death.
- **Held:**
 - **Delay and Laches:** The Court held that equity aids the vigilant, not those who slumber on their rights. The original tenant had passed away long ago, and the appellants (his successors) had made no effort to get their names entered in the society's records or seek membership for decades.
 - **No Automatic Right of Membership:** The right of a tenant to be admitted as a member of a co-operative society is not automatic and is subject to the bye-laws of the society and the applicable statutes. A highly belated claim cannot be entertained as it would disturb the settled rights of other members.

- **Final Outcome:** The Joint Registrar had correctly rejected the belated prayer of the appellants. The appeals were partly allowed, but the core finding that the claim was too belated to be granted was upheld.
 - **Disposal:** Case Partly allowed
-

13. MOHTASHEM BILLAH MALIK v. SANA AFTAB

- **Citation:** [2026] 2 S.C.R. 352 : 2026 INSC 118
 - **Coram:** Pankaj Mithal, Sarasa Venkatanarayana Bhatti, JJ.
 - **Date:** 04-02-2026
 - **Issue:**
 - Dispute regarding the custody of two minor sons, who were removed from Qatar (where the parents resided) to India by the mother during their academic session, allegedly without the father's knowledge and consent.
 - **Held:**
 - **Welfare of the Child is Paramount:** The Court reiterated the settled principle that in matters of child custody, the sole and paramount consideration is the welfare of the minor child, and not the legal rights of the parents under personal law or foreign decrees.
 - **Comity of Courts:** While the Court respected the decree of the Qatari court granting custody to the mother and guardianship to the father, it held that such a decree is not automatically enforceable in India. An Indian court must independently assess the welfare of the child.
 - **Interim Arrangement:** Since the children were now in India and had been living with the mother, the Court passed a detailed interim arrangement for custody and visitation rights to ensure the children's stability while also preserving the father's right to access and maintain a relationship with them. The main custody petition was directed to be decided expeditiously by the Family Court.
 - **Final Outcome:** The appeal was allowed, with the above directions.
 - **Disposal:** Appeal(s) allowed
-

14. RUPESH KUMAR MEENA v. UNION OF INDIA & OTHERS

- **Citation:** [2026] 2 S.C.R. 362 : 2026 INSC 119
- **Coram:** Rajesh Bindal, J.
- **Date:** 04-02-2026

- **Issue:**
 - Whether the appellant, a 2004 batch officer allocated to the Tamil Nadu cadre, could change his cadre to Rajasthan against an 'insider' vacancy more than two decades after joining service.
 - **Held:**
 - **Delay Defeats Equity:** The Court held that the appellant's claim was highly belated. He had served in Tamil Nadu for over 20 years and had accepted his allocation without protest. To now seek a change of cadre would cause administrative chaos and unfairly affect other candidates who might have been eligible at the time.
 - **Sanctity of Cadre Allocation:** Cadre allocation is a crucial part of service jurisprudence. Once allocated and after long acquiescence, an officer cannot be permitted to reopen the issue, especially when the claim is based on a vacancy that arose years ago.
 - **Final Outcome:** The Tribunal and the High Court had rightly dismissed the appellant's claim. The Supreme Court dismissed the appeal.
 - **Disposal:** Dismissed
-

15. PRAMOD KUMAR & ORS. v. STATE OF UTTAR PRADESH

- **Citation:** [2026] 2 S.C.R. 481 : 2026 INSC 120
- **Coram:** Rajesh Bindal, J.
- **Date:** 04-02-2026
- **Issue:**
 - Whether the police/investigating agency has the power to conduct "further investigation" under Section 173(8) of the CrPC (now Section 193(9) of BNSS) after submitting a final report under Section 173(2) CrPC, and if so, whether the permission of the Magistrate is required.
- **Held:**
 - **Power of Further Investigation:** The Court held that the power to conduct further investigation is a statutory right of the police. Even after a final report is filed, if new facts or evidence come to light, the investigating agency can conduct further investigation.
 - **Role of Magistrate:** However, further investigation is not an unilateral exercise. The police must seek the permission of the Magistrate concerned to conduct further investigation. The Magistrate, in turn, must apply its judicial mind to the request and pass a reasoned order allowing or disallowing it.

