Supreme Court Chronicle

Issue XXIII | September 2025 (Covering Events of August 2025)

Highlights

- *Thai delegation visit to the Supreme Court*
- *Delegation visit by Foreign National Bar Associations*
- *NALSA Regional Conference on Human-Wildlife Conflict*











Message from the Secretary General

Dear Readers,

I am pleased to present the latest edition of the Supreme Court Chronicle. Each edition of the Chronicle seeks to capture the spirit of the Court's work and its many engagements, both within and beyond the institution.

This edition features the visit of a distinguished delegation from the Kingdom of Thailand to the Supreme Court of India, which offered an opportunity to share perspectives on legal systems and best judicial practices. Such visits strengthen mutual respect and cooperation between judiciaries, which is vital in a world where legal questions increasingly cross national boundaries. Alongside this, we were honoured to host representatives from foreign National Bar Associations. Exchanges of this nature enrich our understanding of diverse legal systems and highlight the universal values that bind judicial institutions worldwide.

Another key feature of this edition is the Regional Conference organised by NALSA on the theme of Human-Wildlife Conflict. By bringing together judges, policymakers, forest officials, and subject experts, the conference highlighted the judiciary's role in addressing pressing ecological challenges.

This month has also been marked by two developments: the retirement of Hon'ble Justice Sudhanshu Dhulia and the appointment of Hon'ble Justice Alok Aradhe and Hon'ble Justice Vipul Pancholi. With the appointment of the two Hon'ble judges, the Supreme Court has reached its full sanctioned strength of 34 judges. This enhances the capacity of the Court and reinforces its commitment to ensuring timely justice.

As you read this edition, I hope the events covered serve as a reminder of the judiciary's mission: to dispense justice with integrity, openness, and a spirit of cooperation. May these accounts keep you informed and engaged until the next edition.

Shekhar C Munghate
Secretary General
Supreme Court of India

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Farewell to Hon'ble Justice Sudhanshu Dhulia



9 August 2025: Justice Sudhanshu Dhulia retired, marking his last working day with the Judges of the Supreme Court of India





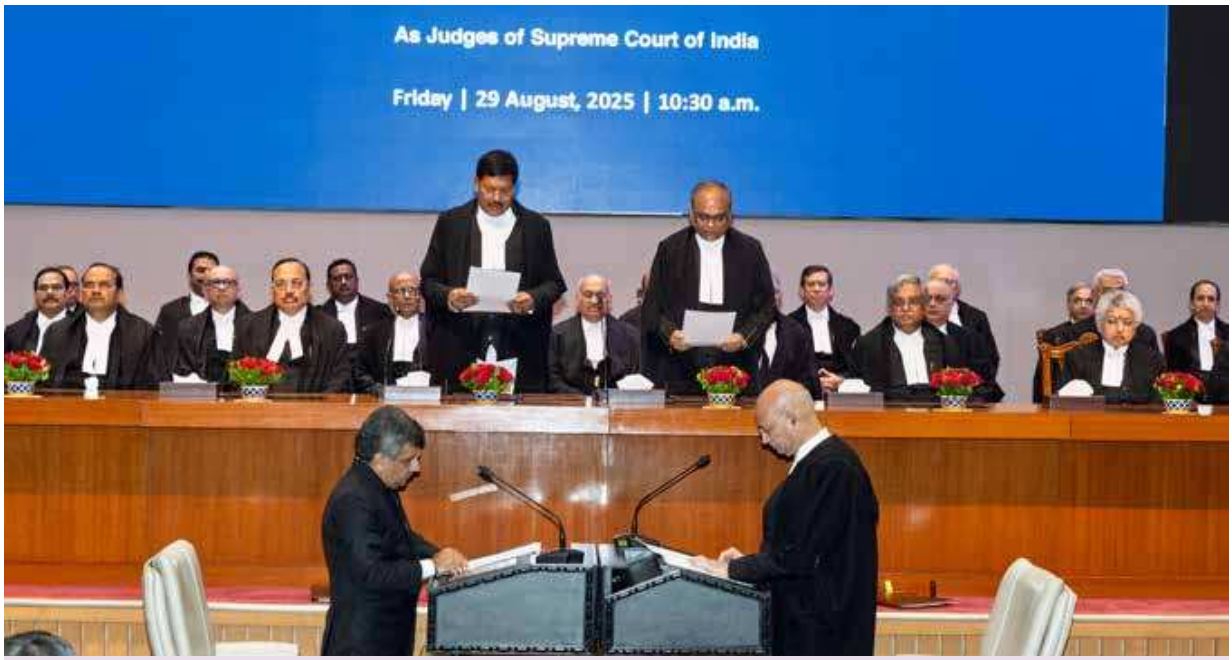
Justice Sudhanshu Dhulia was presented with a Guard of Honour, in a dignified farewell to his illustrious judicial tenure

Oath Ceremony

Justice Alok Aradhe and Justice Vipul Manubhai Pancholi took oath as Judges of the Supreme Court on 29 August 2025 in the Multipurpose Hall, Administrative Buildings Complex, Supreme Court of India



29 August 2025: Justice B R Gavai, Chief Justice of India, administers oath of office to Justice Alok Aradhe



29 August 2025: Justice B R Gavai, Chief Justice of India, administers oath of office to Justice Vipul Manubhai Pancholi

Courts in Conversation: Thai Delegation visit to the Supreme Court

Courts may serve different nations, yet their responsibilities often mirror one another: to uphold constitutional values, to safeguard rights, and to deliver justice with integrity. Each jurisdiction is shaped by its own history and culture, but the challenges that judges encounter are familiar across borders. How should cases be managed? How are constitutions interpreted? How can the law keep pace with rapid change? These are questions that resonate in every courtroom. When judicial institutions meet, they create space for dialogue and comparative learning, and enrich each other by engaging with each other's experience. Such exchanges remind us that while courts speak in the voice of their own people, the vocation of judging belongs to a wider, shared conversation.

It was with this spirit that the Supreme Court of India welcomed a thirty-three member delegation from the Constitutional Court of the Kingdom of Thailand on 4 August 2025. The group was led by Prof Dr Nakharin Mektrairat, President of the Constitutional Court of Thailand. The visiting members included Justices Udom Sittiwirattham, Noppadon Theppitak, Udom Rathamarit, and Sumath Roygul Chareon, along with the Deputy Secretary General, senior officials of the Constitutional Court, and representatives of the College of the Constitutional Court.

The programme commenced with an interaction between the delegation and the Justice B R Gavai, Chief Justice of India, who was joined by Justice P S Narasimha, Justice Dipankar Datta, and Justice K V Viswanathan, Judges, Supreme Court of India. The meeting provided a platform for exchanging perspectives on constitutional adjudication, case management, and the evolving role of technology in judicial systems. The conversation reflected the common commitment of both courts to strengthen the rule of law while adapting to contemporary challenges.

Following this, the members of the delegation attended a series of lectures delivered by judges of the Supreme Court of India on the



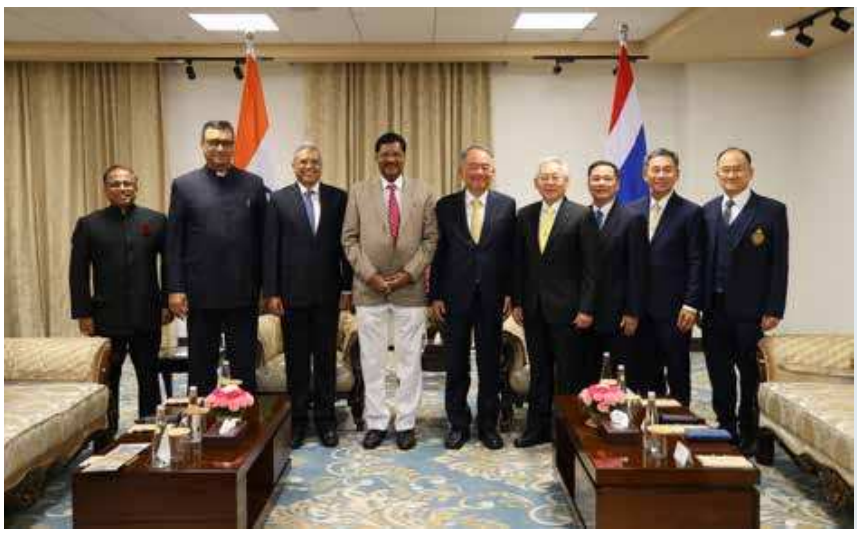
4 August 2025: A 33-member Thai delegation, headed by Prof Dr Nakharin Mektrairat, President, Constitutional Court of the Kingdom of Thailand, with Justice B R Gavai, Chief Justice of India, Justice P S Narasimha, Justice Dipankar Datta, Justice K V Viswanathan, Judges, Supreme Court of India, at the Supreme Court of India



