

JUDGMENTS AUGUST 2025

JUDICIAL RECOGNITION OF MODERN COMMERCIAL PRACTICE

The Supreme Court's decision in **Glencore International AG v. Shree Ganesh Metals & Anr. 2025 INSC 1036** corrects a line of reasoning that had allowed procedural rigidity to override commercial reality in the interpretation of arbitration agreements. The dispute arose from a 2016 contract for the supply of zinc metal. Although Shree Ganesh Metals did not formally sign the agreement, it accepted delivery of 2,000 metric tons, furnished Standby Letters of Credit through HDFC Bank and repeatedly referred to the contract in its correspondence. The contract contained an arbitration clause referring disputes to the London Court of International Arbitration. Despite these facts, both the Single Judge and Division Bench of the Delhi High Court declined to refer the matter to arbitration, citing the absence of a signature as fatal to the existence of a binding arbitration agreement.

The Hon'ble Supreme Court rejected this view. Relying on Section 7 of the Arbitration and Conciliation Act, 1996 and decisions such as **Govind Rubber Ltd. v. Louis Dreyfus Commodities Asia Pvt. Ltd., (2015) 13 SCC 477** and **Caravel Shipping Services Pvt. Ltd. v. Premier Sea Foods Exim Pvt. Ltd., (2019) 11 SCC 461**, the Court held that an arbitration clause embedded in a contract remains enforceable if the parties' conduct demonstrates acceptance of the underlying terms. The absence of a signature does not, in itself, negate the existence of an agreement. This judgment restores a measure of practicality to arbitration jurisprudence. In contemporary commercial transactions, agreements are frequently concluded through electronic correspondence and formal execution is not always the final step. Insisting on signatures alone disregards the substance of the parties' engagement and undermines the efficiency that arbitration is designed to promote.

By setting aside the Delhi High Court's interpretation, the Supreme Court has reinforced the principle that arbitration law must respond to the realities of modern commerce. Where conduct shows clear acceptance, courts must not allow procedural formalities to defeat the intent to arbitrate. This decision is a necessary recalibration of how Indian courts approach arbitration in cross-border and commercial contexts.

Pernod Ricard India Private Limited & Another Versus Karanveer Singh Chhabra: 2025 INSC 981: Criteria for Grant of Interim Injunctions in Trademark Infringement Case-

HELD Facts: Hon'ble Apex Court was deciding the appeal filed by Pernod Ricard challenging the orders of the Indore Commercial Court and the Madhya Pradesh High Court which rejected its interim injunction applications against the respondent. The appellant contended that the respondent used the similar name as "Blenders Pride" and used the similar styling of "Imperial Blue" for "London Pride". Ratio Decidendi The Court said that although the Trade Marks Act, 1999 does not prescribe any rigid or exhaustive criteria for determining whether a mark is likely to deceive or cause confusion, each case must necessarily be decided on its own facts and circumstances.

According to the Court, the following criteria are generally applied for Grant of Interim Injunctions in Trademark Infringement Case:

- (i) Serious question to be tried / triable issue: The plaintiff must show a genuine and substantial question fit for trial. It is not necessary to establish a likelihood of success at this stage, but the claim must be more than frivolous, vexatious or speculative.
- (ii) Likelihood of confusion / deception: Although a detailed analysis of merits is not warranted at the interlocutory stage, courts may assess the prima facie strength of the case and the probability of consumer confusion or deception. Where the likelihood of confusion is weak or speculative, interim relief may be declined at the threshold.
- (iii) Balance of convenience: The court must weigh the inconvenience or harm that may result to either party from the grant or refusal of injunction. If the refusal would likely result in irreparable harm to the plaintiff's goodwill or mislead consumers, the balance of convenience may favor granting the injunction.
- (iv) Irreparable harm: Where the use of the impugned mark by the defendant may lead to dilution of the plaintiff's brand identity, loss of consumer goodwill, or deception of the public – harms which are inherently difficult to quantify – the remedy of damages may be inadequate. In such cases, irreparable harm is presumed.
- (v) Public interest: In matters involving public health, safety, or widely consumed goods, courts may consider whether the public interest warrants injunctive relief to prevent confusion or deception in the marketplace.