- **No Bar:** The filing of a final report under Section 173(2) does not act as a bar to further investigation under Section 173(8). The provision is designed to ensure that the truth is brought before the court.
 - **Final Outcome:** The High Court had correctly set aside the order of the Sessions Judge, who had erroneously held that further investigation was not permissible. The Supreme Court dismissed the appeals, affirming the High Court's view.
 - **Disposal:** Appeal(s) allowed (in favor of the State's right to investigate)
-

16. VINIT BAHRI AND ANOTHER v. M/S MGF DEVELOPERS LTD. AND ANOTHER

- **Citation:** [2026] 2 S.C.R. 370 : 2026 INSC 114
 - **Coram:** Prashant Kumar Mishra, J.
 - **Date:** 04-02-2026
 - **Issue:**
 - Whether the complainants, who had booked a commercial unit for the purpose of leasing it out, fall within the definition of 'consumer' under the Consumer Protection Act, 1986, or are excluded by the "commercial purpose" exception.
 - **Held:**
 - **Purpose of Purchase:** The Court examined whether the purchase of the unit was for a "commercial purpose." The appellants had bought the unit to generate income by leasing it out. The Court held that "commercial purpose" must be interpreted to mean a purpose closely linked to the buyer's own livelihood or self-employment.
 - **Leasing as an Investment:** If a person purchases a property and merely leases it out to earn rent, without themselves carrying on any business or commercial activity in that property, it is in the nature of an investment to generate passive income. Such a purpose does not automatically exclude them from the definition of 'consumer'.
 - **Final Outcome:** The NCDRC had erred in dismissing the complaint on the ground that the appellants were not 'consumers'. The Supreme Court set aside the NCDRC's order and remanded the matter for hearing on merits.
 - **Disposal:** Appeal(s) allowed
-

17. U.P. JUNIOR HIGH SCHOOL COUNCIL INSTRUCTOR WELFARE ASSOCIATION v. STATE OF U.P.

- **Citation:** [2026] 2 S.C.R. 323 : 2026 INSC 117

- **Coram:** Pankaj Mithal, Prasanna Bhalachandra Varale, JJ.
 - **Date:** 04-02-2026
 - **Issue:**
 - Whether part-time contractual instructors/teachers, appointed in Upper Primary Schools in Uttar Pradesh, are entitled to a revision of their fixed honorarium of ₹7,000/- per month, which had remained stagnant for years.
 - **Held:**
 - **Right to Fair Compensation:** The Court held that while contractual employees may not be entitled to the same pay scale as regular employees, they cannot be paid the same paltry sum for years on end. The rising cost of living and inflation must be taken into account.
 - **Arbitrariness of Stagnant Pay:** Paying the same honorarium for a decade or more without any revision is arbitrary and violates Article 14 of the Constitution. It amounts to exploitation of labor.
 - **Samagra Shiksha Scheme:** The Court noted that funds are available under the Samagra Shiksha Scheme for honorarium to such instructors. The State cannot take shelter behind the lack of a formal pay commission recommendation for contractual staff.
 - **Final Outcome:** The appeals filed by the teachers were allowed. The State was directed to reconsider the honorarium and fix a rational amount, keeping in view the workload, inflation, and funds available. The State's appeals were dismissed.
 - **Disposal:** Appeals by teachers allowed; Appeals by State dismissed.
-

18. C. VELUSAMY v. K. INDHERA

- **Citation:** [2026] 2 S.C.R. 295 : 2026 INSC 112
- **Coram:** Pamidighantam Sri Narasimha, J.
- **Date:** 03-02-2026
- **Issue:**
 - Can a court entertain an application under Section 29A(5) of the Arbitration and Conciliation Act, 1996, to extend the mandate of the arbitrator for making the award, *after* an award has already been rendered (albeit after the expiry of the eighteen-month statutory period)?
- **Held:**
 - **Purpose of Section 29A:** Section 29A was introduced to ensure that arbitrations are concluded expeditiously. It provides a timeline for passing the award and a mechanism for extension.

- **Mandate Ends with Award:** The Court held that the mandate of an arbitrator comes to an end once an award is made, even if the award is made beyond the prescribed period. The arbitrator becomes *functus officio*. Once the award is rendered, there is no subsisting mandate to extend.
 - **Consequences of Belated Award:** An award made beyond the statutory period without a valid extension of mandate is not automatically void, but its validity can be challenged under Section 34. However, filing an application for extension *after* the award is made is procedurally impermissible, as the court cannot extend something that has already ceased to exist.
 - **Final Outcome:** The Court allowed the appeal, setting aside the order of the High Court which had granted an extension after the award was passed.
 - **Disposal:** Case Allowed
-