4 August 2025: Justice B R Gavai, Chief Justice of India, in conversation with Prof Dr Nakharin Mektrairat, President, Constitutional Court of Thailand

functioning of the Court. The session began with Justice P S Narasimha's address on "Digital Technology Application in Judicial Proceedings and Administration: Practices and Challenges". During his session, Justice Narasimha spoke about the proactive role of the judiciary in IT reforms including initiatives such as Justice Clock, e-Sewa Kendras and the live streaming of Court proceedings. His session was followed by Justice Dipankar Datta's presentation on "Case Management and Judicial Panel Appointment". Justice Datta discussed the challenges of delivering justice in a pluralist society, as confronted by the Supreme Court. He also mentioned the collegium system as well as the case management system employed by the Court. He especially emphasised the Supreme Court's case clearance ratio and the Court's sustained efforts to improve it, including the introduction of the Caseflow Management Committee. Justice Datta's presentation was followed by Justice K V Viswanathan's lecture on "Constitutional Adjudication Elements and Procedures," which reflected on the High Court and Supreme Court's power to take suo moto cognizance of matters in order to make the legal process more accessible for all citizens of the country.

Together, the lectures offered insight into how the Supreme Court of India grapples with questions common to many judiciaries. Later, the delegation visited the Supreme Court's main building, took in its history, architecture, and observed the rhythm of its daily functioning.



4 August 2025 (Left to Right): Justice K V Viswanathan, Justice Dipankar Datta, Justice P S Narasimha, Judges, Supreme Court of India, Justice B R Gavai, Chief Justice of India, with the Thai delegates

Delegation Visit by Foreign National Bar Associations

The corridors of justice become a little wider when legal minds from across the globe gather to share experiences and insights. Such engagements between the Bar and the Bench, especially with international counterparts, offer a unique space where legal minds step outside the daily rhythm of courtrooms and deliberations, to exchange experiences, perspectives, and approaches to common challenges. When heads of foreign bar associations visit, they bring with them the insights of diverse legal traditions, offering an opportunity to reflect on practices that have worked elsewhere, the hurdles others have faced, and the evolving role of the legal profession in society. For the judiciary, such interactions are a reminder that while each system has its own history and context, the pursuit of justice, fairness, and integrity is universal. These encounters spark conversations that are at once professional and human, fostering understanding, trust, and a shared commitment to the ideals that bind the global legal community. These interactions also prove invaluable for the Bar since it allows them to closely interact with foreign delegates and understand the challenges faced by lawyers globally, as well as the methods they employ to navigate such challenges. Moreover, it also allows the Indian Bar and Bench to interact in a setting where they may be able to evaluate each other's functioning from a comparative lens.

To this end, on 28 August 2025, the Supreme Court of India hosted a delegation of heads of foreign national bar associations, alongside the senior leadership of the Bar Association of India. The delegation, which included eminent representatives from Australia, China, Hong Kong, Japan, Macau, Malaysia, Mongolia, Nepal, New Zealand, Singapore, Sri Lanka, Taiwan, South Korea, Bhutan, France, Indonesia, Cambodia, Brunei, and other international jurisdictions, was welcomed by the senior office bearers of the Bar Association of India, including its President, Mr Prashant Kumar, President-Elect Mr Amarjit Singh Chandhiok, Vice Presidents and and other distinguished office bearers.

The delegation engaged in conversation with Justice B R Gavai, Chief Justice of India, Justice Surya Kant and Justice Vikram Nath, Judges, Supreme Court of India. Justice Gavai spoke on the evolving nature of societies and the need for Bar and Bench to work in tandem to secure the rights for all citizens.


Supreme Court of









Global Engagements





17-21 May 2025: Justice Manmohan, Judge, Supreme Court of India, at International Trademark Association (INTA) Annual Meeting in San Diego, California. He chaired the session on "Law and Policy All Rise: News from INTA's IP Court". In his address, he spoke about mandatory pre-suit mediation in the context of Intellectual Property disputes in India, noting the exception carved out for "urgent interim relief". He emphasised the advantages of mediation in IP matters, including preservation of business relationships and the involvement of technical expertise







25-28 August 2025: An Indian delegation led by Justice K Vinod Chandran, Judge, Supreme Court of India, along with Justice Nitin W Sambre, Judge, High Court of Delhi, participated in the 5th International Symposium of the Association of Asian Constitutional Courts and Equivalent Institutions Secretariat for Research and Development (AACC SRD) on the theme "Right to Privacy" in Seoul, South Korea. Justice K Vinod Chandran delivered a presentation on "Defining the Right to Privacy"

National Engagements





1-2 August 2025:
Justice B R Gavai, Chief Justice of India, attended the inaugural function of Diamond Jubilee Celebration of Dr Ambedkar College, Nagpur, Maharashtra

1-2 August 2025:
Justice B R Gavai, Chief Justice of India, in frame with Devendra Fadnavis, Chief Minister of Maharashtra, and Bhadant Arya Nagarjuna Shurei Sasai, President, Param Poojya Dr Babasaheb Ambedkar Smarak Samiti, Deekshabhoomi, Nagpur, Maharashtra









9-10 August 2025: Justice B R Gavai, Chief Justice of India, attended inauguration function of New Court Building of Itanagar Permanent Bench of Gauhati High Court, Itanagar, Arunachal Pradesh. The event was also attended by Justice Sandeep Mehta, Justice N Kotiswar Singh, Justice Ujjal Bhuyan and Justice Vijay Bishnoi, Judges, Supreme Court of India



16–17 August 2025: Justice B R Gavai, Chief Justice of India, attended the inauguration function of the Circuit Bench of the Bombay High Court at Kolhapur, Maharashtra, in frame with Devendra Fadnavis, Chief Minister of Maharashtra, and Eknath Shinde, Deputy Chief Minister of Maharashtra



16-17 August 2025: Justice B R Gavai, Chief Justice of India, attended inauguration function of Circuit Bench of Bombay High Court at Kolhapur, Maharashtra





22-24 August 2025:
Justice B R Gavai, Chief Justice of India, attended the Felicitation Function organised by the Goa High Court Bar Association at S Z Quasim Auditorium of the CSIR, National Institute of Oceanography, Dona-Paula, Goa





30–31 August 2025: Justice Surya Kant, Judge, Supreme Court of India, attended the International Conference on "Convergence of Sustainability and Subsistence: Espousing the Cause of Indigenous Tribals and Fisherfolk" at Thiruvananthapuram, Kerala, as the Chief Guest and delivered the Inaugural Address. The conference was organised by the Commonwealth Legal Education Association (CLEA) and Kerala Law Academy Law College. Justice Vikram Nath, Judge, Supreme Court of India, delivered the Valedictory Address. Justice B V Nagarathna, Judge, Supreme Court of India, chaired Session I on the theme "Sustainable Transport, Port, Inland and Sea: Coastal Challenges and Legal Innovations" at Symphony, Mascot Hotel, Thiruvananthapuram. Justice P S Narasimha, Judge, Supreme Court of India, chaired Session II on the theme "Indigenous Tribals and Fisherfolk: Identity, Law, and Recognition." Justice K V Viswanathan, Judge, Supreme Court of India, chaired Session III on the theme "Custom, Law, and Sustainable Ecosystems: Legal Models for the Future"





2 August 2025: Justice M M Sundresh, Judge, Supreme Court of India attended orientation programme for the new batch of students for academic year 2025-26 at Dr B R Ambedkar National Law University, Sonepat, Haryana