Time City Infrastructure and Housing Limited Lucknow vs The State Of U.P. & Ors. : 2025 INSC 966-

1. Whether a trial court can grant an ex parte injunction without adhering strictly to the requirements of the proviso to Order 39 Rule 3 CPC?
2. If the applicant fails to comply with mandatory Rule 3 requirements (i.e., recording reasons, serving opposing party, and filing affidavit of service), must the ex parte injunction be automatically vacated, irrespective of the merits?-

HELD Facts: Time City Infrastructure and Housing Limited filed Civil Suit concerning a disputed land parcel (approx. 0.985 hectares). Trial Court granted an ex parte status-quo injunction under Order XXXIX Rules 1–2 CPC and a local commissioner was appointed. High Court set aside the injunction, citing serious procedural errors.

The plaintiff challenged order before Apex Court. Ratio Decidendi: The Supreme Court reaffirmed that it is mandatory to make compliance of Order XXXIX Rule 3 CPC. The applicant must immediately serve the relevant documents on the opposing party (application, affidavit, plaint, relevant documents) and file an affidavit of service. If procedural requirements aren't met, the court must vacate the injunction without expressing any opinion on the merits.

Outcome: The SLP was dismissed, but the Court emphasized the mandatory nature of Order 39 Rule 3 CPC and upheld the High Court's intervention. The SC ordered the trial court to rehear the injunction application on its merits, ensuring compliance with Rule 3 and free from any High Court influence.

Kishundeo Rout & Ors. Versus Govind Rao & Ors.: 2025 INSC 956-

1. Can a plea of adverse possession be introduced for the first time at the appellate stage, when it was not pleaded in the plaint or issues at trial?

2. If such a plea is introduced, can the appellate court decide the matter without allowing further evidence, especially when the foundational facts weren't pleaded or traverse?-

HELD Facts: Plaintiffs (Kishundeo Rout & Ors.) filed a Title Suit No. 35 of 1999 in Deoghar seeking: A declaration that Sale Deed No. 256 dated 3 February 1997 was "bogus, inoperative and fit to be cancelled," Confirmation of possession. The trial court dismissed the suit on 18.8.2018, holding plaintiffs failed to prove fraud, misrepresentation, or lack of consideration; the sale deed was held valid. The First Appellate Court (District Judge II, Deoghar) reversed the trial court's decision. It framed an additional issue regarding adverse possession, held that the plaintiffs' possession had become adverse since 7 July 2000, and decreed the suit in their favour.

The Second Appellate Court (High Court of Jharkhand), in a Second Appeal set aside the appellate decree, restoring the trial court's dismissal, on the ground that adverse possession was never pleaded originally and could not be introduced at appellate stage.

Plaintiffs then filed a Special Leave Petition before Apex Court.

Ratio Decidendi:

It has been observed that adverse possession must be specifically pleaded and placed in issue at the trial stage. It cannot be introduced for the first time on appeal. A plea of adverse possession arises from discrete factual allegations— when possession started, its nature, openness, undisturbed character, and knowledge by legal title holders. These must be asserted in pleadings, framed as issues, and substantiated with evidence.

A plea of adverse possession requires clear and specific foundational pleadings, an issue framed for trial and cogent evidence [Relied on **Ravinder Kaur Grewal and others v. Manjit Kaur and Others 2019 SC 3827**; Paras 19, 29, 30]

Outcome: The Supreme Court dismissed the SLP, upholding the High Court's decision. The trial court's dismissal of the suit remains intact. The Court reaffirmed that the appellate courts cannot create new issues or entertain claims not pleaded at trial, especially adverse possession, as doing so prejudices the opposing party and undermines procedural justice.

Iqbal Ahmed (D) by LRs. &Anr. Vs. Abdul Shukoor: 2025 INSC 1027:

1. Whether the Appellate Court is required to consider the pleadings of the parties before deciding on an application for additional evidence under Order XLI Rule 27(1) CPC?