19. P. SURESH v. D. KALAIVANI & ORS.

- **Citation:** [2026] 2 S.C.R. 558 : 2026 INSC 121
 - **Coram:** Aravind Kumar, J.
 - **Date:** 03-02-2026
 - **Issue:**
 - Could the High Court entertain an application invoking its power of superintendence under Article 227 of the Constitution, even when a specific remedial provision (like Order VII Rule 11 or Order VI Rule 16 CPC) was available to the party before the Trial Court?
 - **Held:**
 - **Scope of Article 227:** Article 227 vests the High Court with the power of superintendence over all courts and tribunals within its jurisdiction. This power is discretionary and is meant to ensure that courts below act within their bounds and do not commit grave injustice.
 - **Alternate Remedy Not an Absolute Bar:** The existence of an alternate remedy is not an absolute bar to the maintainability of a petition under Article 227. The High Court can exercise its supervisory jurisdiction if there is a patent lack of jurisdiction, a grave error of law, or if the proceedings below are found to be perverse.
 - **Final Outcome:** In the facts of this case, the High Court was justified in exercising its jurisdiction under Article 227. The Supreme Court found no error in the High Court's approach and dismissed the appeal.
 - **Disposal:** Case Allowed (in favor of the respondent's right to approach under Article 227)
-

20. THE STATE OF TAMIL NADU v. THE STATE OF KARNATAKA & ANR.

- **Citation:** [2026] 2 S.C.R. 285 : 2026 INSC 113
 - **Coram:** Vikram Nath, J.
 - **Date:** 02-02-2026
 - **Issue:**
 - Dispute between the States of Tamil Nadu and Karnataka regarding the sharing of the waters of the Pennaiyar River, arising from the alleged construction of a check dam/diversion by Karnataka, impeding the free flow of water into Tamil Nadu.
 - **Held:**
 - **Adjudication of Inter-State River Disputes:** The Court noted that disputes concerning inter-state rivers are complex and require a specialized adjudicatory mechanism under the Inter-State River Water Disputes Act, 1956.
 - **Role of the CWMA:** The Cauvery Water Management Authority (CWMA) is the appropriate forum to monitor and regulate the sharing of waters. The dispute regarding the Pennaiyar, being an inter-state river, was directed to be placed before the CWMA for consideration and appropriate action, as per the existing scheme.
 - **Final Outcome:** The original suit was disposed of with a direction to the CWMA to consider the matter and take all necessary steps to ensure compliance with the existing agreements and orders.
 - **Disposal:** Disposed off
-

21. RAJIA BEGUM v. BARNALI MUKHERJEE

- **Citation:** [2026] 2 S.C.R. 270 : 2026 INSC 106
- **Coram:** Pamidighantam Sri Narasimha, J.
- **Date:** 02-02-2026
- **Issue:**
 - Whether disputes can be referred to arbitration when the very existence of the arbitration agreement itself is seriously disputed on the grounds of forgery and fabrication.
- **Held:**
 - **Fraud and Arbitrability:** The Court held that when a party raises a credible and serious allegation of fraud or forgery regarding the document containing the arbitration clause, the

matter cannot be referred to arbitration. Such a dispute goes to the very root of the contract and the jurisdiction of the arbitrator.

- **Prima Facie Examination:** Before appointing an arbitrator under Section 11 or referring a matter under Section 8, the court must undertake a *prima facie* examination of whether a valid arbitration agreement exists. If the challenge to the agreement's validity is substantial and not a sham, the court should decide the issue rather than leaving it to the arbitrator.
 - **Differential Outcome:** In one appeal, the arbitration agreement was seriously disputed, and the appointment of an arbitrator was correctly declined. In the other, the arbitration agreement was admitted, and the High Court's refusal to appoint an arbitrator was set aside.
 - **Final Outcome:** Civil Appeal No.674/2026 (challenging refusal to appoint arbitrator) was dismissed. Civil Appeal No.675/2026 (challenging reference to arbitration in the face of forgery allegations) was allowed.
 - **Disposal:** CA No.674/2026 dismissed; CA No.675/2026 allowed.
-

