

MAY 2026 CASE LAWS

CRIMINAL CASE LAWS

1. *Gulfisha Fatima v. State (NCT of Delhi) (2026 INSC 2*

The Supreme Court, decided on January 5, 2026) addressed bail pleas under the Unlawful Activities (Prevention) Act (UAPA), focusing on prolonged incarceration, Article 21 rights, and the scope of “terrorist acts” under Section 15. The Court emphasized individualized roles of accused persons and clarified judicial inquiry limits at the bail stage.

Case Background

- FIR No. 59 of 2020: Registered in connection with the Delhi riots.
- Accused: Gulfisha Fatima, along with co-accused including Sharjeel Imam, Umar Khalid, Shifa-ur-Rehman, and others.
- Charges: Alleged conspiracy and commission of offences under UAPA, including Section 15 (terrorist act).

Key Legal Issues

1. Prolonged Incarceration & Article 21
 - The Court examined whether extended pre-trial detention violated the constitutional right to life and liberty.
 - It stressed that bail jurisprudence under UAPA must balance national security concerns with individual liberty.
2. Section 43D(5) UAPA – Bail Restrictions
 - This provision restricts bail if the Court finds prima facie evidence of guilt.
 - The judgment clarified that courts must conduct a limited inquiry at the bail stage, not a detailed trial-like evaluation.
3. Scope of “Terrorist Act” under Section 15
 - The Court analyzed whether protest activities and alleged conspiracies could be classified as “terrorist acts.”
 - It emphasized contextual interpretation to avoid over-criminalization of dissent.
4. Individualized Role of Accused
 - The Court differentiated between “prime conspirators” and others with peripheral involvement.
 - It highlighted the need for individualized assessment rather than blanket denial of bail.

Notable Co-Accused Considerations

- Sharjeel Imam (SLP 14030/2025): Court reviewed his speeches and role in alleged conspiracy.
- Umar Khalid (SLP 14165/2025): Examined his participation in meetings and mobilization efforts.
- Shifa-ur-Rehman (SLP 14859/2025): Considered his organizational role.

- Each accused's bail plea was assessed separately, reinforcing the principle of differentiated treatment.

Case Significance

Aspect	Court's Position
Article 21	Prolonged incarceration must be weighed against liberty rights.
Section 43D(5)	Bail inquiry is limited; not a mini-trial.
Section 15 (Terrorist Act)	Requires careful contextual interpretation.
Role of Accused	Individualized assessment essential; no blanket denial.

Implications

- For UAPA cases: Sets precedent on how courts should handle bail pleas, especially regarding prolonged detention.
- For civil liberties: Reinforces that dissent cannot automatically be equated with terrorism.
- For prosecution: Must establish clear, individualized evidence linking each accused to the alleged conspiracy.

2. **Gunjan @ Girija Kumari v. State (NCT of Delhi): 2026 INSC 468-**

The Supreme Court in *Gunjan @ Girija Kumari v. State (NCT of Delhi)*, 2026 INSC 468 (decided on 10 May 2026), quashed charges framed under the SC/ST Act and IPC, holding that caste-based abuse alleged within a private residence did not satisfy the statutory requirement of being "in any place within public view." The Court allowed the appeal and set aside the trial court and High Court orders.

Case Background

- Court: Supreme Court of India
- Bench: Justices Prashant Kumar Mishra & N.V. Anjaria
- Appeal No.: Criminal Appeal No. 2446 of 2026 (arising out of SLP (Crl.) No. 9198 of 2025)
- Date of Judgment: 10 May 2026
- Origin: FIR No. 42 of 2021, Kirti Nagar Police Station, Delhi
- Parties:
 - Appellants: Gunjan @ Girija Kumari & others (family members)
 - Respondents: State (NCT of Delhi) & complainant (brother of appellants 2 & 3)

Facts

- The complainant and accused were close family members involved in a property dispute over their late father's assets.
- On 28 January 2021, the complainant alleged that:
 - Appellant No.1 (Gunjan @ Girija Kumari) hurled casteist abuses such as "chura," "chamar," "harijan," "dirty drain."
 - Other appellants allegedly threatened to kill him and falsely implicate him in a molestation case.
- The alleged incident occurred inside a private residence (7/38, Ramesh Nagar, Delhi).
- Witnesses named were friends of the complainant, not independent public witnesses.