2. Can additional evidence be allowed at the appellate stage to introduce facts that were never pleaded in the written statement?-

HELD Facts: The dispute arose out of an agreement to sell dated 20 February 1995 executed by the defendant (Iqbal Ahmed) in favour of the plaintiff (Abdul Shukoor). The plaintiff filed a suit for specific performance of this agreement. The trial court decreed the suit in favour of the plaintiff, holding the agreement proved.

On appeal, the defendant filed an application under Order XLI Rule 27(1) CPC to produce additional evidence (documents to challenge the plaintiff's claim). The High Court allowed the additional evidence and, on that basis, reversed the trial court's decree of specific performance. Aggrieved, the plaintiff approached the Supreme Court.

Ratio Decidendi: The Appellate Court must necessarily consider pleadings before deciding an application for additional evidence under Order XLI Rule 27(1) CPC. Evidence can only be led in support of pleaded facts. A party cannot fill gaps in pleadings by producing fresh evidence at the appellate stage. Since the defendant in his written statement had merely stated he had "no knowledge" about plaintiff's source of funds, he could not later produce evidence to contradict it. Allowing additional evidence without corresponding pleadings is procedurally impermissible.

Outcome: The Supreme Court set aside the High Court's judgment which had allowed the defendant's application for additional evidence. The matter was remanded back to the High Court for fresh consideration of the application for additional evidence under Order XLI Rule 27(1) CPC, keeping in view the pleadings.

M/s. Sethia Infrastructure Pvt. Ltd. vs. Mafatlal Mangilal Kothari & Ors.: 2025 INSC 985-

1. Was the Bombay High Court's condoning of a 5,250-day delay, without hearing the developer and without reasoned judgment, legally sustainable?

2. Should the possibility of third-party rights and interests being created during such a long delay be presumed and considered?-

HELD Facts: Respondents (Mafatlal Mangilal Kothari & Ors.) filed a suit in 1967 seeking eviction. The suit was dismissed in 1988. They filed a first appeal which was admitted in 1989. It was deemed dismissed for non-prosecution on 20.5.2008, as they failed to file pleadings within three months of a High Court order dated 20.2.2008. In 2022, respondents applied for restoration of the dismissed appeal, requesting condonation of a 5,250-day delay. The Bombay High Court allowed restoration on 25.10.2023, based solely on an affidavit of private service and without hearing the present appellant (a developer with interest in the property). During the long interval, M/s. Sethia Infrastructure Pvt. Ltd., a developer, started massive construction on the property, acquiring third-party rights.

Ratio Decidendi : The Hon'ble Supreme Court emphasized that when an inordinate delay is sought to be condoned, courts must presume third party rights or additional interests may have emerged in the meantime. Restoration was granted without hearing the appellant-developer, who had a material stake. The Supreme Court held this violated principles of fairness and due process. Condoning such a massive delay (over 14 years) demands a proper, reasoned judicial order. The High Court's brief order relying on an affidavit and a past judgment was insufficient.

Outcome : Bombay High Court's order dated 25.10.2023 was set aside. The matter was remitted back for a fresh hearing, with clear directions to hear the appellant developer.

LATEST CASES: CRIMINAL

Sunil Sharma v. M/s Hero Fincorp Limited: 2025 INSC 1001 –HELD

Facts: Appellant director of M/s Benlon India Ltd., faced proceedings after M/s. Benlon India Ltd obtained multiple loans from Hero Fincorp for machinery purchases, supported by various agreements and personal guarantees. After a devastating fire destroyed machinery worth Rs. 180 crore, one Rs. 15 crore loan was converted from a secured to unsecured loan. By 2018, M/s. Benlon India Ltd had paid Rs. 26.92 crore out of a total Rs. 37.25 crore, yet Hero Fincorp proceeded with multiple legal actions, including a criminal complaint for breach of trust (Sec. 405 IPC). An investigation found no cognizable offence. The CMM and District Judge declined further proceedings, but High Court directed registration of the complaint. Appellant challenged this before the Supreme Court.