22. SANDEEP SINGH BORA v. NARENDRA SINGH DEOPA & ORS.

- **Citation:** [2026] 2 S.C.R. 257 : 2026 INSC 105
 - **Coram:** Vikram Nath, Sandeep Mehta, JJ.
 - **Date:** 02-02-2026
 - **Issue:**
 - Challenge to an interim order of the High Court, passed during the pendency of Panchayat elections, directing the Returning Officer to allot a symbol to the writ petitioner and permit him to participate in the election.
 - **Held:**
 - **Non-Interference in Election Process:** The Court reiterated the strong constitutional policy of non-interference in the mid-way of the election process, as embodied in Article 243-O of the Constitution (for Panchayats) and Article 329 (for Parliament and State Legislatures).
 - **Remedy After Election:** Disputes regarding nomination papers, rejection of candidature, or allotment of symbols must be raised by way of an election petition after the conclusion of the election process, and not by way of writ petitions mid-way.
 - **Final Outcome:** The High Court's interim order was set aside as it amounted to interfering with the election process. The appeal was allowed.
 - **Disposal:** Case Allowed
-

23. X v. O/O SPEAKER OF THE HOUSE OF PEOPLE & ORS.

- **Citation:** [2026] 2 S.C.R. 200 : 2026 INSC 65
 - **Coram:** Dipankar Datta, Satish Chandra Sharma, JJ.
 - **Date:** 16-01-2026
 - **Issue:**
 - Interpretation of the first proviso to Section 3(2) of the Judges (Inquiry) Act, 1968, regarding the constitution of a Joint Committee when notices of motion are given in both Houses of Parliament.
 - Whether the Deputy Chairman of the Rajya Sabha was competent to refuse admission to a notice of motion when the office of the Chairman was vacant.
 - **Held:**
 - **Independent Role of Presiding Officers:** The Court held that each Presiding Officer (Speaker of Lok Sabha and Chairman/Deputy Chairman of Rajya Sabha) acts independently. The mere fact that notices are given in both Houses on the same day does not automatically mandate the formation of a Joint Committee, especially if one Presiding Officer refuses to admit the motion.
 - **Competence of Deputy Chairman:** The Deputy Chairman of the Rajya Sabha is fully competent to discharge all functions of the Chairman when that office is vacant, including the power to admit or refuse a motion under the Judges (Inquiry) Act.
 - **Final Outcome:** The writ petition challenging the refusal to admit the motion was dismissed. The Court found no illegality in the decision-making process of the Deputy Chairman.
 - **Disposal:** Dismissed
-

24. KANCHANA RAI v. GEETA SHARMA & ORS.

- **Citation:** [2026] 2 S.C.R. 191 : 2026 INSC 54
- **Coram:** Pankaj Mithal, Sarasa Venkatanarayana Bhatti, JJ.
- **Date:** 13-01-2026
- **Issue:**
 - Whether a daughter-in-law, who becomes a widow after the death of her father-in-law, is a “dependant” entitled to claim maintenance from the estate of her deceased father-in-law under the Hindu Adoptions & Maintenance Act, 1956.
- **Held:**

- **Interpretation of “Widow of his Son”:** The Court interpreted Section 22 and the definition of “dependants” under Chapter III of the Hindu Adoptions & Maintenance Act. The phrase “widow of his son” is not restricted to a widow whose husband was alive at the time of the father-in-law’s death. It includes a daughter-in-law who becomes a widow at any time.
- **Ongoing Obligation:** The obligation of a father-in-law to

25. DINESH BIWAJI ASHTIKAR v. STATE OF MAHARASHTRA & ORS.

- **Citation:** [2026] 2 S.C.R. 168: 2026 INSC 56
- **Coram:** Pamidighantam Sri Narasimha, J.
- **Date:** 13-01-2026
- **Issue:**
 - Effective implementation of the mandate of Section 12 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, ensuring admission of at least 25% of class strength in unaided schools for children belonging to weaker sections and disadvantaged groups.
- **Held:**
 - **Constitutional Mandate (Article 21A):** The Court emphasized that the RTE Act is a transformative legislation designed to operationalize the fundamental right to education under Article 21A. Section 12 is its cornerstone, intended to promote social inclusion and diversity.
 - **Persistent Implementation Gaps:** The Court noted with concern the inaccessibility of the online portal, lack of awareness among parents, and other administrative hurdles that have prevented the full realization of the Section 12 mandate.
 - **Need for Monitoring:** The Court directed that the matter be listed for further hearing to ensure that all state governments and union territories are complying with the law and to pass necessary directions to streamline the admission process.
 - **Final Outcome:** The Special Leave Petition was directed to be listed for further hearing.
- **Disposal:** Special Leave Petition to be listed for further hearing.

