

1. **The General Secretary, Vivekananda Kendra vs. Pradeep Kumar Agarwalla And Others: 2026 INSC 199 –**

The Supreme Court clarified that a 99-year lease deed must be interpreted strictly by its plain language, and cannot be treated as a mere licence. The Court emphasized that when the document's wording is clear, purposive or ex-post facto interpretation is unnecessary.

Case Overview

- **Court & Date:** Supreme Court of India, Judgment delivered on **26 February 2026**
- **Bench:** Justice Pankaj Mithal and Justice S.V.N. Bhatti
- **Case Origin:** Appeal from RSA No. 123 of 2021, High Court of Orissa at Cuttack
- **Parties:**
 - Appellant: The General Secretary, Vivekananda Kendra
 - Respondents: Pradeep Kumar Agarwalla & Others
- **Counsel:** Mr. Rutwik Panda (Appellant), Mr. Ashok Panigrahi (Respondents)³

Key Legal Issues

1. **Lease vs. Licence Distinction**
 - The dispute centered on whether the 99-year agreement constituted a *lease* under Section 105 of the Transfer of Property Act, 1882, or a *licence* under Section 52 of the Indian Easements Act, 1882.
 - The Court held that the **nomenclature of the deed is not decisive**; instead, the **substance and plain wording** determine its character.
2. **Interpretation of Lease Deeds**
 - The Court ruled that **literal interpretation prevails** when the language is clear.
 - Resorting to purposive construction or surrounding circumstances is unwarranted unless ambiguity exists.
3. **Termination and Rights**
 - Sections 108 and 111 of the Transfer of Property Act were applied to clarify rights and obligations of lessor and lessee.
 - The Court reinforced that a validly executed lease deed creates **transferable rights in immovable property**, unlike a licence which is merely permissive.

Broader Implications

- **Property Law Clarity:** This judgment strengthens certainty in long-term lease agreements, especially 99-year leases, which are common in India for housing societies and institutional land use.
- **Drafting Importance:** Parties must ensure lease deeds are drafted with precision, as courts will rely on the plain text rather than subsequent conduct.

- **Legal Precedent:** The ruling will guide lower courts in distinguishing leases from licences, reducing litigation over ambiguous property agreements.

Risks & Considerations

- **For Lessors:** Once a lease is executed, rights are transferred; revocation is not simple.
- **For Lessees:** Obligations under Sections 108 and 111 (e.g., maintenance, rent payment, surrender upon expiry) are enforceable.
- **For Drafting Lawyers:**

2. **Muddam Raju Yadav Versus B. Raja Shanker (D) Through Lrs. & Ors.: Civil Appeal No. 3255 of 2026 arising out of SLP (Civil) No. 6453 of 2024**

the Supreme Court restored the trial court's decree of specific performance, holding that the registered sale agreement of 2002 was valid and enforceable, and the High Court erred in dismissing the suit. [1](#) [2](#)

Case Overview

- **Court & Date:** Supreme Court of India, **10 March 2026**
- **Bench:** Justice Prashant Kumar Mishra and Justice Prasanna B. Varale
- **Citation:** 2026 INSC 214
- **Appeal Origin:** From High Court judgment that had reversed the trial court's decree of specific performance.
- **Parties:**
 - Appellant: **Muddam Raju Yadav** (plaintiff in original suit)
 - Respondents: **B. Raja Shanker (deceased, through legal representatives) & Others**

Facts of the Case

- **Agreement:** Registered agreement for sale dated **4 June 2002** concerning a house property in Medchal village, Ranga Reddy District.
- **Trial Court:** Decreed specific performance in favor of the plaintiff, directing execution of the sale deed.
- **High Court:** Set aside the decree, dismissing the suit.
- **Supreme Court:** Restored the trial court's decree, allowing the appeal.

Key Legal Issues

1. **Specific Performance under the Specific Relief Act, 1963**

- The Court emphasized that **specific performance is the rule, not the exception**, when a valid contract exists, unless inequitable circumstances justify refusal.
 - The registered nature of the agreement and clear terms weighed heavily in favor of enforcement.
2. **Equitable Discretion**
- The Court clarified that discretion under Section 20 of the Specific Relief Act must be exercised judicially, not arbitrarily.
 - The High Court’s reversal was found unsustainable because it ignored the binding nature of the registered agreement.
3. **Possession & Readiness/Willingness**
- The plaintiff demonstrated readiness and willingness to perform his part of the contract.
 - The defendants’ objections were insufficient to defeat the claim.