Ratio Decidendi: The Supreme Court held that a loan transaction creates a debtor-creditor relationship, giving rise to civil liability. Section 405 IPC (criminal breach of trust) generally does not apply when the lender intends the borrower to use the loaned money, unless a different intention appears from the contract. For criminal liability under Section 405, all statutory ingredients must be satisfied, including dishonest misappropriation or conversion of property. On the facts, no evidence of misappropriation was found; the beneficial ownership of funds was transferred to M/s. Benlon India Ltd, and use of funds even if not strictly per contract did not amount to criminal breach of trust. Breach of trust not established in absence of dishonest intention and due to circumstances beyond the borrower's control and the Supreme Court set aside the High Court order, clarifying the boundary between civil and criminal liability in loan transactions.

Khem Singh (D) Through Lrs v. State of Uttaranchal (Now State of Uttarakhand) & Another etc. : 2025 INSC 1024-HELD

Facts: The case arose out of a violent incident in Haridwar in 1992, where Appellant and his family were attacked, resulting in the murder of Virendra Singh and injuries to Appellant and his son. The trial court convicted three accused for murder and attempt to murder, awarding them life imprisonment, while acquitting others. On appeal, the High Court set aside all convictions. Appellant, an injured victim,

appealed to the Supreme Court, but passed away during pendency of the appeal, after which his son Raj Kumar (also an injured victim) sought substitution to continue the appeal as legal heir.

Ratio Decidendi: The Supreme Court held that the right to appeal under the proviso to Section 372 CrPC for a victim extends to legal heirs, recognizing that access to justice should not be thwarted merely due to the victim's death. The Court affirmed that the definition of "victim" in Section 2(wa) is inclusive of legal heirs, allowing substitution upon death and continuation of the appeal. Further, the Court observed that the High Court, as the first appellate court, is required to independently reassess the evidence and deliver a reasoned judgment, especially when overturning convictions for grave offences like murder. Since the High Court did not discuss evidence or provide reasons for acquittal, the Supreme Court set aside the judgment and remanded the matter for fresh consideration. The judgment reinforces the rights of victims' families to seek justice and mandates courts to deliver reasoned judgments in criminal appeals involving acquittals.

Devendra Kumar v. State (NCT of Delhi) :2025 INSC 1009 –HELD

Facts : Appellant, mainly allegedly obstructed and humiliated a Process Server, Nazarat Branch, who was serving court processes in October 2013. The process server was forced to stand with raised hands and remain on the floor for hours, leading to a formal complaint filed by the Administrative Civil Judge under Section 195 CrPC. The Chief Metropolitan Magistrate (CMM) directed police to register an FIR under Sections 186 and 341 IPC and conduct an investigation. The petitioner's challenge against the order was dismissed by the High Court, leading to an appeal before the Supreme Court.

Ratio Decidendi: The Supreme Court held that decision of the Constitution Bench in Iqbal Singh Marwah's case does not in any way express its disagreement with the view in Raj Singh's case and M. Narayandas's case. On the contrary, a perusal of Iqbal Singh Marwah's case shows that the Court has leaned in favour of giving an interpretation, which limits the scope of Section 195 of the Cr.P.C. There is no contradiction in invocation of Section 156(3) by the learned Magistrate, the registration of the F.I.R. and the conduct of the investigation by the police, with Section 195 read with Section 340 Cr.P.C. As noticed in M. Narayandas's case once the investigation is completed, then the embargo under Section 195 would come into play and the Court would not be competent to take cognizance. However, the concerned Court could then file the complaint for the offence mentioned in Section 195(1)(b)(ii) on the basis of the F.I.R. and the material collected during investigation and by following the procedure laid down in Section 340 Cr.P.C. Further, the procedure contemplated under sub-section (1) of Section 340 of the Cr.P.C. is limited to such cases, as are provided in clause (b) of sub-section (1) of Section 195 of the Cr.P.C. only. Section 340 of the Cr.P.C. does not envisage a procedure with reference to an offence described in Section 195(1)(a) of the Cr.P.C. However, the observations made in Raj Singh's case and M. Narayandas's case), more specifically that Section 195 Cr.P.C does not have any application at the stage of investigation holds good as regards both Section 195(1)(a) and 195(1)(b) of the Cr.P.C. respectively. The overall bar contemplated under Section 195 could be said to kick in only at the stage of cognizance.