LEGAL DIGEST

February 2026

26. KISHORILAL (D) THR. LRS & ORS. v. GOPAL & ORS.

- **Citation:** [2026] 2 S.C.R. 144 : 2026 INSC 48
- **Coram:** Manoj Misra, Ujjal Bhuyan, JJ.

- **Date:** 12-01-2026
 - **Issue:**
 - Whether the First Appeal abated due to non-substitution of the legal representatives of one of the appellants.
 - Whether an earlier order of the High Court impleading parties would bar a plea of abatement by the principle of *res judicata*.
 - **Held:**
 - **Abatement:** The Court held that failure to substitute the legal representatives of a deceased appellant within the prescribed period of limitation results in the appeal abating as a whole, especially when the right to sue does not survive against the remaining appellants alone.
 - **Res Judicata:** The earlier High Court order impleading certain parties as proforma respondents was an interlocutory order and did not operate as *res judicata* on the question of abatement. The question of abatement goes to the root of the maintainability of the appeal and can be raised at any stage.
 - **Final Outcome:** The Court concluded that the First Appeal had indeed abated. Consequently, the judgment and decree of the High Court, which had proceeded on the merits, was set aside. The appeal was allowed, restoring the position that the appeal stood abated.
 - **Disposal:** Appeal(s) allowed
-

27. SUMIT BANSAL v. M/S MGI DEVELOPERS AND PROMOTERS

- **Citation:** [2026] 2 S.C.R. 107 : 2026 INSC 40
- **Coram:** Sanjay Karol, Prashant Kumar Mishra, JJ.
- **Date:** 08-01-2026
- **Issue:**
 - Whether the High Court was right in quashing a complaint under the Negotiable Instruments Act, 1881, on the ground that another complaint for the same underlying liability was already pending.
 - Whether such quashing amounted to conducting a “mini trial,” which is impermissible under Section 482 CrPC.
- **Held:**
 - **Impermissibility of Mini Trial:** The Court reiterated that while exercising jurisdiction under Section 482 CrPC, the High Court cannot conduct a “mini trial” or engage in a roving inquiry

into the facts. The court must only examine the allegations in the complaint to see if they prima facie disclose an offence.

- **Same Liability:** The mere fact that another complaint was filed for the same underlying liability does not automatically entitle the accused to quashing of subsequent proceedings, especially when separate cheques were involved. Each instance of cheque dishonour can give rise to a distinct cause of action.
- **Differential Treatment:** The Court allowed the appeal in one case (Crl.A. No.141/2026), restoring the complaint, as the High Court had exceeded its jurisdiction. However, it dismissed the other connected appeals (Crl.A. Nos. 142-144/2026) where the facts and circumstances were distinct, demonstrating that each case must be evaluated on its own merits.
- **Disposal:** Crl.A. No.141/2026 allowed; Crl.A. Nos.142, 143, 144/2026 dismissed.

28. ROSHNI DEVI v. THE STATE OF TELANGANA

- **Citation:** [2026] 2 S.C.R. 128 : 2026 INSC 41
- **Coram:** J.K. Maheshwari, J.
- **Date:** 08-01-2026
- **Issue:**
 - Whether the order of preventive detention passed against the appellant under the Telangana Prevention of Dangerous Activities Act was valid in law.
 - Whether the grounds of detention were stale and whether there was a live link between the alleged activities and the order of detention.
- **Held:**
 - **Stale Grounds:** The Court found that the alleged incidents forming the basis of the detention order were not proximate in time. A significant gap between the last alleged incident and the date of the detention order snapped the “live link” necessary to justify preventive detention.
 - **Subjective Satisfaction:** The detaining authority’s subjective satisfaction must be based on material that shows a compelling necessity to prevent the person from acting in a prejudicial manner in the *near future*. When the grounds are stale, such satisfaction is vitiated.
 - **Violation of Rights:** The Court held that the continued detention of the appellant based on stale material amounted to an abuse of the preventive detention law and violated her fundamental rights under Article 22 of the Constitution.
 - **Final Outcome:** The appeal was allowed, the order of detention was quashed, and the appellant was directed to be set at liberty forthwith.