Broader Implications

- **Property Transactions:** Reinforces the enforceability of registered sale agreements, discouraging parties from reneging after execution.
- **Judicial Approach:** Limits appellate interference in trial court decrees unless findings are perverse or legally untenable.
- **Equity vs. Law:** Balances equitable discretion with the principle that contracts must be honored when validly executed.

Risks & Considerations

- **For Buyers:** Ensure agreements are registered and maintain evidence of readiness/willingness to perform.
 - **For Sellers:** Once a registered agreement is executed, courts are likely to enforce it unless strong equitable grounds exist.
 - **For Lawyers:** Draft agreements with clarity and advise clients on the binding nature of registered contracts.
3. **In *Gobind Singh & Ors. vs. Union of India & Ors.* (2026 LiveLaw SC 221; 2026 INSC 211), the Supreme Court clarified the scope of admitting additional evidence under Order XLI Rule 27 CPC, holding that appellate courts must exercise this power sparingly and only when necessary for justice. The Court restored the principle that factual findings cannot be reopened casually in appeal.**

Case Overview

- **Court & Date:** Supreme Court of India, **9 March 2026**
- **Bench:** Justice Vikram Nath and Justice Sandeep Mehta
- **Citation:** 2026 INSC 211; 2026 LiveLaw (SC) 221
- **Appeal Origin:** Against Madhya Pradesh High Court (Gwalior Bench) judgments dated 12 August 2009 and 15 March 2011 (review petition).
- **Parties:**
 - Appellants: **Gobind Singh & Others**
 - Respondents: **Union of India & Others**
- **Counsel:** Shri Anupam Lal Dass (for appellants), Shri V. Chitambresh (for respondents)

Key Legal Issues

1. **Order XLI Rule 27 CPC – Additional Evidence**
 - The appellants sought to introduce additional evidence at the appellate stage.
 - The Court reiterated that **additional evidence can only be allowed if:**
 - The trial court wrongly excluded evidence.
 - The appellate court requires it to pronounce judgment.
 - The party could not produce it earlier despite due diligence.
2. **Precedents Applied**
 - *Union of India v. Ibrahim Uddin* (2012) 8 SCC 148
 - *State of Karnataka v. K.C. Subramanya* (2014) 13 SCC 468
 - These cases emphasize that appellate courts are not forums for re-trial. [2](#)
3. **Outcome**
 - The Supreme Court dismissed the appellants' plea for additional evidence.
 - It upheld the High Court's decision, reinforcing that appellate jurisdiction is limited and cannot be used to fill gaps in evidence.

Broader Implications

- **Civil Procedure:** Strengthens discipline in appellate practice, preventing misuse of Order XLI Rule 27 CPC.
- **Litigation Strategy:** Parties must present all material evidence at the trial stage; appellate courts will not entertain new evidence unless exceptional circumstances exist.
- **Judicial Efficiency:** Reduces delays and repetitive litigation by curbing attempts to reopen factual disputes.

Risks & Considerations

- **For Litigants:** Failure to produce evidence at trial may permanently weaken the case.
- **For Lawyers:** Must ensure diligence in collecting and presenting evidence early; reliance on appellate courts to admit new material is risky.

- **For Courts:** This judgment reinforces consistency and predictability in appellate procedure.
4. **District Magistrate and District Election Officer and Collector, Gwalior, M.P. vs. National Insurance Company Limited & Ors.: 2026 INSC 279-**

Facts of the Case

- A **school-owned bus** was requisitioned by election authorities under **Section 160 of the Representation of the People Act, 1950** for election duty.
- During this period, the bus caused a **fatal accident**.
- The **Motor Accident Claims Tribunal (MACT)** initially fastened liability on the insurer.
- The **High Court** shifted liability to the State authority.
- The **Supreme Court** upheld the High Court's view, confirming that liability rests with the authority in control of the vehicle during requisition.