23 August 2025: Justice Dipankar Datta, Judge, Supreme Court of India, attended the National Conference for High Court Justices on Service and Employment Law, as a Resource Person in Session-1 on the theme "Service Matters and Judicial Review" organised by National Judicial Academy, Bhopal



30 August 2025 (Left to Right): Justice Rajesh Bindal, Justice Dipankar Datta, and Justice Pankaj Mithal, Judge, Supreme Court of India, attended the inaugural session of the international conference on the theme "Seventy-Five Years of the Constitution of India : A Comparison with Major Constitutions of the World" organised by Rajiv Gandhi National University of Law, Punjab at Patiala, Punjab





30 August 2025: Justice Dipankar Datta, Judge, Supreme Court of India, spoke at the Rajiv Gandhi National University of Law, Patiala





30 August 2025: Justice Rajesh Bindal, Judge, Supreme Court of India, spoke at the Rajiv Gandhi National University of Law, Patiala





23 August 2025: Justice Ahsanuddin Amanullah, Judge, Supreme Court of India, attended One Day State Level Consultation Programme, 2025 on "Safeguarding the Girl Child: towards a Safer and Enabling Environment for Her in India" as Guest of Honour at Gyan Bhawan, Near Gandhi Maidan, Patna. Justice J K Maheshwari, Judge, Supreme Court of India, also attended the event. The event was organised by the Juvenile Justice Secretariat, Patna High Court, in collaboration with the Government of Bihar and UNICEF, Patna



8 August 2025: Justice Rajesh Bindal, Judge, Supreme Court of India, delivered the Special Lecture in Induction Program of Dr B R Ambedkar National Law University, Sonepat, Haryana



2 August 2025: Justice N Kotiswar, Judge, Supreme Court of India, participated in the Panel Discussion on the topic "Contemporary Landscape of Arbitration", and Book Launch of "Arbitration from Clause to Closure" at IIC, Lodhi Road, New Delhi, as Chief Guest, organised by Mediate Guru. The event was also attended by Justice Ajay Rastogi, former Judge, Supreme Court of India



31 August 2025: Justice N Kotiswar attended the Capital Foundation Annual Awards as a Chief Guest and delivered a lecture on the topic "India, that is, Bharat which I am still discovering"





August 2025:
Justice Manmohan, Judge, Supreme Court of India, was invited as the Chief Guest for the Orientation Programme for the 2025–2030 batch of the Integrated Law Course (ILC), Faculty of Law, University of Delhi

Legal Aid

On 23 August 2025, legal services clinics were inaugurated at Tiruchirappalli and Yercaud in Tamil Nadu, and Embalam Village in Puducherry. The event was held at Tamil Nadu National Law University, Tiruchirappalli, and saw the participation of around 1,200 people, including judges of Supreme Court and Madras High Court, district judicial officers, secretaries of District Legal Services Authorities, advocates, government officials, NGO representatives, women's organisations, Aanganwadi workers, unorganised labourers, court staff, and law students.

Justice Surya Kant, Judge, Supreme Court of India and Executive Chairman of the National Legal Services Authority (NALSA), highlighted that the 24-hour clinics will provide legal advice and assistance to victims of domestic violence, senior citizens, and other vulnerable groups, making legal support accessible. Justice R Mahadevan, Judge, Supreme Court of India, in his address stressed the important role played by government officials, such as District Collectors and Superintendents of Police, in implementing legal aid schemes and ensuring that those seeking assistance are treated with dignity. Justice K V Viswanathan, Judge, Supreme Court of India, in his note explained the significance of permanent clinics in providing year-round legal support and ensuring marginalised communities have better access to legal resources. Finally, Justice M M Sundresh, Judge, Supreme Court of India, highlighted the importance of equal access to justice. The inauguration of these clinics marks a step toward improving access to justice for all, particularly for those who are vulnerable or have limited knowledge of legal procedures.




UCHIRAPPALLI AND YERCAUD IN TAMIL NADU AND EMBALAM VILLAGE IN PUDUCHERRY
and
GIVING AWAY BENEFITS TO BENEFICIARIES UNDER VARIOUS SCHEMES OF NALSA
by
Hon'ble Mr. Justice Surya Kant
Judge, Supreme Court of India /
Executive Chairman, National Legal Services Authority



NALSA Regional Conference on Human-Wildlife Conflict

The National Legal Services Authority (NALSA) has, over the years, institutionalised regional conferences as vital platforms to advance its mandate of ensuring access to justice for all, particularly for marginalised and vulnerable communities. These conferences bring together members of the Bench and the Bar to deliberate on region-specific challenges and to strengthen the legal aid framework under the Legal Services Authorities Act, 1987. In a pioneering move, the NALSA, in collaboration with the Kerala State Legal Services Authority (KeLSA), convened the Southern Regional Conference on "*Human–Wildlife Conflict & Co-existence: Legal and Policy Perspectives*" on August 30-31, 2025, at the Kerala Legislative Assembly Hall in Thiruvananthapuram, Kerala.

Over two days, six working sessions explored diverse dimensions of human–wildlife conflict, ranging from habitat loss and fragmented legal frameworks to disaster management linkages, compensation and community engagement, tribal rights, and participatory governance models. Chaired by Hon'ble Judges of the Supreme Court and Chief Justices of various High Courts, the sessions featured contributions from High Court Judges, senior officials, legal services institutions, and domain experts. The conference brought together this diverse gathering to deliberate on the growing challenges of conflict and the pathways to coexistence.

The inaugural programme commenced with a warm Welcome Address by Justice A Muhamed Mustaque, Judge, High Court of Kerala and Executive Chairman, KeLSA, followed by an address by Justice Nitin Jamdar, Chief Justice of Kerala High Court and Patron-in-Chief, KeLSA, who set the tone by underlining the significance of Kerala hosting such a dialogue, given its unique geography of dense forests and human habitations interspersed with wildlife corridors. They reflected on Kerala's frontline role in managing biodiversity and human-wildlife encounters.

Shri R Venkataramani, Attorney General for India, followed with a thoughtful address, emphasising the need for a nuanced, multifaceted approach to the issue. He posed a thought-provoking question: "do we, like our ancestors, worship biodiversity for its intrinsic value?" He stressed that conservation of biodiversity is essential not only for human well-being but also for preserving cultural heritage.

Delivering the Inaugural Address, Justice Surya Kant, Judge, Supreme Court of India and





Executive Chairman, NALSA, emphasised that ecological concerns must be seen as an integral part of governance and justice. He stressed that vulnerable communities at forest fringes often bear the brunt of such conflicts, and that legal aid must reach them with urgency and sensitivity. Observing that "justice cannot be permitted to operate selectively—neither in its substance nor in its application", he connected Article 21's guarantee of life and security with the preservation of ecological conditions necessary for that life to thrive. Justice Surya Kant also highlighted the scope and remedial intent of the newly launched NALSA Human–Wildlife Conflict Scheme, 2025 and the SPRUHA (Supporting Potential and Resilience of the Unseen, Held-back and Affected) Scheme, underscoring NALSA's role in shaping both ecological and social justice.

The Keynote Address by Justice Vikram Nath, Judge, Supreme Court of India and Chairman, SCLSC, reinforced the call for coherence in governance and the need to weave together regional cooperation with community participation. He observed that "conflict and coexistence of humans and wildlife are not opposites, but possibilities that arise out of the choices we make", reminding the gathering that policy must nurture coexistence, not merely manage conflict.

Justice B V Nagarathna, Judge, Supreme Court of India, in her address, turned to India's cultural heritage of coexistence with animals. She noted that the nation's traditions have long upheld a precarious but profound balance between humans and nature, and cautioned against a drift towards human-centric attitudes that disregard the constitutional duty enshrined in Article 51(A)(g) of the Constitution.

Justice M M Sundresh, Judge, Supreme Court of India, spoke with urgency, recalling Hubert Reeves' words: "man is the most insane species. He worships an invisible God and destroys a visible Nature, unaware that this Nature he is destroying is the God he is worshipping". His remarks brought into sharp focus the paradox of reverence and neglect in human conduct toward the environment. The session was further enriched by the remarks of Justice P S Narasimha, Justice Aravind Kumar, and Justice S V N Bhatti, Judges, Supreme Court of India. Their insights reinforced the importance of judicial leadership in responding to such multi-dimensional challenges. The session concluded with a Vote of Thanks by Justice C S Dias, Judge, High Court of Kerala, who expressed gratitude to the dignitaries, experts, and participants for contributing to a discourse that is as urgent as it is complex.