Vikram Bakshi v. R.P. Khosla: 2025 INSC1020 –HELD

Facts: The case arose from a business dispute between the Bakshi Group (led by Appellant) and the Khosla Group (led by respondent) over the development and management of a resort in Himachal Pradesh. Following disagreements, Sonia Khosla (minority shareholder, MRPL) filed a petition under Sections 397/398 of the Companies Act before the Company Law Board (CLB), alleging oppression and mismanagement. The Khosla Group also filed a Section 340 CrPC application before the High Court, alleging perjury by the Bakshi Group. The High Court initially disposed of this application, considering the pendency of disputes before the CLB/NCLT. Later, the Khosla Group filed a review petition under Order XLVII CPC to recall the High Court's earlier judgment, citing subsequent withdrawal of the company petition from NCLT. The High Court allowed the review, recalling its earlier order. Aggrieved, the Bakshi Group approached the Supreme Court.

Ratio Decidendi: The Supreme Court held that Section 362 CrPC prohibits criminal courts from reviewing or altering their final orders and judgments except to correct clerical or arithmetical errors. The High Court's power of review in criminal matters cannot be exercised via the Civil Procedure Code; thus, the recall petition under Order XLVII CPC was not maintainable. The Court found that the Khosla Group's recall application did not fall within the narrow exceptions of Section 362 CrPC and constituted an impermissible attempt to revisit the concluded matter. Reinforcing the finality of criminal judgments, the Supreme Court set aside the High Court's recall order and restored the original judgment.

Deepak Kumar Sahu v. State of Chhattisgarh: 2025 INSC 929 –HELD

Facts: In this case the appellant was accused of raping a 15-year-old girl in her home after sending her younger brother out to bring a pack of chewing tobacco. The victim immediately narrated the assault to her cousin, who informed her parents, leading to a prompt police complaint and registration of FIR. The medical examination did not reveal any external injuries or conclusive signs of sexual assault. The trial court convicted Appellant under Section 376(2) IPC (rape of a minor), Section 450 IPC (house trespass), and Section 4 of the POCSO Act, imposing rigorous imprisonment. The appeal to the High Court was dismissed, and the appellant approached the Supreme Court.

Ratio Decidendi: The Supreme Court reaffirmed that the solitary, credible, and consistent testimony of the rape victim (prosecutrix) was sufficient for conviction, even if medical corroboration was weak or absent. The Court held that in cases of sexual offences, the law does not require corroboration of the victim's account as a rule; such insistence adds insult to injury and undermines the sensitivity required in cases involving sexual violence. Minor discrepancies in witness statements that do not affect the core of the prosecution's case should be ignored. The Bench cited prior decisions noting that absence of injuries or medical evidence is not conclusive against rape, particularly where the testimony of the prosecutrix inspires confidence. Consequently, the appeal was dismissed and the conviction and sentence affirmed, reinforcing the principle that a creditworthy victim's evidence overrides medical insufficiencies in sexual assault prosecutions.

Narayan Yadav v. State of Chhattisgarh: 2025 INSC 927 –HELD

Facts: Appellant was accused of murdering deceased Ram Babu Sharma following a drunken quarrel in 2019. Appellant himself lodged an FIR confessing to the killing, claiming the deceased insulted his girlfriend, leading to the dispute. The deceased suffered multiple knife wounds and injuries from a wooden log. The trial court convicted appellant under Section 302 IPC (murder) and sentenced him to life imprisonment. The High Court altered the conviction to culpable homicide not amounting to murder under Section 304 Part I IPC, invoking Exception 4 to Section 300 IPC (sudden fight without premeditation). Appellant filed an appeal challenging the High Court judgment before the Supreme Court.