Legal Issues

- a. SC/ST Act – Sections 3(1)(r) & 3(1)(s):
 - Requires insult or intimidation to occur "in any place within public view."
 - Question: Does abuse inside a private home with only friends present qualify?
- b. IPC – Section 506 read with Section 34 (Criminal Intimidation):
 - Whether threats alleged in FIR disclosed ingredients of intimidation.
- c. Framing of Charges:
 - Whether trial court and High Court orders framing charges were legally sustainable.

Significance

- Clarifies "public view" requirement under SC/ST Act: abuse inside private homes, even with friends present, does not qualify.
- Protects against misuse of SC/ST Act in family/property disputes.
- Reinforces principle that criminal charges must strictly satisfy statutory ingredients before framing.

3. Mitesh @ T.V. Vaghela v. State of Gujarat: 2026 INSC 469-

The Supreme Court in *Mitesh @ T.V. Vaghela v. State of Gujarat* (2026 INSC 469, decided on 11 May 2026) upheld the conviction for murder under Section 302 IPC, relying on an oral dying declaration and corroboration from a single eyewitness, despite most witnesses turning hostile. The Court dismissed the appeal but granted liberty to seek remission given the long incarceration already undergone.

Case Background

- Court: Supreme Court of India
- Bench: Justice Aravind Kumar & Justice Prasanna B. Varale
- Appeal: Criminal Appeal No. 212 of 2012
- Date of Judgment: 11 May 2026
- Origin: Sessions Case No. 158 of 1999, Additional City Sessions Court No. 8, Ahmedabad
- Conviction:

- Section 302 IPC (Murder): Life imprisonment + ₹500 fine (default: 1 month RI).
- Section 135 Bombay Police Act: 10 days RI + ₹250 fine (default: further imprisonment).

Facts of the Case

- Incident: On 11 December 1998, a quarrel broke out between the deceased, Somabhai Sankabhai Rabari (tea stall owner), and the appellant after the latter threw a half-burnt cigarette into a bucket used for washing cups.
- Next Morning (12 Dec 1998): Deceased was found injured near his tea stall.
- Oral Dying Declaration:
 - Deceased told his brother (PW-1) that the appellant had stabbed him.
 - Repeated the statement en route to hospital in an auto-rickshaw.
 - Declared dead on arrival.
- Investigation: Knife recovered based on appellant's disclosure.
- Trial: 19 witnesses examined; many turned hostile. Conviction based on PW-1 (complainant) and rickshaw driver eyewitness.

Key Legal Issues

1. Reliability of Oral Dying Declaration
 - Defence argued it was unsafe to convict solely on oral statements.
 - Court held dying declarations, if credible, can form sole basis of conviction.
2. Hostile Witnesses
 - Majority of witnesses turned hostile.
 - Court emphasized quality over quantity of evidence.
3. Single Eyewitness Testimony
 - Defence challenged credibility of sole eyewitness.
 - Court found testimony consistent and corroborated by dying declaration.

Outcome

- Appeal dismissed.
- Conviction under Section 302 IPC and Section 135 Bombay Police Act upheld.
- Liberty granted to appellant to seek remission considering long incarceration.

4. Vijaya kumar v. State of Tamil Nadu: 2026 INSC 525-

In *Vijayakumar v. State of Tamil Nadu* (2026 INSC 525, decided on 22 May 2026), the Supreme Court upheld the conviction under Part II of Section 506 IPC for criminal intimidation, rejecting the appellant's plea that acquittal on related charges (rape, deceitful marriage, voyeurism) nullified the intimidation charge. The Court emphasized that threats to upload private videos on social media constituted serious intimidation, even without recovery of the device.

Case Background

- Court: Supreme Court of India
- Bench: Justice Nongmeikapam Kotiswar Singh
- Appeal No.: Criminal Appeal No. 2859 of 2025
- Date of Judgment: 22 May 2026
- Origin: Sessions Judge, Fast Track Mahila Court, Villupuram; confirmed by Madras High Court (28 Feb 2024).
- Conviction: Part II of Section 506 IPC (criminal intimidation).
- Sentence: 3 years rigorous imprisonment + ₹3,000 fine (default: 3 months simple imprisonment).