The inaugural day also witnessed the launch of three major NALSA initiatives. The NALSA Scheme on Access to Justice for Victims of Human–Wildlife Conflict, 2025 was unveiled as a pioneering framework to extend legal aid, awareness, and timely assistance to affected families, while reinforcing the ideal that justice must encompass people, animals, and ecosystems alike. Alongside, the *Compendium on Human–Wildlife Conflict* was introduced as a digital resource compiling national and state-level policies, judicial decisions, and frameworks, providing a reference point for

both practitioners and policymakers. Finally, the NALSA's SPRUHA Scheme, 2025 was launched to support dependents of incarcerated persons and victims of crime, extending legal aid, counselling, reintegration, and livelihood support in keeping with NALSA's commitment to empower the unseen and uplift the unheard.

Further announcements included the roll-out of e-filing and video-conferencing facilities for Permanent Lok Adalats, the establishment of "Samanvaya" Healing Centres across all 14 District Legal Services Authorities of Kerala, and the launch of dedicated websites for every DLSA in the state, each initiative reflecting a step towards deeper accessibility and citizen-centric justice.

Conferences like these remind us that the judiciary's role goes beyond the courtroom, reaching into the heart of social and ecological challenges. By bringing together judges, policymakers, administrators, and experts, NALSA continues to strengthen the bridge between law and lived realities.

















7 August 2025: Supreme Court Advocates-on-Record Association (SCAORA) organised a farewell for Justice Sudhanshu Dhulia in the presence of Justice B R Gavai, Chief Justice of India and other Judges of the Supreme Court of India



25 August 2025: SCAORA Cricket Premier League 2025 prize distribution ceremony was held in the presence of Justice B R Gavai, Chief Justice of India and Dr Tejaswini Gavai. The event was also graced by the presence of Justice M M Sundresh, Justice P S Narasimha, Justice Dipankar Datta, Justice Ahsanuddin Amanullah, Justice P B Varale, Justice N Kotiswar, Justice A S Chandurkar, Judges, Supreme Court of India

Vikram Bakshi and Others v R P Khosla and Another (2025 INSC 1020)

"Criminal Courts cannot Recall or Review their own judgments except for clerical or arithmetical errors"

CORAM: Chief Justice B R Gavai and Justice Augustine G Masih

In a judgment dated **20 August 2025**, a two-judge bench of the Supreme Court considered whether a review or recall of an order passed by a High Court in a criminal proceeding initiated under Section 340 of CrPC is permissible.

In the present case, an agreement was entered between Khosla Group and Bakshi Group to develop a resort at Kasauli, Himachal Pradesh through Montreaux Resorts Private Limited which was incorporated under the Companies Act, 1956 for execution of the said project. In March 2006, an agreement was entered between the parties and accordingly the Khosla Group transferred 51 per cent of its shares in MRPL to Mr Vikram Bakshi. However, owing to certain disagreements, Khosla Group, as a minority shareholder of MRPL, filed an application before the Company Law Board (CLB) alleging that their shareholding was reduced from 49 to 36 per cent through oppression and mismanagement by the Bakshi Group. It was also alleged that Annual General Meeting (AGM) minutes filed by the Bakshi Group were forged and sought prosecution for perjury under Section 340 CrPC, first before CLB and later the High Court. A preliminary inquiry into the genuineness of the AGM minutes was ordered by the High Court. However, Bakshi Group challenged this enquiry before the Supreme Court wherein the High Court was directed not to proceed further with the inquiry as CLB was already addressing the company petition. Thereafter, the Khosla Group filed another application before the High Court under Section 340 CrPC highlighting false and contradictory statements filed by the Bakshi Group in their counter affidavit before the CLB. However, the High Court, in view of the Supreme Court's directive, declined to interfere via judgment dated 13 August 2020.

Aggrieved, the Khosla Group moved an application before the High Court seeking review and recall of the order dated 13 August 2020, while contending that allegations therein should be heard on its merit without relegating the dispute to CLB [which was then replaced by National Company Law Tribunal ('NCLT')]. The High Court, while observing that a review petition does not lie under CrPC, except for correction of clerical and arithmetical errors, proceeded to recall its judgment dated 13 August 2020 and proceeded to consider the issue of false and contradictory depositions of the Bakshi Group before NCLT.

The Supreme Court held that proceedings under Section 340 CrPC are criminal in nature and governed exclusively by the CrPC. It found that a review application under the Code of Civil Procedure was not maintainable in such matters. The Court further reiterated that criminal courts become *functus officio* once a judgment is signed and can only correct clerical or arithmetical errors or act in rare situations such as fraud, lack of

jurisdiction or denial of hearing. From various precedents, the Court culled out the following exceptional circumstances wherein a criminal court is empowered to alter or review its own judgment or a final order under Section 362 CrPC :

a. Where such power is expressly conferred upon court by CrPC or any other law for the time being in force;

b. Where the court passing such a judgment or order lacked inherent jurisdiction to do so;

c. Where a fraud or collusion is being played on court to obtain such judgment or order;

d. Where a mistake on the part of court caused prejudice to a party; or

e. Where a fact relating to non-serving of necessary party or death leading to estate being non-represented, not brought to notice of court while passing such judgment or order.

However, the Supreme Court observed that none of these exceptions were applicable to the present case. Accordingly, the Supreme Court set aside the High Court's recall order and restored its judgment dated 13 August 2020, dismissing the petition for initiating perjury proceedings.

In Re: Mepung Tadar Bage, Member Arunachal Pradesh Public Service Commission (2025 INSC 1047)

"Without evidence of involvement, allegations of misbehaviour cannot stand under Article 317 of the Constitution"

CORAM : Justice J K Maheshwari and Justice Aravind Kumar

Answering the Presidential Reference under Article 317(1) of the Constitution, the Supreme Court, on **28 August 2025**, exonerated Ms Mepung Tadar Bage, a Member of the Arunachal Pradesh Public Service Commission (APPSC) of all allegations of 'misbehaviour' arising out of the 2022 Assistant Engineer (Civil) Mains Examination paper leak.

The case arose when a candidate for the Assistant Engineer (Civil) Mains Examination alleged that certain questions had been leaked and were accessible in advance to candidates enrolled in specific coaching institutes. Following this allegation, an FIR was registered, and both the Preliminary and Mains examinations were cancelled by the APPSC. The State Government constituted a three-member High-Level Committee to investigate the matter. The Committee's report revealed lapses in the Standard Operating Procedures for maintaining the secrecy of question papers and noted that the 'APPSC Conduct of Examination Guidelines, 2017' had not been properly followed.

Based on the report, the Chief Minister of Arunachal Pradesh, in consultation with the Advocate General, requested the Governor to place the matter before the President for a reference under Article 317(1) seeking removal of four APPSC members, including Ms Mepung Tadar Bage (respondent herein). While three members resigned voluntarily, proceedings under Article 317(1) were initiated against the respondent for her removal from APPSC.

The Supreme Court observed that as per Article 317, a member of the Commission can be removed on the ground of misbehaviour or automatic disqualification under Article 317(3) and 317 (4) of the Constitution. On 'misbehaviour', the Court perused the Constituent Assembly Debates and observed that the primary goal of

the framers of the Constitution was to ensure the autonomy and independence of the Public Service Commissions and to secure it, the elaborate procedure for the removal of its members had been placed in the Constitution. The Court also referred to its previous opinions in different reference cases for interpreting the meaning of the word 'misbehaviour' and observed that it could not be narrowly construed and is required to be understood in the context of the alleged misbehaviour complained of, the office in question and the standards required to be maintained by a person as a necessary corollary of holding such office.

However, the Supreme Court perused the Inquiry Committee's report and held that there were no allegations indicating illegality or any act or omission on part of the respondent in her individual official capacity which could be construed as 'misbehaviour' on her part.