Key Legal Principles

1. **Transfer of Control = Transfer of Liability**
 - When a vehicle is requisitioned, the **State assumes control and responsibility**.
 - The insurer's liability is suspended during the requisition period.
2. **Public Duty Context**
 - Vehicles requisitioned for elections, disaster relief, or other public purposes fall under this principle.
 - Victims of accidents must claim compensation from the State authority, not the insurer.
3. **Precedent Strengthened**
 - This ruling aligns with earlier judgments emphasizing that liability follows control, not ownership.

Broader Implications

- **For Insurance Companies:** Clarifies that insurers are not liable for accidents when vehicles are under government requisition.
- **For Vehicle Owners:** Once requisitioned, responsibility shifts to the State; owners are shielded from liability during that period.
- **For Victims:** Compensation claims must be directed against the State authority controlling the vehicle.
- **For Election Authorities:** Reinforces accountability during election duty when requisitioning private vehicles.

5. **The State of Bihar v. Sudha Singh: 2026 INSC 272**

the Supreme Court ruled that confiscation proceedings under the Bihar Special Courts Act, 2009 do not abate upon the death of the accused public servant. The Court emphasized that such proceedings are distinct from criminal trials and continue against the legal heirs to prevent unjust enrichment.

Key Legal Issues

1. **Confiscation vs. Criminal Trial**
 - The Court clarified that confiscation proceedings under the Bihar Special Courts Act are **civil in nature** and independent of criminal prosecution.
 - Death of the accused does not terminate these proceedings, unlike criminal trials which abate.
2. **Purpose of Confiscation**
 - The Act aims to **recover ill-gotten assets** acquired through corruption.
 - Allowing abatement would unjustly benefit heirs and defeat the legislative intent.
3. **Outcome**
 - The Supreme Court restored confiscation proceedings against Sudha Singh, holding that heirs cannot claim immunity from attachment of disproportionate assets.

Broader Implications

- **Anti-Corruption Framework:** Strengthens the Bihar Special Courts Act as a tool to combat corruption by ensuring recovery of assets even after the accused's death.
- **Legal Heirs' Liability:** Heirs may face attachment of properties acquired through corrupt means, though they are not criminally liable.
- **Judicial Precedent:** Reinforces the principle that corruption-related asset recovery is a civil remedy, distinct from penal consequences.

Risks & Considerations

- **For Families of Accused:** Legal heirs must be prepared for confiscation proceedings even after the death of the accused.
- **For State Authorities:** Must ensure due process and clear linkage between assets and corruption before proceeding against heirs.
- **For Courts:** Balancing fairness to heirs with the need to prevent unjust enrichment remains critical.

6. **V. Ganesan v. State: 2026 INSC 265**

Key Legal Issues

1. **Reliability of Witness Testimony**
 - The Court reiterated that **conviction cannot be sustained on shaky or uncorroborated evidence.**
 - Independent corroboration is necessary when prosecution witnesses are inconsistent or unreliable.
2. **Burden of Proof**
 - The judgment reinforced that the **prosecution must prove guilt beyond reasonable doubt.**
 - Any lingering doubt must benefit the accused, in line with established criminal jurisprudence.
3. **Appellate Scrutiny**
 - The Supreme Court highlighted the duty of appellate courts to carefully re-examine evidence when conviction is challenged.
 - It cautioned against mechanical affirmation of lower court findings.

Broader Implications

- **Criminal Justice:** Strengthens safeguards against wrongful conviction by insisting on corroboration and reliability.
- **Trial Practice:** Encourages prosecutors to build stronger cases with consistent witness testimony and supporting evidence.
- **Appellate Review:** Reinforces the role of higher courts in correcting miscarriages of justice.

Risks & Considerations

- **For Defendants:** This ruling underscores the importance of challenging weak or inconsistent evidence.
- **For Prosecutors:** Reliance on doubtful testimony without corroboration risks acquittal.
- **For Courts:** Ensures balance between protecting society and safeguarding individual rights.