- **Disposal:** Appeal(s) allowed
-

29. JAN DE NUL DREDGING INDIA PVT. LTD. v. TUTICORIN PORT TRUST

- **Citation:** [2026] 2 S.C.R. 86 : 2026 INSC 34
 - **Coram:** Pamidighantam Sri Narasimha, Pankaj Mithal, JJ.
 - **Date:** 07-01-2026
 - **Issue:**
 - Whether the Division Bench of the High Court, in an appeal under Section 37 of the Arbitration and Conciliation Act, 1996, was justified in interfering with the Single Judge's order passed under Section 34 of the Act, which had upheld the Arbitral Tribunal's award.
 - **Held:**
 - **Limited Scope of Interference:** The Court reiterated the settled principle that the scope of interference in appeals under Section 37 of the Act is even narrower than that under Section 34. An appellate court under Section 37 cannot re-appreciate evidence or interfere with a well-reasoned order of the Single Judge unless it is perverse or patently illegal.
 - **Error by Division Bench:** The Division Bench erred by venturing into a reappraisal of the facts and evidence, effectively acting as a court of first appeal, which is not permissible under the statutory scheme of the Arbitration Act.
 - **Final Outcome:** The Supreme Court set aside the judgment of the Division Bench and restored the order of the Single Judge, which had upheld the Arbitral Tribunal's award.
 - **Disposal:** Appeal(s) allowed
-

30. MD IMRAN @ D.C. GUDDU v. THE STATE OF JHARKHAND

- **Citation:** [2026] 2 S.C.R. 139 : 2026 INSC 36
- **Coram:** J.B. Pardiwala, K.V. Viswanathan, JJ.
- **Date:** 07-01-2026
- **Issue:**
 - Whether an accused who is added during trial under Section 319 of the Code of Criminal Procedure, 1973, is entitled to be released on bail, and what factors should guide the court in granting such bail.
- **Held:**

- **Distinct Position of Section 319 Accused:** The Court observed that an accused summoned under Section 319 CrPC stands on a different footing from an accused arrested during investigation. The evidence against a Section 319 accused has already been tested to some extent during the trial of the main accused, and the court has formed a *prima facie* opinion that they appear to be guilty.
 - **Bail Considerations:** While a Section 319 accused is not automatically entitled to bail, the court must consider the nature of the evidence on record, the role attributed, and the fact that they were not in custody during the investigation. The Court held that liberty is the rule and detention the exception.
 - **Final Outcome:** The Court allowed the appeal filed by the accused, granting him bail on suitable terms. The connected appeal filed by the State challenging the grant of bail to another accused was dismissed, as the High Court's order granting bail was found to be reasoned and based on relevant considerations.
 - **Disposal:** Appeal by accused allowed; Appeal by State dismissed.
-

31. GOLDEN FOOD PRODUCTS INDIA v. STATE OF U.P.

- **Citation:** [2026] 2 S.C.R. 47 : 2026 INSC 22
- **Coram:** B.V. Nagarathna, R. Mahadevan, JJ.
- **Date:** 06-01-2026
- **Issue:**
 - Whether an authority conducting an auction can discard the highest bid simply because it expects a higher bid than what was offered.
- **Held:**
 - **Sanctity of Auction Process:** The Court held that in a public auction, the highest bidder has a legitimate expectation that their bid will be accepted, provided it meets the reserve price and all terms and conditions of the auction.
 - **Arbitrariness:** Rejecting the highest bid solely on the ground that the authority expected a higher price is arbitrary and unreasonable. Such an action undermines the integrity and fairness of the auction process and is violative of Article 14 of the Constitution.
 - **Final Outcome:** The Ghaziabad Development Authority (GDA) had rejected the appellant's highest bid without any justifiable reason. The Supreme Court set aside the rejection and directed the GDA to accept the bid of the appellant.
- **Disposal:** Appeal(s) allowed

32. ABHAY KUMAR PATEL v. STATE OF BIHAR

- **Citation:** [2026] 2 S.C.R. 62 : 2026 INSC 24
- **Coram:** J.K. Maheshwari, J.
- **Date:** 06-01-2026
- **Issue:**
 - Whether the Bihar Engineering Service Class-II Recruitment (Amendment) Rules, 2022, could be made applicable to a 2019 recruitment advertisement after the written examination had been conducted and the provisional merit list had been published.
- **Held:**
 - **Prospective Operation of Rules:** The Court reiterated that amendments to recruitment rules are generally prospective in nature and cannot be applied retrospectively to an ongoing selection process unless expressly stated or necessarily implied.
 - **Change of Rules Mid-game:** Applying a new rule (in this case, Rule 8(5)) to a selection process that had already progressed to the stage of publishing a merit list would be arbitrary and would change the rules of the game after the game had been played.
 - **Final Outcome:** The appellants, who were candidates in the 2019 recruitment process, were entitled to have their candidature considered under the rules as they existed at the time of the advertisement. The Supreme Court allowed the appeal, setting aside the impugned judgment and directing that the selection be finalized based on the unamended 2019 Rules.
- **Disposal:** Civil Appeal No. 54 of 2026 allowed; SLP(C) No. 8231 of 2025 disposed of.