On the role of the respondent in leakage of question paper, the Court observed that nothing had been brought on record by the Inquiry Committee to substantiate the respondent's alleged connivance in leakage of the question paper and how far she be held responsible for not preventing it and ensuring confidentiality in the working of APPSC.

Therefore, the Supreme Court concluded that when there is no evidence linking the respondent to the leakage of question paper, holding her responsible on the pretext of 'misbehaviour' would erode the roots of the Constitutional intent of Article 317 of the Constitution. Hence, as an answer to the reference made by the President, the two-judge bench was of the view that the allegations had not been proved in the fact finding enquiry.

Accordingly, the Supreme Court recommended that the respondent's suspension be revoked forthwith and that she would be entitled to all consequential and monetary benefits.

Palm Groves Cooperative Housing Society Ltd v M/s Magar Girme and Gaikward Associates (2025 INSC 1023)

"Consumer Forum can enforce Conveyance Deeds; Appeals lie under Section 27A, not revisions"

CORAM : Justice J K Maheshwari and Justice Rajesh Bindal

In a judgment dated **22 August 2025**, a two-judge bench of the Supreme Court considered whether there was any drafting error in Section 25 of the Consumer Protection Act, 1986 (1986 Act) relating to enforcement of final orders. The Court also considered whether established tools of statutory interpretation could be employed to clarify the provision and align it with the underlying spirit of the 1986 Act.

In the present case, a cooperative housing society filed a complaint against the builder alleging poor construction and lack of promised amenities. In 2007, the District Forum had partly allowed the complaint and the builder was directed to execute the conveyance deed and to pay five lakh rupees as compensation to the society. Aggrieved by the order, the builder filed an appeal before the State Commission wherein the District Forum's order was modified by removing the compensation against the builder but retaining the direction for the execution of the conveyance deed. During the pendency of appeals, the appellant society filed an execution petition before the District Forum under Section

25 of the 1986 Act seeking execution of the conveyance deed. The District Forum directed the builder to execute the conveyance deed. Aggrieved, the builder challenged the said order by filing a revision petition before the State Commission under Section 17(1)(b) of the 1986 Act. The State Commission allowed the revision petitions and set aside the execution order of the District Forum. Thereafter, the appellant society filed an execution petition before the National Commission which was dismissed on the ground of being 'not maintainable'. The National Commission held that the respondents had the right to file an appeal under Section 27-A of the 1986 Act which regulates the appeals against orders passed under Section 27 of the 1986 Act. The Commission had held that the order passed by the State Commission should be deemed to have been passed in exercise of powers conferred under Section 27-A of the 1986 Act. Aggrieved, the society appealed before the Supreme Court.

Law Involved in the case :

1. **Enforcement of Orders:** Section 25 of the 1986 Act deals with the enforcement of orders passed by the District Forum, State Commission, or National Commission. Prior to the 2002 Amendment Act, Section 25 merely stated that every order could be enforced as if it were a decree of a civil court. After the 2002 Amendment Act (w.e.f. 15 March 2003), it included provisions for attaching property and recovering amounts as arrears of land revenue for non-compliance with "interim orders". The Consumer Protection Act, 2019 replaced Section 25 with Section 71, providing comprehensive provisions for enforcement of "every order" in the same manner as a decree or order made by a Civil Court.

2. **Appeals against Execution Orders:** Section 27-A of the 1986 Act provided for appeals against orders passed under Section 27, which relates to penalties for non-compliance. Appeals from District Forum orders would go to the State Commission, from the State Commission to the National Commission, and from the National Commission to the Supreme Court.

The Supreme Court perused the Consumer Protection Act 1986 and observed that it was a beneficial legislation and therefore in case there are any anomalies, the court must adopt a purposive approach so that consumers are not left without remedy.

The Supreme Court further observed that for execution of any order except where monetary compensation has been awarded, if Section 25 of the Consumer Protection Act, 1986 is considered, post the 2002 Amendment Act, there is no provision providing for enforcement of orders. On the issue of using established tools of statutory interpretation for clarification of provisions of the Consumer Protection Act 1986, the Supreme Court held that in Sub Section (1) of Section 25 of the 1986 Act, the words where 'an interim order' should be read as where 'any order'. In this regard, the Court directed the Chairman of National Consumer Disputes Redressal Commission to examine the issue and take appropriate steps for expeditious disposal of the execution petitions pending at different stages, in exercise of its powers under Section 70(1)(d) of the Consumer Protection Act, 2019.

On the issue of order passed by the State Commission, the Supreme Court observed that the order passed by the State Commission impugned before the National Commission could not be considered to have been passed under Section 27-A of the 1986 Act as it limited filing of appeals against an order passed under Section 27 of the 1986 Act. Similarly, order passed by the District Forum in the case in hand was under Section 25 of the 1986 Act and not under Section 27.

Accordingly, the Supreme Court disposed of the appeals.

Khem Singh (D) Through LRs v State of Uttaranchal (Now State of Uttarakhand) & Another (2025 INSC 1024)

"Right to prosecute an appeal under the proviso to Section 372 CrPC must be interpreted expansively to include continuing the appeal by substitution after appellant's death"

CORAM: Justice B V Nagarathna and Justice K V Viswanathan

In a judgment dated **31 July 2025**, a two-judge bench of the Supreme Court considered whether a legal heir of a victim, who was also substituted as the appellant after the original appellant's demise, could prosecute appeals challenging the reversal of conviction and acquittal of certain accused by the High Court under the proviso to Section 372 of the CrPC.

In the present case, on 09 December 1992, informant Tara Chand, his brother Virendra Singh, and his son Khem Singh were attacked by the accused using firearms, sharp weapons, and bricks. Virendra Singh died of firearm injuries, and others sustained injuries. The FIR was registered at PS Jwalapur, District Haridwar, and the respondents-accused (Ashok, Pramod, and Anil Neelu) were charged with offences under Sections 148, 452, 302, 307, 326, and 149 of the IPC. The Sessions Court, after trial, convicted the respondents-accused and sentenced them to life imprisonment and other terms, while acquitting other co-accused. Aggrieved, the convicted respondents-accused filed appeals before the High Court of Uttarakhand at Nainital, which allowed their appeals by judgment dated 12 September 2012 and acquitted them of all charges.

The State did not challenge the acquittal by the High Court. Khem Singh, as original appellant (and injured victim), preferred Special Leave Petition before the Supreme Court. During the pendency of these appeals, Khem Singh died, and his son Raj Kumar (who was also an injured victim) filed interlocutory applications for setting aside abatement and for substitution, seeking to be added as legal representative and continue prosecution of the appeal.

The Supreme Court held that the amendment to Section 372 CrPC and the definition of "victim" under Section 2(wa) confers an independent right on victims, including their legal heirs and guardians, to prefer and prosecute appeals against acquittal, conviction for lesser offences, or inadequate compensation. It recognized that the right to prosecute an appeal under the proviso to Section 372 CrPC must be interpreted expansively to include continuing the appeal by substitution in the event of the appellant's death. The Court opined that restricting the right of appeal and prosecution for legal heirs of victims would render the proviso to Section 372 CrPC redundant and frustrate legislative intent. The Court clarified that the legal heir of the injured victim who was substituted as appellant could prosecute the appeals both in his own right as an injured victim and as legal heir of the original appellant, and that delay in filing applications for substitution and setting aside abatement was condoned.

The Supreme Court found that the High Court's impugned judgment is cryptic and lacks an independent analysis of the evidence or reasons for reversal of conviction. The Court observed that the High Court, as the first appellate court, must independently evaluate the evidence and provide cogent reasons for acquittal, which was absent in this case.

The Supreme Court allowed the appeal and set aside the acquittal by the High Court, and remanded the matters to the High Court for fresh consideration of the appeals filed by respondents-accused, as well as for submissions by the substituted appellant and the State.

Mange Ram v State of Madhya Pradesh & Anr (2025 INSC 962)

"Once a marriage has ended in divorce, continuing criminal proceedings against relatives without specific allegations serves no purpose and only prolongs acrimony"

CORAM: Justice B V Nagarathna and K V Viswanathan

In a judgment dated **12 August 2025**, a two-judge bench of the Supreme Court considered whether criminal proceedings under Sections 498A and 34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, arising from matrimonial discord, should be quashed in circumstances where the marriage has been dissolved by a decree of divorce and the parties have moved on with their lives.