7. The State of Himachal Pradesh v. Surat Singh

Key Legal Issues

1. **Section 50 NDPS Act – Right of Search**
 - Law requires that an accused be informed of the right to be searched before a **Magistrate or Gazetted Officer.**

- In this case, police offered a **third option** (search before a police officer), which is **not permitted under law**.
- 2. **Effect of Procedural Violation**
 - The Supreme Court held that this violation **vitiated the entire search and recovery process**, making the conviction unsustainable.
 - Procedural safeguards under NDPS Act are mandatory, not directory.
- 3. **Outcome**
 - The Court upheld the High Court's acquittal of Surat Singh.
 - It reinforced that strict compliance with Section 50 is essential in NDPS prosecutions.

Broader Implications

- **NDPS Jurisprudence:** Strengthens the principle that procedural safeguards protect individual liberty against misuse of police powers.
- **Law Enforcement:** Police must strictly adhere to statutory requirements; deviations can collapse entire prosecutions.
- **Judicial Integrity:** Reinforces the balance between combating drug crimes and safeguarding constitutional rights.

Risks & Considerations

- **For Police:** Any lapse in following Section 50 can nullify evidence, even in serious drug cases.
- **For Accused:** Ensures protection against coercive or unlawful searches.
- **For Courts:** Highlights the need to scrutinize procedural compliance before sustaining convictions under NDPS Act.

8. In *Subramani v. State of Karnataka (2026 INSC 249)*, the Supreme Court emphasized that conviction under the NDPS Act requires strict compliance with procedural safeguards, particularly regarding search and seizure, and that lapses in following mandatory provisions can vitiate the prosecution's case.

Key Legal Issues

1. **Section 50 NDPS Act – Right of Search**
 - The Court reiterated that informing the accused of their right to be searched before a Magistrate or Gazetted Officer is **mandatory**.
 - Any deviation, such as offering alternative or unclear options, invalidates the search.
2. **Evidentiary Standards**
 - Conviction must rest on **reliable, corroborated evidence**.

- Procedural lapses undermine the credibility of recovery and seizure.
- 3. **Outcome**
 - The Supreme Court set aside the conviction, holding that the prosecution failed to establish compliance with mandatory safeguards.

Broader Implications

- **NDPS Jurisprudence:** Reinforces the principle that strict adherence to procedure is essential in drug-related prosecutions.
- **Law Enforcement:** Police must ensure compliance with Section 50 and related provisions to sustain convictions.
- **Judicial Oversight:** Courts will not overlook procedural lapses, even in serious narcotics cases.

Risks & Considerations

- **For Police:** Any procedural error can nullify otherwise strong evidence.
- **For Accused:** Strengthens protection against unlawful or coercive searches.
- **For Courts:** Balances the fight against drug trafficking with safeguarding constitutional rights.

9. Dr. Sushil Kumar Purbey & Anr. v. The State of Bihar and Ors.: 2026 INSC 212

the Supreme Court clarified the scope of disciplinary proceedings against government doctors, holding that administrative authorities must act fairly and proportionately, and that punishment cannot be sustained if based on procedural irregularities or unsupported allegations.

Key Legal Issues

1. **Fairness in Disciplinary Proceedings**
 - The Court emphasized that disciplinary proceedings must comply with **principles of natural justice**.
 - Any punishment imposed without proper inquiry or evidence is unsustainable.
2. **Proportionality of Punishment**
 - The Court reiterated that punishment must be proportionate to the misconduct proved.
 - Excessive or arbitrary penalties undermine fairness and can be set aside.
3. **Outcome**
 - The Supreme Court partly allowed the appeal, setting aside the disproportionate punishment.

- It directed reconsideration of disciplinary measures in line with fairness and proportionality.

Broader Implications

- **For Government Employees:** Reinforces protection against arbitrary disciplinary action.
- **For Administrative Authorities:** Ensures accountability in conducting inquiries and imposing penalties.
- **For Service Law Jurisprudence:** Strengthens judicial oversight over disciplinary proceedings, balancing efficiency with fairness.

Risks & Considerations

- **For Employees:** Must cooperate with inquiries and maintain records to defend against allegations.
- **For Employers:** Failure to follow due process can invalidate disciplinary actions.
- **For Courts:** This ruling underscores the judiciary's role in safeguarding fairness in service law disputes.