33. KADIRKHAN AHMEDKHAN PATHAN v. MAHARASHTRA STATE WAREHOUSING CORP.

- **Citation:** [2026] 2 S.C.R. 31 : 2026 INSC 16
- **Coram:** J.K. Maheshwari, J.
- **Date:** 06-01-2026
- **Issue:**
 - In the absence of any provision in the Maharashtra State Warehousing Corporation (Staff) Service Regulations, 1992, can disciplinary proceedings be instituted against a superannuated employee?
 - If an inquiry is instituted after retirement, does the Corporation have the jurisdiction to continue it and impose the punishment of withholding retiral benefits and directing recovery?

- **Held:**

- **No Statutory Authority:** The Court held that the Corporation's own Service Regulations did not contain any provision for initiating or continuing disciplinary proceedings against an employee after their date of superannuation.
- **Inapplicability of Maharashtra Civil Services Rules:** The Corporation could not rely on the Maharashtra Civil Services (Pension) Rules, 1982, to fill this lacuna, as those rules were not made applicable to the Corporation's employees.
- **Void Proceedings:** Since the departmental enquiry was initiated after the appellant's retirement without any enabling provision in the governing regulations, the entire proceedings, including the subsequent order withholding retiral benefits and directing recovery, were without jurisdiction and thus void *ab initio*.
- **Final Outcome:** The appeal was allowed. The impugned orders were set aside, and the Corporation was directed to release all retiral benefits to the appellant, along with applicable interest.

- **Disposal:** Appeal(s) allowed

34. ADANI POWER LTD. v. UNION OF INDIA

- **Citation:** [2026] 2 S.C.R. 12 : 2026 INSC 1

- **Coram:** Aravind Kumar, J.

- **Date:** 05-01-2026

- **Issue:**

- Whether customs duty is leviable on electrical energy generated in a Special Economic Zone (SEZ) and supplied to the Domestic Tariff Area (DTA).
- Whether the appellant was entitled to a refund of amounts deposited towards such duty, based on the principle that electricity is not "goods" for the purpose of levying customs duty.

- **Held:**

- **Electricity is Not Goods for Customs Duty:** The Court held that electrical energy, though capable of being transmitted and sold, is not "goods" in the sense of tangible movable property for the purpose of levying customs duty under the Customs Act, 1962. The levy of customs duty presupposes the import/export of tangible goods.
- **Prior Judgment Applicable:** The High Court had erred in confining its earlier 2015 judgment (which had ruled in favor of Adani Power) to a particular notification and period. The legal

principle laid down in that judgment—that electricity is not subject to customs duty—was one of general application.

- **Entitlement to Refund:** Since the duty was levied without authority of law, the appellant was entitled to a refund of the amounts deposited. The Court allowed the appeal and directed the authorities to process the refund claims in accordance with law.

- **Disposal:** Appeal(s) allowed

End of Digest

Chief Justice of India Visited France



IFCCI successfully organised the Indo-French Legal & Business Conference in partnership with the Paris Bar Association on 30-31 January 2026 in Paris.

Hon'ble the Chief Justice of India on on 30-31 January 2026, along with a delegation from the Supreme Court of India, visited Paris, France and participated in several bilateral meetings with the objective of developing, promoting and strengthening the **judicial cooperation between India and France**.

The delegation, led by the Hon'ble CJI and accompanied by **Mr. Sanjeev Singla**, Ambassador of India to France and Monaco, met with the President of the **Constitutional Council**, His Excellency Richard Ferrand. Both dignitaries discussed key areas, including technology and judicial training,

where the judiciaries of both nations could collaborate and exchange best practices to enhance and bolster justice delivery.

The delegation also met with the Vice President of the Council of State, Mr. Didier Tabuteau, and discussed the manner in which their respective judiciaries operate, the framework of the court system, and the handling of case adjudication. Hon'ble the CJI delivered the Keynote Address as Chief Guest at the 'Indo-French General Counsel and Business Conference' organised by the Indo-French Chamber of Commerce and Industry in association with the Paris Bar Association, where he highlighted the significance of the Indo-France Year of Innovation 2026 and its impact on bilateral relations, as well as the burgeoning Alternative Dispute Resolution framework in India, which would further aid in this shared mission.