In the present case, the appellant was the father-in-law of respondent No 2. The son of the appellant and respondent No. 2 became acquainted through a matrimonial website in April 2017, leading to their marriage on 23 December 2017 under the Special Marriage Act, 1954. By April 2019, marital discord surfaced, and on 15 May 2019, respondent No 2 left the matrimonial home citing mental and physical cruelty by her husband and his family. Despite many counselling sessions, disputes persisted which lead the respondent No 2 to lodge FIR on 21.07.2019 against her husband, the appellant (her father-in-law), her mother-in-law, and sister-in-law under the aforementioned sections for demanding dowry and for acts of physical and mental cruelty.

A charge sheet was filed on 18 August 2019 against all accused. The appellant, along with his son and other family members, approached the High Court under Section 482 CrPC seeking quashing of the FIR and all criminal proceedings. The High Court, by order dated 07 May 2024, partly allowed the petitions, quashing the proceedings against the mother-in-law and sister-in-law for lack of specific allegations, but refusing relief to the appellant and his son in light of detailed allegations against them, including dowry demands and an incident of physical assault at Jabalpur Railway Station. The appellant, aggrieved by the refusal of relief, preferred the present appeal before the Supreme Court.

While considering the materials on record, the Supreme Court noted that the specific allegation against the appellant was the slapping of respondent No. 2 in public and reiterating a dowry demand, which was allegedly later increased. The Court observed that the FIR was lodged almost two months after the relevant events and lacked contemporaneous complaint, particularly since counselling had occurred without these incidents being disclosed. The Court emphasised that with the marital relationship between the parties already dissolved by a decree of divorce dated 24 August 2021, continuation of criminal proceedings against the appellant would serve no useful purpose, and would only prolong acrimony between parties who had already moved on.

The Supreme Court reiterated its settled position that indiscriminate prosecution of all relatives in matrimonial offences is to be discouraged, especially where the matrimonial tie has been severed by dissolution of marriage and there are no proximate or specific allegations against the relatives. The Court held that continuation of proceedings in such circumstances would amount to abuse of process of law and would not serve the ends of justice.

Accordingly, invoking its powers under Article 142 of the Constitution, the Supreme Court allowed the appeal and set aside the order of the High Court dated 07 May 2024. As a consequence, the FIR and criminal proceeding against the appellant were quashed.

Assistant Commissioner of Income Tax (International Taxation) & Others v Shelf Drilling Ron Tappmeyer Ltd. (2025 INSC 946)

"Split verdict on tax assessment deadlines for foreign companies"

CORAM: Justice B V Nagarathna and Justice Satish Chandra Sharma

In its judgment dated **8 August 2025**, a two-judge bench of the Supreme Court considered the central issue of whether the time consumed for concluding assessment proceedings under Section 144C of the Income Tax Act, 1961 should be subsumed within the limitation period prescribed under Section 153(3) of the Act, or if the time under Section 144C is in addition to the period under Section 153(3).

The appeals arose from a batch of writ petitions filed by non-resident assessees engaged in mineral oil exploration, challenging draft assessment orders passed after remand by the Income Tax Appellate Tribunal (ITAT). In the relevant assessment years, the respondents had filed returns of loss, and their cases were selected for scrutiny. After objections were filed to the draft assessment orders, the Dispute Resolution Panel (DRP) issued directions, which led to final assessment orders. Aggrieved by the orders, the assessees appealed to the ITAT, which remanded the matters for fresh adjudication. Pursuant to remand, fresh draft assessment orders were passed but late in the limitation period, leading the assessees to challenge the validity of such orders before the Bombay High Court on the ground that the limitation period under Section 153(3) had already expired. The High Court allowed the writ petitions, holding that the limitation period under Section 153(3) subsumed the time for proceedings under Section 144C, and no final assessment order could be passed after expiry of the statutory period.

The principal question before the Supreme Court was the correct interpretation of the interplay between the limitation provisions in Section 153(3) and the procedural timelines in Section 144C, specifically for eligible assessees subject to a draft assessment order and DRP process.

The Supreme Court recorded the submissions of both parties. The Revenue argued that Section 144C, by virtue of its non-obstante clauses, prescribes a distinct procedure and timeline that should operate independently, in addition to the limitation under Section 153(3), especially in the case of eligible assessees. It was submitted that the time consumed before the DRP for eligible assessees should be excluded from the limitation period under Section 153(3). The assessees contended that Section 144C operates within, and does not extend, the period prescribed under Section 153(3), and in the absence of express provision for exclusion, all proceedings must conclude strictly within the time frame set out in Section 153(3).

In the case, Justice Satish Chandra Sharma held that the timelines prescribed in Section 144C operate independently of the limitation period under Section 153(3) of the Income Tax Act, reasoning that the non-obstante clauses in Section 144C exclude the time consumed under Section 144C proceedings from the limitation prescribed in Section 153(3), thereby allowing an extended period for passing the final assessment order after the draft order. He viewed that subsuming the entire Section 144C process within Section 153(3)'s period would cripple the tax recovery mechanism.

In contrast, Justice B V Nagarathna, in her dissenting opinion, maintained that while Section 144C prescribes procedural timelines for eligible

assessees, the overall limitation period specified in Section 153(3) continues to govern, including for fresh assessments after remand by the Tribunal under Section 254. She emphasised that the entire assessment, including the DRP process, must be completed within the twelve-month limitation, and any assessment passed beyond this period is invalid. This led to the split verdict and the matter was directed to be referred to a larger Bench for decision.

Sukhdev Yadav @ Pehalwan v State of NCT of Delhi and Ors (2025 INSC 969)

"Convict who has served the fixed term of life imprisonment entitled to release without seeking remission"

CORAM: Justice B V Nagarathna and Justice K V Viswanathan

In a judgment dated **29 July 2025**, a two-judge bench of the Supreme Court considered whether, upon completion of a fixed term of sentence, a convict serving "life imprisonment" is required to seek remission by applying to the competent authority for a "reduction of sentence".

The case concerned the 2002 Nitish Katara murder case. In 2008, the Sessions Court convicted the appellant under Sections 302, 364, and 201 read with Section 34 of the IPC and sentenced him to life imprisonment. The judgment was challenged before the High Court in a criminal appeal, which was dismissed. Subsequently, in 2015, after hearing appeals filed by the complainant and the State of NCT of Delhi seeking enhancement of the sentence, the High Court modified the punishment and directed that the appellant undergo twenty years of actual imprisonment, without any consideration of remission, as 'life imprisonment'. In November 2022, the appellant filed a writ petition before the Delhi High Court seeking a writ of mandamus for furlough for three weeks. The High Court dismissed the petition, citing serious concerns over the safety of the complainant and the star witness. The appellant then approached the Supreme Court, challenging the dismissal.

During the pendency of the appeal, the appellant completed twenty years of actual incarceration on 9 March 2025. He then filed an interim application before the Supreme Court seeking release on furlough, arguing that he had already served the full twenty-year term imposed by the High Court. The Supreme Court allowed the application and granted relief. The State, however, argued that the appellant had been sentenced to life imprisonment and that the twenty-year period represented only the minimum term to be served without remission. Consequently, according to the State, the appellant was required to seek remission from the Sentence Review Board, which would decide whether he was entitled to release. Unless remission was formally granted, the State contended, he could not be released from custody.

The Supreme Court observed that while "life imprisonment" has generally been held to mean incarceration for the remainder of one's natural life, there are several precedents where courts have restricted life sentences to a fixed term. The Court emphasised that the modern approach to sentencing is reformative, aiming to rehabilitate individuals who have lapsed into criminal conduct rather than merely punish them. The Court also referred to *Swamy Shraddananda v. State of Karnataka (2008) 13 SCC 767*, where it was held that life imprisonment awarded as a substitute for the death penalty should be treated differently

from ordinary life imprisonment imposed as the sentence of first choice.