Facts

- The prosecutrix alleged:
 - Vijayakumar established a sexual relationship with her on a false promise of marriage.
 - He recorded a video of her bathing and threatened to upload it on social media to impute unchastity.
- Charges framed: Sections 376 (rape), 493 (deceitful marriage), 354C (voyeurism), and 506 Part II (criminal intimidation).
- Trial outcome: Acquitted of 376, 493, 354C; convicted under 506 Part II.
- High Court: Confirmed conviction and sentence.
- Supreme Court: Appeal dismissed.

Key Legal Issues

- a. Whether acquittal on rape and related charges nullifies intimidation conviction.
 - Court held intimidation was a distinct offence; acquittal on other charges did not affect it.
- b. Absence of recovery of mobile phone/video.
 - Defence argued conviction unsustainable without physical evidence.
 - Court ruled prosecutrix's testimony was credible and sufficient.
- c. Scope of Section 506 Part II IPC.
 - Threats to damage dignity and reputation by uploading private videos fall squarely within "criminal intimidation."

Outcome

- Appeal dismissed.
- Conviction under Section 506 Part II IPC upheld.
- Sentence confirmed.

5. Chetan Dashrath Gade v. State of Maharashtra: 2026 INSC 522-

In *Chetan Dashrath Gade v. State of Maharashtra* (2026 INSC 522, decided on 21 May 2026), the Supreme Court upheld the conviction under Sections 302 and 201 read with Section 34 IPC, confirming life imprisonment for the appellant in the murder of his wife Rupali. The Court rejected the defence's suicide theory, relying on medical evidence, witness testimony, and inconsistencies in the accused's version.

Case Background

- Court: Supreme Court of India
- Bench: Justice Prasanna B. Varale
- Appeal No.: Criminal Appeal No. 1063 of 2021
- Date of Judgment: 21 May 2026
- Origin: Sessions Court, Nashik; confirmed by Bombay High Court (15 March 2021).
- Conviction: Sections 302 (murder), 201 (causing disappearance of evidence), read with Section 34 IPC.
- Sentence: Life imprisonment + ₹1,000 fine (default: 2 months simple imprisonment).

Facts

- Marriage: Rupali (daughter of PW-1 Babasaheb Kumbharkar) married appellant Chetan Gade on 24 April 2012.
- Family: Lived with husband, in-laws, and younger brother of accused.
- Pregnancy history:
 - 2012: Conceived, but intrauterine death of foetus (June 2013).
 - 2015: Gave birth to a baby boy.
- Incident (23 August 2015):
 - Rupali's father planned to bring her home for Raksha Bandhan.
 - Around 1:30 pm, accused's brother informed Rupali's family she had died.
 - Appellant claimed she attempted suicide by hanging.
 - Relatives found injury marks on her cheek and ligature marks on her neck.
 - Suspicion arose due to inconsistencies in appellant's statements.

Key Legal Issues

- a. Suicide vs. Homicide
 - Defence claimed Rupali committed suicide.
 - Medical evidence (injury marks inconsistent with hanging) suggested homicide.
- b. Credibility of Witnesses
 - Testimony of PW-1 (father) and relatives supported prosecution case.
 - Doctor's evidence confirmed injuries inconsistent with suicide.
- c. Section 201 IPC (Destruction of Evidence)
 - Appellant's conduct in reporting suicide and attempting to mislead police amounted to concealment of offence.

Outcome

- Appeal dismissed.
- Conviction under Sections 302 & 201 r/w 34 IPC confirmed.
- Life imprisonment + fine sustained.

6. Parvinder Singh v. Directorate of Enforcement: 2026 INSC 519-

In *Parvinder Singh v. Directorate of Enforcement* (2026 INSC 519, decided on 19 May 2026), the Supreme Court clarified that the first proviso to Section 223(1) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023—requiring an opportunity of hearing to the accused before cognizance on a complaint—applies even if the prosecution complaint was filed before BNSS commenced, provided cognizance was taken after its enforcement. The Court set aside the High Court’s contrary view and remanded the matter for compliance.