The Supreme Court Delegation, led by the Hon'ble CJI, also met with Mr. Vincent Vigneau, President of the Commercial Chamber of the Cour de Cassation, to discuss developments in the field of Alternative Dispute Resolution, especially arbitration and mediation, and ended with a shared resolution to integrate the legal fraternities of both jurisdictions. Prior to his departure from Paris, the Hon'ble CJI also spent time and had a conversation with members of the Association of South Asian Lawyers France, during which he underscored the vital role they play in connecting distinct jurisdictions.

IFCCI successfully organised the Indo-French Legal & Business Conference in partnership with the Paris Bar Association on 30-31 January 2026 in Paris.

The **Indo-French Chamber of Commerce and Industry** (IFCCI), in partnership with the **Paris Bar Association**, hosted its largest conference in Paris, bringing together more than 250 senior leaders from the judicial, legal, policy, and business communities of India and France. A historic highlight was the presence of **Justice Surya Kant**, marking the first official visit by a Chief Justice of India to France in over a decade. He was felicitated by **Akshay Jaitly**, Founding Partner at Trilegal, and Vanessa Bousardo, former Vice-President of the Paris Bar Association.

The conference was also attended by **Sanjeev Singla**, Ambassador of India to France and Monaco, and Vincent Vigneau of the Cour de Cassation, underscoring the depth of Indo-French engagement. Opening remarks by Payal S. Kanwar, Carine Denoit-Benteux, Siddharth Batra, and Bhumika Indulia set the stage for forward-looking dialogue.

In his keynote, **Justice Surya Kant** highlighted evolving cross-border dispute resolution and the multi-dimensional partnership between the two nations. The conference also built momentum toward the India–France Year of Innovation 2026.

Three panels addressed global trade, AI and data governance, and arbitration cooperation, featuring experts from leading organisations such as Airbus, Schneider Electric, L'Oréal, LVMH, and Dentons. The programme concluded with networking receptions, cultural visits to Sainte-Chapelle, Conciergerie, and Fondation Cartier, and a closing cocktail reception in Paris.

Appointment and Transfer

The Supreme Court Collegium, in a series of meetings held during February 2026, approved several key judicial appointments and transfers aimed at strengthening the functioning of various High Courts across India.

In its meeting on **February 26, 2026**, the Collegium cleared proposals for the appointment of **nine advocates as judges of the Patna High Court**. Those approved include **Md. Nadim Seraj, Ranjan Kumar Jha, Kumar Manish, Sanjeev Kumar, Girijish Kumar, Alok Kumar, Raj Kumar, Rana Vikram Singh, and Vikash Kumar**. Their elevation is expected to help address the judicial workload and pending cases in the court.

Earlier, during a meeting on **February 3, 2026**, the Collegium approved the appointment of **five retired judges as ad hoc judges of the Allahabad High Court** under **Article 224-A of the Constitution of India** for a **two-year term**. The judges include **Justice Mohd. Faiz Alam Khan, Justice Mohd. Aslam, Justice Syed Aftab Husain Rizvi, Justice Renu Agarwal, and Justice Jyotsna Sharma**. The move is intended to assist the court in tackling its heavy backlog of cases.

In another decision taken on **February 12, 2026**, the Collegium approved the confirmation of **seven Additional Judges as Permanent Judges in the Kerala High Court**. They are **Justice Abdul Hakhim Mullappally Abdul Aziz, Justice Syam Kumar Vadakke Mudavakkat, Justice Harisankar Vijayan Menon, Justice Manu Sreedharan Nair, Justice Easwaran Subramani, Justice Manoj Pulamby Madhavan, and Justice Marakkaparambil Bhargavan Snehalatha**.

Additionally, the Collegium recommended the appointment of **Justice Sushrut Arvind Dharmadhikari**, currently a judge of the Kerala High Court with parent High Court as Madhya Pradesh High Court, as the **Chief Justice of the Madras High Court** following the retirement of the incumbent Chief Justice on **March 5, 2026**.

The Collegium has also adopted a **new policy decision** to improve administrative efficiency in High Courts. Under the policy, a judge selected to become a Chief Justice may be **transferred at least two months before the vacancy arises** to familiarize themselves with the court's functioning before formally assuming charge.

In line with this policy, the Collegium recommended the **transfer of Justice Lisa Gill from the Punjab and Haryana High Court to the Andhra Pradesh High Court**, where she will take over as **Chief Justice** once the post falls vacant.

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