Ratio Decidendi: The Supreme Court acquitted Appellant, identifying critical legal errors in the High Court's ruling. Firstly, the Court held that the confession in the FIR lodged before the police is inadmissible as evidence under Section 25 of the Indian Evidence Act. Secondly, the medical evidence could not alone establish guilt; expert opinions are advisory and must be corroborated by credible facts. Thirdly, the Court found the High Court misapplied Exception 4 of Section 300 IPC as the deceased allegedly made an obscene remark, "get your girlfriend to my place and leave her with me for one night." Such a statement might have provoked the appellant, who then picked up a vegetable-cutting knife lying in one corner of the house and inflicted injuries upon the deceased. This aspect could have been considered in that context. Consequently, there was no legally admissible evidence to sustain conviction, mandating acquittal.

Bhupesh Kumar Baghel v. Union of India: -

HELD Relying upon the observations of *Vijay Madanlal Choudhary & Ors. v. Union of India & Ors.*, (2023) 12 SCC 1 in paragraph 263 regarding to interpretation of Section 44(1) of the Prevention of Money- Laundering Act, 2002, which has observed " Clause (i) of the Explanation enunciates that the jurisdiction of the Special Court while dealing with the offence being tried under this Act, shall not be dependent upon any orders passed in respect of the scheduled offence, and the trial of both sets of offences by the same court shall not be construed as joint trials. This, in fact, is reiteration of the earlier part of the same section, which envisages that even though both the trials may proceed before the same Special Court, it must be tried separately as per the provisions of the 1973 Code. Insofar as clause (ii) of the Explanation, at the first glance, it does give an impression that the same is unconnected with the earlier part of the section.

However, on closer scrutiny of this provision, it is noted that the same is only an enabling provision permitting to take on record material regarding further investigation against any accused person involved in respect of offence of money laundering for which complaint has already been filed, whether he has been named in the complaint or not. Such a provision, in fact, is a wholesome provision to ensure that no person involved in the commission of offence of money laundering must go unpunished.

It is always open to the authority authorised to seek permission of the court during the trial of the complaint in respect of which cognizance has already been taken by the court to bring on record further evidence which request can be dealt with by the Special Court in accordance with law keeping in mind the provisions of the 1973 Code as well. It is also open to the authority authorised to file a fresh complaint

against the person who has not been named as accused in the complaint already filed in respect of same offence of money laundering, including to request the court to proceed against such other person appearing to be guilty of offence under Section 319 of the 1973 Code, which otherwise would apply to such a trial."

It is held by Apex Court that:

- (i) The authorities of the Enforcement Directorate can bring on record further evidence during the trial;
- (ii) the further evidence can be brought on record with the prior permission of the Court; and
- (iii) the Enforcement Directorate can either file a fresh complaint or the Court can proceed against such other person under Section 319 Cr.P.C. (now substituted by a new provision under the Bharatiya Nagarik Suraksha Sanhita, 2023). There is no gainsaying if the Enforcement Directorate or the authority has acted contrary to the principles of law, which are explained by this Court in *Vijay Madanlal Choudhary*, the aggrieved person(s), including the petitioner, if so advised, shall always be at liberty to approach the High Court questioning such action of the authorities.

LATEST CASES: CONSTITUTION

Amlesh Kumar vs The State of Bihar: 2025 INSC 810-

Whether involuntary narco-analysis tests violate constitutional rights against self-incrimination and personal liberty, and if voluntary tests can be relied upon as evidence- HELD

Facts: The appellant, accused in a criminal case involving a missing person, challenged a high court order that authorized the police to conduct narco-analysis tests on all accused persons and witnesses during the investigation. The appellant argued that such involuntary tests violate constitutional protections under Articles 20(3) and 21, and that results from involuntary tests cannot be used as evidence or form the basis of conviction. The Supreme Court examined whether the court's authorization of these tests was lawful and whether voluntary narco-analysis tests, with safeguards, could be relied upon in evidence.