Case Background

- Court: Supreme Court of India
- Bench: Justice M.M. Sundresh
- Appeal: Criminal Appeal (arising out of SLP (Crl.) No. 12055 of 2025)
- Date of Judgment: 19 May 2026
- Origin: High Court of Uttarakhand judgment dated 19 May 2025
- Statutes Involved:
 - BNSS, 2023 – Section 223(1) proviso
 - PMLA, 2002 – Sections 3, 4, 44, 45

Facts

- ECIR registered: 24 July 2023 (ECIR/DNSZO/04/2023).
- Arrest: 27 April 2024.
- Prosecution complaint filed: 24 June 2024 under PMLA.
- BNSS commencement: 1 July 2024 (replacing CrPC).
- Cognizance taken: 2 July 2024 by Special Court.
- Accused’s plea: Cognizance order invalid since no hearing was given as mandated by Section 223(1) BNSS.
- Special Court: Dismissed recall application (March 2025).
- High Court: Held BNSS inapplicable, relying on saving clause (Section 531(2)(a) BNSS).

Legal Issues

- Applicability of BNSS Section 223(1) proviso
 - Does it apply when complaint filed before BNSS but cognizance taken after BNSS commencement?
- Saving clause under Section 531(2)(a) BNSS
 - Whether ministerial steps before 1 July 2024 amounted to “inquiry” under CrPC, thus saving proceedings.
- Nature of defect

- Is failure to hear accused at cognizance a curable irregularity or illegality vitiating cognizance?

Outcome

- High Court judgment set aside.
- Matter remanded to Special Court for compliance with Section 223(1) BNSS.
- Supreme Court reinforced accused's right to be heard before cognizance in complaint cases under BNSS.

7. Supriya Kumari M.C. v. State of Kerala: 2026 INSC 537-

In *Supriya Kumari M.C. v. State of Kerala* (2026 INSC 537, decided on 25 May 2026), the Supreme Court dismissed the doctor's appeal seeking quashing of criminal proceedings under Section 304-A IPC, holding that allegations of negligence in administering anesthesia and instructing a nurse to give analgesics warranted trial. The Court emphasized that medical negligence cases must be tested on evidence and cannot be quashed at the threshold under Section 482 CrPC.

Case Background

- Court: Supreme Court of India
- Bench: Justices Pankaj Mithal & Prasanna B. Varale
- Date of Judgment: 25 May 2026
- Appeal: Criminal Appeal (arising out of SLP (Crl.) No. 124 of 2025)
- Origin: High Court of Kerala order dated 16 Oct 2024 rejecting quash petition under Section 482 CrPC.

Facts

- Patient K.P. Muralidhar admitted for piles surgery at Dhanalakshmi Hospital, Kannur (28 May 2002).
- Surgery conducted on 29 May 2002; patient collapsed early morning 30 May 2002.
- Post-mortem: 80% blockage in left coronary artery; cause of death – *acute coronary insufficiency*.
- Allegations:
 - Appellant (senior anaesthetist) failed to administer anesthesia personally.
 - Instructed nurse Rosamma Varghese to administer analgesic *Sensorcaine*.
 - Patient lost consciousness and collapsed thereafter.
- FIR initially against surgeon Dr. Mujeeb Rahiman; later chargesheet filed against surgeon, anaesthetist (appellant), and nurse under Section 304-A & 34 IPC.

Legal Issues

- a. Section 482 CrPC – Quashing of Proceedings
 - Whether allegations of negligence justified quashing at threshold.

- b. Medical Negligence Standard
 - Whether failure to personally administer anesthesia and delegation to nurse amounted to culpable negligence.
- c. Role of Expert Evidence
 - Whether expert panel findings and medical testimony required trial evaluation.

Outcome

- Appeal dismissed.
- Criminal proceedings against appellant under Section 304-A IPC to continue.
- Court emphasized that doctors cannot escape trial merely by invoking Section 482 CrPC when allegations of negligence exist.

Significance

- Medical negligence law: Reinforces that criminal liability may arise when doctors delegate critical tasks improperly.
- Procedural law: Clarifies limits of Section 482 CrPC; quashing not allowed if prima facie negligence is alleged.
- Healthcare accountability: Strengthens patient rights and ensures medical professionals face trial where negligence is claimed.