On the key question of whether remission was necessary after completion of the twenty-year term, the Supreme Court held that, in this case, the appellant had admittedly completed twenty years of actual imprisonment on 9 March 2025, without remission. Therefore, his release was not contingent on any further consideration or approval from the Sentence Review Board. The Board could not revisit or sit in judgment over what had already been judicially determined by the High Court and affirmed by the Supreme Court.

Accordingly, the Supreme Court disposed of the appeal and directed that copies of its judgment be circulated to all Home Secretaries of the States and Union Territories. The Home Secretaries were instructed to verify whether any accused or convict was languishing in prison beyond the period of sentence and, if so, to ensure their immediate release provided they were not wanted in any other case.

Shah Samir Bharatbhai v The State Of Gujarat (2025 INSC 1026)

"Equal Pay For Equal Work: All contractually appointed Assistant Professors be entitled to the minimum pay scale admissible to Assistant Professors"

CORAM: Justice Pamidighantam S Narasimha and Justice Joymala Bagchi

In a judgment dated **22 August 2025**, a two-judge bench of the Supreme Court considered whether contractually appointed Assistant Professors in Government Engineering and Polytechnic Colleges of Gujarat are entitled to the minimum of the pay scale applicable to regularly appointed Assistant Professors, and whether arrears at the rate of 8% from three years preceding the filing of the writ petitions should be paid to them.

The appeals arose from two Gujarat High Court judgments concerning contractually appointed Assistant Professors. In the first, the Division Bench dismissed the State's appeals against a single judge's order granting minimum pay scale to such professors. In the second, the Division Bench reversed the single judge's similar relief to subsequently appointed professors, dismissing their writ petitions.

The Supreme Court held that the principle of equal pay for equal work applies in these circumstances, as there was no material difference in the duties or qualifications of contractual, ad hoc or regularly appointed Assistant Professors. The Court affirmed that the respondents' selection, made through an open process as per statutory rules, was on merit and that the State itself made no case for functional differentiation. The Court relied on *Sabha Shanker Dube v. Divisional Forest Officer (2019) 12 SCC 297* and *Jagjit Singh v. State of Punjab (2017) 1 SCC 148* to dismiss the State's contention that contractual appointments exclude entitlement to parity. It was held that temporary employees are entitled to the minimum of the pay scale so long as they continue in service, and denial of parity would violate constitutional principles.

On the aspect of arrears and interest, the Supreme Court upheld the direction that arrears at 8% interest are to be paid from three years preceding the filing of the writ petitions, following precedent and rejecting the State's objections.

The Supreme Court observed with concern the continued low salaries of contractual Assistant

Professors, whose duties are identical to those of their regular counterparts. They underscored the need for rationalising pay structures based on actual work performed. The Court observed that academicians, lecturers and professors are the intellectual backbone of any nation, as they dedicate their lives to shaping the minds and character of future generations, however, the compensation and recognition extended to them does not truly reflect the significance of their contribution.

Accordingly, the Supreme Court set aside the Division Bench's dismissal in the case of contractual Assistant Professors and directed that all contractually appointed Assistant Professors be entitled to the minimum pay scale admissible to Assistant Professors, with arrears calculated at 8% for three years preceding the date of filing the writ petitions. The appellants and similarly placed persons were left at liberty to pursue further remedies before the High Court for regularisation or additional relief, to be decided in accordance with law.

Kallu Nat Alias Mayank Kumar Nagar v State of UP and Anr (2025 INSC 930)

"Sessions Court can summon additional accused under Section 193 CrPC at committal stage"

CORAM: Justice J B Pardiwala and Justice R Mahadevan

In a judgment dated **5 August 2025**, a two-judge bench of the Supreme Court considered whether a Sessions Court could summon a person to stand trial in exercise of its power under Section 193 of the CrPC as an accused on the basis of materials in the form of statements and other documents as contained in the final report of the Investigating Officer under Section 173 of the CrPC, without itself recording the evidence.

In the present case, the complainant's wife went missing on 21 November 2018 and her body was found three days later lying in the outskirts of the village. In such circumstances, the complainant lodged a First Information Report naming one Ajay as the suspect. However, in the course of investigation, some of the witnesses in their police statements alleged that the petitioner had made an extra-judicial confession about his involvement in the crime before them.

The Crime Branch investigated the case and gave a clean chit to the petitioner while a chargesheet under Sections 302 and 376 IPC was filed against Ajay. Subsequently, the case came to be committed under Section 209 of the CrPC. When the Sessions Court initiated the trial proceedings against Ajay, the complainant filed an application under Section 193 of the CrPC seeking to summon the petitioner as an accused. After almost five years, the Sessions Court allowed the application of the complainant on the ground that there was *prima facie* material indicating the involvement of the petitioner in the crime and therefore the court ordered that the petitioner shall be put to trial along with Ajay.

Aggrieved, the petitioner approached the High Court through an application under Section 482 CrPC seeking to quash the summoning order issued by the Sessions Court. However, the High Court dismissed the petitioner's application and affirmed the summoning order passed by the trial court. The High Court, relying on the Constitution Bench judgment of the Supreme Court in *Dharam Pal v. State of Haryana (2014) 3 SCC 306*, held that the Sessions Court was empowered to issue summons to the petitioner under Section 193

CrPC. Thereafter, the Petitioner filed the present appeal before the Supreme Court by way of a Special Leave Petition challenging the order of the High Court.

While considering the meaning of the expressions 'cognizance' and 'taking cognizance' the Supreme Court held that it is primarily an act of court, and the prosecuting agency or complainant have no control over the same. Cognizance was held to be predicated upon the application of judicial mind and not dictated by the complaint or police report and therefore 'taking cognizance' does not involve any formal action of any kind. It occurs as soon as a judicial authority applies its mind to the suspected commission of an offence.

On the issue of commitment, the Supreme Court observed, that under Section 209 and 193 of CrPC respectively, commitment is of the case and not of the accused and for commitment of a case there must be an offensive involvement of a person who committed the same. In this regard, cognizance taken is of the offence and not the offender and therefore summoning additional person will then be regarded as incidental to the cognizance already taken on committal and no fresh committal for such a person is necessary.

On the issue of whether proceedings could be instituted against persons not known at the time the cognizance was taken, the Supreme Court emphasised that it was within court's power under Section 319(1) of CrPC to make the unknown person known and therefore when such a person becomes known by the evidence during inquiry or trial, it becomes the duty of the court to proceed against them for the interest of justice.

Accordingly, the Supreme Court directed the Trial Court to frame charges against the petitioner and conclude the trial within a period of six months.

XXX v Union of India and Ors (2025 INSC 943)

"Constitutional validity of the 'In-House Procedure' for dealing with allegations of judicial misconduct upheld"

CORAM: Justice Dipankar Datta and Justice Augustine G Masih

In a judgment dated **7 August 2025**, a two-judge bench of the Supreme Court, by way of a writ petition under Article 32, dealt with the issue of whether the 'In-House Procedure' as adopted by the Supreme Court in 1999 for dealing with allegations of judicial misconduct had constitutional validity, and whether the Chief Justice of India (CJI) had the authority to transmit such inquiry reports to the constitutional authorities for further action.

The case arose from an incident in which a High Court judge's official residence caught fire, leading to the discovery of burnt bundles of currency notes. This incident triggered serious concerns about judicial propriety and integrity. Acting in accordance with the *Restatement of Values of Judicial Life, 1997* and the 'In-House Procedure', the CJI constituted a three-judge committee to conduct a fact-finding inquiry. The committee found *prima facie* evidence of grave misconduct and recommended that the judge be advised to resign or voluntarily retire. When the judge declined, the CJI forwarded the report, along with his own observations, to the President of India and the Prime Minister, as contemplated under the procedure.

The petitioner challenged the constitutional validity of Paragraphs 5(b) and 7(ii) of the 'In-House Procedure', arguing that they violated Articles 14 and 21 of the Constitution, infringed the doctrine of separation of powers, and that the CJI had no authority to forward the report to constitutional functionaries.