Ratio Decidendi: The Court held that involuntary narcoanalysis tests violate constitutional rights under Articles 20(3) and 21, and such tests cannot be conducted forcibly or used as evidence. While voluntary tests may be permissible with safeguards, their results alone cannot be the sole basis for conviction; any information obtained can only be admitted into evidence with the aid of Section 27 of the Indian Evidence Act. The order authorizing involuntary tests was set aside, and the appeal was allowed.

Harinagar Sugar Mills Ltd. (Biscuit Division) & Anr. Vs State of Maharashtra & Ors.: 2025 INSC 801 –

Whether the procedural requirements for administrative decision-making under the law, including proper authority and recording of reasons, comply with the constitutional guarantee of the right to carry on trade or business under Article 19(1)(g)-HELD

Facts: The case concerns the attempt by Harinagar Sugar Mills Ltd. (Biscuit Division), which solely manufactured biscuits for Britannia Industries Limited under a long-standing job work agreement, to close down its division following the termination of the agreement. The company filed an application with the appropriate government authority seeking permission for closure, as mandated by law. Despite submitting a complete application and demonstrating the lack of alternative business avenues, the authorities questioned the sufficiency of the reasons and asked for additional justification. The authorities, including a subordinate officer, issued internal notes and correspondence that did not constitute a formal order or demonstrate an application of independent mind by the competent authority, i.e., the Minister. When the prescribed period of 60 days elapsed without a formal decision, the law deemed the permission granted (deemed closure). The company argued that the application was complete and that the deemed approval was valid, while the authorities contended procedural deficiencies and lack of proper authority. The matter was challenged in court, which examined whether the administrative procedures and correspondence constituted valid decisions and whether the deemed approval was lawful.

Ratio Decidendi: The court held that the application for closure must be complete, properly documented, and made to the competent authority—the ‘appropriate Government’ exercising its statutory powers. If the authority fails to communicate a decision within the statutory period, permission is deemed granted only if the application was complete and genuine reasons were provided. Administrative correspondence or internal notes that do not constitute a formal decision or reflect a proper application of mind are invalid as decisions. The law requires that decisions be taken by the appropriate authority, with reasons recorded, and that procedural safeguards be strictly followed. When these procedures are not adhered to, the deemed approval cannot be legally invoked, and the administrative actions are invalid, emphasizing the importance of procedural compliance for constitutional validity of restrictions on the right to carry on trade or business under Article 19(1)(g).

Pavul Yesu Dhasan vs The Registrar State Human Rights Commission of Tamil Nadu and Others: 2025 INSC 667-

Whether the police misconduct, including refusal to register an FIR and use of objectionable language, violated the constitutional rights to dignity and fair treatment under Article 21 of the Constitution-HELD

Facts: The complainant and his family visited the police station to lodge a complaint. The Sub-Inspector refused to register the FIR, citing procedural reasons, and the appellant, as the Inspector of Police, arrived late and used objectionable language while speaking to the complainant’s mother. Despite the law requiring registration of FIRs upon proper request, the police officer's conduct was found to be disrespectful and dismissive, infringing on the complainant’s rights.

Ratio Decidendi: The court held that the police officer's refusal to register the FIR and the use of objectionable language violated the complainant's and his family's human rights, specifically their right to dignity and fair treatment under Article 21 of the Constitution. The conduct was deemed to infringe upon the fundamental rights guaranteed by the Constitution, justifying the findings of human rights violation.

Dashrath vs The State of Maharashtra:2025 INSC 654-

Whether the court can exercise its power under Article 142 to reduce a minimum prescribed sentence, which is limited by the statutory mandate. It affirms that minimum sentences mandated by law cannot be lowered through judicial discretion, upholding the rule of law and legislative intent HELD

Facts: Dashrath was convicted of demanding and accepting a bribe under the Prevention of Corruption Act, and his conviction was upheld by the lower courts. He sought a reduction of his sentence due to his advanced age and the long pendency of the case, arguing for leniency.

Ratio Decidendi: The court held that while the conviction was justified based on the evidence, the statutory minimum sentences cannot be reduced below the prescribed minimum by invoking constitutional powers. However, considering exceptional circumstances, the court exercised its discretion to modify the sentence for one offence, reducing it to a lesser term, but upheld the conviction.