LATEST CASES: CIVIL

8. S. LOREX SEBASTIAN & ANR. versus SAROJINI & ORS.: 2026 SCC OnLine SC 649:

1. Whether a purchaser (alienee) who acquired interest in the estate before the filing of probate proceedings has a "caveatable interest" and is a necessary party to be cited.?
2. Whether the non-citation of natural heirs and the concealment of the fact that the property was sold by the testator during his lifetime constitutes just cause for revocation under Section 263 ISA.

The Supreme Court restored the revocation of probate of an unregistered Will, holding that suppression of material facts and failure to cite necessary parties constituted "just cause" under Section 263 of the Indian Succession Act, 1925. The Court emphasized that even slight or caveatable interests entitle parties to oppose probate.

Case Background

- Court: Supreme Court of India
- Bench: Justices Ujjal Bhuyan & Vipul M. Pancholi
- Appeal: Civil Appeal arising out of SLP (C) No. 20055 of 2022
- Date of Judgment: 21 April 2026
- Origin: High Court of Madras order (26 April 2022) that had restored probate of Will dated 09 January 1976.
- Dispute: Properties in Mayilampatti Village, Palladam Taluk, Coimbatore District.

Facts

- Original owner: Eswaramurthy Gounder (died 05 May 1983).
- His daughter Sarojini (Respondent No.1) claimed an unregistered Will (09 Jan 1976) in her favor.
- Probate petition filed in 2009, decades after testator's death.
- Meanwhile, appellants (Leorex Sebastian & another) had purchased the properties in 1997–1998 from legal heirs of prior purchasers.
- District Court revoked probate citing suppression of facts and non-issuance of citations.
- High Court reversed, restoring probate.
- Supreme Court restored revocation.

Key Legal Issues

- a. Section 263, Indian Succession Act – Revocation of Probate
 - Whether suppression of material facts and omission to cite interested parties justified revocation.
- b. Section 283(1)(c), Indian Succession Act – Citations
 - Whether purchasers prior to probate proceedings were “persons who ought to have been cited.”
- c. Caveatable Interest
 - Whether even slight or possible interest suffices to oppose probate.

Outcome

- Appeal allowed.
- District Court's revocation of probate restored.
- Probate of unregistered Will dated 09 Jan 1976 stood revoked.

Significance

- Probate law clarified: Testamentary jurisdiction limited to genuineness of Will, not property title.
- Caveatable interest broadened: Even slight or potential interest entitles opposition.
- Fraudulent suppression: Non-disclosure of material transactions is “just cause” for revocation.

9. *M/s. MARG Limited v. Sushil Lalwani & Ors*

The Supreme Court in *M/s. MARG Limited v. Sushil Lalwani & Ors.* (2026 SCC OnLine SC 647, decided on 21 April 2026) restored the plaint in a property dispute, holding that the High Court erred in rejecting it under Order VII Rule 11 CPC. The Court emphasized that disputes involving mortgages, settlements, and third-party purchasers must be adjudicated on merits rather than dismissed at the threshold.

Case Background

- Court: Supreme Court of India
- Bench: Justice Alok Aradhe
- Date of Judgment: 21 April 2026
- Appeal: Civil Appeal arising out of SLP (C) No. 25132 of 2025
- Origin: Madras High Court order dated 28 July 2025

Facts

- MARG Limited (Appellant): Real estate developer.
- Property: 1 acre 85 cents at Karapakkam Village, Chennai, purchased in 2002 for ₹3 crores.
- Development: Constructed “Digital Zone-I,” a multistoried IT building (approx. 2,55,050 sq. ft).
- Loans:
 - ₹72 crores loan (2011) from Standard Chartered Bank, secured by equitable mortgage.
 - Additional ₹7.19 crores loan (2015).
- Default: Loan account classified as NPA in 2018; SARFAESI proceedings initiated.
- Settlement: One-time settlement (OTS) in 2022 for ₹55 crores; appellant paid ₹27 crores but defaulted on balance.
- Fresh settlement (2023): ₹32.5 crores agreed; negotiations with respondents (purchasers) ensued.
- Litigation: Respondents sought rejection of plaint under Order VII Rule 11 CPC.
- High Court: Allowed revision, rejected plaint.
- Supreme Court: Restored plaint, directing trial on merits.