The Supreme Court, while considering the challenge, noted that although the 'In-House Procedure' originated as an ethical guideline in *Indira Jaising v. Registrar General (2003) 5 SCC 494*, however earlier decisions such as *C Ravichandran Iyer v. Justice A M Bhattacharjee (1995) 5 SCC 457* had already set the precedent. The Court clarified that the procedure does not create a parallel mechanism for the removal of judges nor does it dilute Parliament's exclusive power under Articles 124(4), 217, and 218. Rather, it serves as a preliminary, internal mechanism to uphold judicial accountability without violating the principle of separation of powers.

Further, the Court observed that since the petitioner had fully participated in the inquiry and chose to challenge the procedure only after an adverse outcome, the process was akin to a show-cause mechanism and therefore it could not be quashed midway. Consequently, the writ petition was held to be not maintainable.

On the validity of Paragraphs 5(b) and 7(ii) of the procedure, the Court held that the Chief Justice of India is not a "mere post office" but has moral, ethical, and legal authority to act in the interest of judicial integrity. Further, the Court held that the Chief Justice of India was empowered to forward the inquiry report to the President and the Prime Minister as a measure to ensure transparency and institutional credibility within the constitutional bounds.

Accordingly, the Supreme Court dismissed the writ petition while upholding the validity of the 'In-House Procedure'.

Chowdamma (D) by LR and Anr v Venkatappa (D) by LRs and Anr (2025 INSC 1038)

"Presumption of marriage from long-term cohabitation can be rebutted only by clear and unimpeachable evidence"

CORAM : Justice Sanjay Karol and Justice Prashant K Mishra

In a judgment dated **25 August 2025**, a two-judge bench of the Supreme Court while adjudicating a family property dispute, considered the factors upon which a relationship can be presumed to be a valid marital union in the absence of formal documentary proof.

In the present case, one Dasabovi (now deceased), inherited certain properties from his father. Dasabovi was married to one Bheemakka and had two sons who are the respondents in the present case. However, Dasabovi fell in love with one Chowdamma and entered into a relationship with her. After some time, Chowdammma was brought into Dasabovi's house and began living with him as his wife while Bheemakka and her children left the house. Subsequently, it was alleged that Chowdamma by virtue of being a Panchayat member exerted her influence and got the name of herself and her children entered into the revenue records. Based on the change in revenue entries, Chowdamma declined to acknowledge Bheemakka and her sons as being in joint possession of the suit properties. Consequently, a partition suit was filed by Bheemakka's sons i.e 'plaintiffs' to the extent of half share in their father's property. However

Chowdamma's sons i.e 'defendants' denied the marriage of Dasabovi with the plaintiff's mother. The partition suit was dismissed by the Trial Court while the High Court after observing that the defendant's reliance was based solely on denial, decreed the suit in favour of the plaintiffs on the ground of cohabitation and community recognition. Aggrieved, the defendants approached the Supreme Court against the High Court's judgment, challenging the validity of the marital relationship between their mother i.e Bheemakka and Dasabovi.

The Supreme Court observed that the principal issue in the present case was whether the plaintiffs had succeeded in establishing a valid marital relationship between their mother and Dasabovi. Reaffirming the principle underlying Section 50 of the Evidence Act, the Court referred to its earlier decision in *Dolgobinda Paricha v. Nimai Charan Misra (AIR 1959 SC 914)* and explained that when a court must form an opinion about the existence of a family relationship, the belief or conviction of a person with special means of knowledge becomes a relevant fact. In the case at hand, the Bench found the testimony of an elderly witness credible and consistent with the plaintiffs' genealogical chart.

On the presumption of marriage, the Supreme Court relied on *Badri Prasad v. Deputy Director of Consolidation (1978) 3 SCC 527* and other precedents and held that the law enunciates a presumption in favour of a marriage when a man and woman have engaged in prolonged and continuous cohabitation. Such a presumption though rebuttable in nature can only be displaced by unimpeachable evidence.

The Supreme Court also drew inference from the failure of the defendant to enter the witness box despite being available and physically present during hearings holding that where a party has personal knowledge of material facts, abstaining from testimony attracts an inference against them.

Accordingly, the Supreme Court upheld the High Court's decree and dismissed the appeal by holding that the defendants had failed to produce any unimpeachable evidence to dislodge the presumption of marriage arising from prolonged cohabitation.

Training Hub





08 August 2025: Training Cell in collaboration with the Gender Sensitization and Internal Complaints Committee (GSICC) organised a training programme on 'Gender Sensitisation' for Court Assistants, with resource person Ms Sneh Sharma, to enhance awareness of gender-related issues, promote workplace inclusivity, and reinforce the principles of equality and respect within the judicial system. A total of 91 officials participated in the programme



23 August 2025: Training Cell organised a Branch Specific Training for the staff deputed in the Receipts & Issues (R&I) Branch, to enhance efficiency, accuracy, and accountability in the management of official correspondence and records, followed by a hands-on training session in the R&I Branch. The resource persons for the session were Sh Satish Chandra, Assistant Registrar, Sh Arun Kumar Dahiya, Senior Court Assistant, and Sh Braj Bhushan Prasad, Court Assistant



29 August 2025: Training Cell organised a training session on First Aid, CPR (Cardio-Pulmonary Resuscitation), and operation of AED (Automated External Defibrillator) Machines for Registry officials, to equip the staff with essential life-saving skills and emergency response preparedness. The resource persons for the session were Mr Vikram Singh Choudhary (Senior Nursing Officer), AIIMS, New Delhi, Mr Deepesh Piliwal, and Mr Ashok Kumar (Nursing Officers), AIIMS, New Delhi

Bid Adieu



Ms Jyoti Bhakuni joined the Supreme Court in 1990 as a Junior Clerk (JCA) and, over the years, rose through the ranks to retire as an Assistant Registrar. Looking back, she takes pride in the steady growth of her career and the many opportunities that came her way. When she first entered the institution, computerisation was just beginning to take root. Today, she reflects with satisfaction on how the workplace has transformed, embracing technology and making work more efficient. She enjoyed the cultural programmes and fondly recalls her role as coordinator of the Musical Chair competition, for which she received an award from the then Chief Justice of India Justice D Y Chandrachud. It remains one of her most treasured memories. As she bids farewell to the institution, Ms Bhakuni looks forward to dedicating more time to her love for travelling.



Shri S Prakash joined the Supreme Court on 16 October 1989 as an Attendant. Reflecting on his journey, he describes his experience as deeply fulfilling. For nearly 25 years, he served in the residential offices of several Hon'ble Judges, including Justice HL Gokhale, and fondly recalls his time with Justice K Ramaswamy as particularly memorable. Though he originally hails from Andhra Pradesh, he was born and brought up in Delhi, and the Court has been an integral part of his life for more than three decades. He notes with gratitude the cooperative spirit of colleagues and staff members, which made his service all the more rewarding. At the same time, he shares a few suggestions for easing the path of retiring employees. At present, retired personnel are required to approach multiple branches in person to obtain NOCs, a process he finds cumbersome. He feels it would be more efficient if the system were made online or handled by a designated officer coordinating with all branches. He retired as a Restorer in the Library. As he now bids farewell to the institution, Shri Prakash looks forward to fulfilling personal goals.



Shri Ajay Sharma joined the Supreme Court on 29 September 1989 as a Junior Clerk. A native of Punjab, he looks back on his journey with a sense of gratitude and fulfilment, describing his experience as truly wonderful. During his long tenure, he not only gained professional growth but also imbibed important values that he continues to hold dear. Among them, he counts sincerity, patience, and a sense of responsibility as the most valuable lessons the institution has taught him. He is thankful for the time he spent at the Court, for the opportunities it offered, and for the colleagues who became an important part of his journey. Having retired as Assistant Registrar, he now wishes to devote more time to his familial responsibilities and looks forward to this new chapter with contentment.



Shri Raghuvir Chander Uppal joined the Supreme Court on 2 July 1990 as a Junior Court Assistant. A native of Delhi, he looks back on his career with satisfaction, describing his journey as a wonderful experience. He feels fortunate to have enjoyed a healthy work-life balance throughout his career, which allowed him ample time for himself alongside his professional responsibilities. For him, the institution has been a source of name, recognition, and financial stability, and he cherishes the opportunities it brought along the way. Having retired as an Assistant Registrar, he now looks forward to focusing on his family, with his foremost plan being to get his daughter married.







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