Key Legal Issues

1. Order VII Rule 11 CPC – Rejection of plaint
 - Whether plaint disclosed cause of action despite financial defaults and settlements.
2. SARFAESI Act proceedings vs. Civil Suit
 - Interaction between debt recovery proceedings and civil claims.
3. OTS and subsequent negotiations
 - Whether settlement failures extinguished appellant’s right to sue.

Outcome

- Appeal allowed.
- High Court order set aside.
- Plaint restored for adjudication on merits.

Significance

- Civil Procedure: Reinforces narrow scope of Order VII Rule 11 CPC; plaint rejection only when no cause of action exists.
- Debt Recovery vs. Civil Rights: Confirms coexistence of SARFAESI proceedings and civil suits.
- Commercial Law: Protects developers' rights to litigate property disputes despite financial defaults.

10. VINAY RAGHUNATH DESHMUKH VERSUS NATWARLAL SHAMJI GADA AND ANOTHER: 2026 SCC OnLine SC 669-

The Supreme Court in *Vinay Raghunath Deshmukh v. Natwarlal Shamji Gada & Anr.* (2026 SCC OnLine SC 669, decided on 24 April 2026) held that courts cannot examine the merits of a landlord's claim while considering leave to amend the plaint. The Court clarified that legal heirs can pursue eviction on grounds of bona fide need even after the landlord's death, and amendment of pleadings should not be refused at the threshold.

Case Background

- Court: Supreme Court of India
- Bench: Justice Atul S. Chandurkar
- Appeal: Civil Appeal arising out of SLP (C) No. 8991 of 2025
- Date of Judgment: 24 April 2026
- Property: Shop No. 2, ground floor, ~188 sq. ft., let out to respondents' father.
- Original Suit (2005): Filed by landlord Raghunath Gopal Deshmukh for eviction on grounds of arrears, unauthorized alterations, subletting, and bona fide need.
- Trial Court (2016): Dismissed suit, holding landlord failed to prove bona fide need.
- Appeal: After landlord's death, his son (appellant) sought amendment of plaint to continue eviction claim.

Key Legal Issues

1. Amendment of plaint after landlord's death
 - Whether heirs can amend pleadings to continue eviction claim on bona fide need.
2. Scope of judicial scrutiny at amendment stage
 - Whether merits/demerits of eviction claim can be examined while deciding amendment application.
3. Survival of bona fide need claim

- Whether claim lapses upon landlord's death.

Outcome

- Appeal allowed.
- High Court's refusal to permit amendment set aside.
- Amendment of plaint permitted; eviction claim to proceed on merits.

Significance

- Civil Procedure: Reinforces liberal approach to amendment of pleadings under Order VI Rule 17 CPC.
- Tenancy Law: Bona fide need claim does not extinguish with landlord's death; heirs can continue.
- Judicial Principle: Courts must not prejudge merits at amendment stage; trial must decide substantive issues.

11. MANJULA AND OTHERS VERSUS D.A. SRINIVAS: 2026 INSC 465:

In *Manjula & Ors. v. D.A. Srinivas* (2026 INSC 465, decided on 8 May 2026), the Supreme Court restored the rejection of a plaint under Order VII Rule 11 CPC, holding that the suit was barred under the Prohibition of Benami Property Transactions Act, 1988 (as amended in 2016). The Court clarified that claims based on benami transactions cannot be entertained, and the fiduciary capacity exemption must be strictly construed.

Case Background

- Court: Supreme Court of India
- Bench: Justice R. Mahadevan
- Appeal No.: Civil Appeal No. 7370 of 2026 (arising out of SLP (C) No. 7924 of 2024)
- Date of Judgment: 8 May 2026
- Origin: High Court of Karnataka (RFA No. 2216 of 2023)

Facts:

- Plaintiff (D.A. Srinivas) sought declaration of ownership of properties based on a Will dated 20 April 2018 allegedly executed by K. Raghunath (deceased 4 May 2019).
- Defendants (Manjula & others) relied on an earlier registered Will dated 28 January 2016 in favor of Manjula (wife).
- Trial Court (Oct 2023): Rejected plaint under Order VII Rule 11(a) & (d) CPC, holding suit barred under Sections 4 & 6 of Benami Act, 1988.
- High Court (Feb 2024): Reversed, restored suit for trial.
- Supreme Court: Set aside High Court order, upheld rejection of plaint.

Key Legal Issues

1. Order VII Rule 11 CPC
 - Whether plaint disclosed cause of action or was barred by law.
2. Benami Transactions Act (1988, amended 2016)
 - Whether claim based on alleged Will amounted to benami transaction.
 - Scope of Sections 4 & 6 prohibiting suits to enforce benami rights.
3. Fiduciary Capacity Exemption
 - Whether plaintiff could claim exemption under fiduciary relationship provisions.
4. Prospective vs. Retrospective Application of 2016 Amendment
 - Court analyzed whether amendments applied to transactions predating 2016.

Court's Findings

Issue	Supreme Court's Holding
Cause of action	Suit barred under Benami Act; plaint rightly rejected.
Benami prohibition	Sections 4 & 6 bar enforcement of benami claims.
Fiduciary exemption	Not applicable; plaintiff failed to establish fiduciary relationship.
2016 amendment	Operates prospectively but bars suits filed after commencement.

Outcome

- Appeal allowed.
- High Court judgment set aside.
- Trial Court's rejection of plaint restored.

Significance

- Benami Law: Reinforces strict bar on suits enforcing benami transactions.
- Civil Procedure: Clarifies scope of Order VII Rule 11 CPC in rejecting plaints barred by law.
- Succession & Property Law: Fiduciary exemption under Benami Act narrowly construed; cannot be used to bypass statutory bar.

12. SHEIKH ABEDIN VERSUS IQBAL AHMED & ANR.: Special Leave to Appeal (C) No(s).19868/2022-

The Supreme Court in *Sheikh Abedin v. Iqbal Ahmed & Anr.* (SLP (C) No. 19868 of 2022, decided on 7 May 2026) reaffirmed that clear and unequivocal admissions can form the basis of a decree under Order XII Rule 6 CPC. The Court upheld possession rights of the plaintiffs over a disputed property in Jamia Nagar, New Delhi, based on the defendant's own admissions.

Case Background

- Court: Supreme Court of India
- Bench: Justices J.B. Pardiwala & R. Mahadevan
- Date of Judgment: 7 May 2026
- Case Type: Special Leave Petition (Civil) No. 19868/2022
- Property: Plot No. P-229, Khasra No. 431/260, Joga Bai Extension, Jamia Nagar, Okhla, Batla House, New Delhi (260 sq. yards).
- Parties:
 - Petitioner: Sheikh Abedin
 - Respondents: Iqbal Ahmed & Mujeeb Ahmed

Facts

- Plaintiffs claimed ownership of the property through documents executed in November 2000 (GPA, Agreement to Sell, Affidavit) by Dilbar Husain Malik for ₹80,000.
- Defendant Sheikh Abedin was appointed as caretaker/chowkidar of the property.
- When asked to vacate, he refused.
- Plaintiffs filed Civil Suit No. 1162/2019 before the Senior Civil Judge, Saket Court, seeking declaration and injunction.
- Plaintiffs relied on Order XII Rule 6 CPC (judgment on admissions).
- Defendant's complaint dated 28 July 2009 (FIR No. 178/2009) admitted plaintiffs' ownership and his own caretaker status.

Legal Issues

1. Scope of Order XII Rule 6 CPC
 - Whether admissions outside pleadings (like complaints in criminal proceedings) can be relied upon.
2. Possession Rights
 - Whether plaintiffs were entitled to decree of possession based on defendant's admissions.
3. Validity of Defendant's Claim
 - Defendant relied on documents dated 9 July 1996 (GPA, Will, etc.) in his favor.

Outcome

- Supreme Court upheld decree of possession in favor of plaintiffs.
- Defendant's appeal dismissed.
- Reinforced principle that unequivocal admissions can shortcut litigation under Order XII Rule 6 CPC.

Significance

- Civil Procedure: Expands scope of Order XII Rule 6 CPC to admissions outside pleadings.
- Property Law: Caretaker status cannot evolve into ownership rights.
- Judicial Efficiency: Encourages speedy justice where admissions are clear.

13. DHARMENDRA KALRA & ORS. VERSUS KULVINDER SINGH BHATIA: 2026 INSC 492-1.

In *Dharmendra Kalra & Ors. v. Kulvinder Singh Bhatia* (2026 INSC 492, decided on 15 May 2026), the Supreme Court upheld the Allahabad High Court's order allowing the tenant's revision petition, ruling that striking off the tenant's defence for non-compliance with Order XV Rule 5 CPC was improper. The Court emphasized that procedural provisions must be applied fairly, and extensions of time to deposit rent arrears can be granted to prevent undue hardship.

Case Background

- Court: Supreme Court of India
- Bench: Justice Prasanna B. Varale
- Date of Judgment: 15 May 2026
- Appeal: Civil Appeal arising out of SLP (C) No. 7116 of 2025
- Origin: Allahabad High Court order dated 10 Dec 2024 in SCC Revision No. 114 of 2023

Facts:

- Suit premises: 118/1-A, Kaushalpur, Kanpur Nagar, originally purchased by appellants' fathers.
- Tenant (respondent) occupied two halls, running "Gyan Vaisnav Hotel."
- Rent revised to ₹25,000 per month in September 2020.
- Tenant paid rent for September–October 2020 but defaulted from November 2020 to June 2021 (arrears ₹2,00,000).
- Landlords issued notice under Section 106 Transfer of Property Act and filed SCC Suit No. 52 of 2021 for eviction and arrears.
- Trial Court struck off tenant's defence for violating Order XV Rule 5 CPC (failure to deposit arrears).
- High Court allowed tenant's revision, restored defence, and granted extension of time.

Key Legal Issues

1. Order XV Rule 5 CPC – Mandatory Deposit of Rent
 - Whether tenant's defence could be struck off for non-deposit of arrears.
2. Extension of Time
 - Whether courts can grant additional time to deposit arrears despite mandatory wording of Rule 5.
3. Balance of Rights
 - How to balance landlord's right to timely rent with tenant's right to defend eviction suit.

Outcome

- Appeal dismissed.

- High Court's order allowing tenant's revision petition upheld.
- Tenant's defence restored; eviction suit to proceed on merits.

Significance

- Civil Procedure: Clarifies that Order XV Rule 5 CPC is not an absolute bar; courts retain discretion.
- Tenancy Law: Protects tenants from harsh consequences of procedural defaults.
- Judicial Principle: Reinforces fair trial rights; striking off defence is a drastic step to be used sparingly.

14. PARVATHI NAIRTHI (DEAD) AND ORS. VERSUS LAXMI NAIRTHY (DEAD) THROUGH LRS. AND ORS.: 2026 INSC 521-

In *Parvathi Nairthi (Dead) & Ors. v. Laxmi Nairthy (Dead) through LRs & Ors.* (2026 INSC 521, decided on 22 May 2026), the Supreme Court upheld the Karnataka High Court's dismissal of the appellants' claim, confirming that the Will executed by B. Sheena Nairi in favor of his sister Laxmi Nairthy was valid. The Court rejected the widow's mutation claim and reinforced that succession based on a valid Will prevails over mutation entries.

Case Background

- **Court:** Supreme Court of India
- **Bench:** Justice Vijay Bishnoi
- **Appeal:** Civil Appeal No. 6859 of 2014 (arising out of SLP (C) No. 12822 of 2013)
- **Date of Judgment:** 22 May 2026
- **Origin:** High Court of Karnataka, RSA No. 1970 of 2012

Facts:

- Testator: **B. Sheena Nairi**, Chartered Accountant, resident of Bombay, owned properties in Karnataka (Brahmavar & Chanthar villages, Udupi Taluk).
- Family: Wife **Parvathi Nairthi** (Appellant No.1), five children (Appellants & Respondents), and sister **Laxmi Nairthy** (Respondent No.1).
- **Will dated 15 May 1983:** Bequeathed all plaint schedule properties to his sister Laxmi Nairthy.
- Death: 30 November 1983, Delhi.
- Widow sought mutation of properties in her name (1984).
- Sister Laxmi filed suit in 1990 claiming ownership under the Will.

Key Legal Issues

1. **Validity of Will (1983)**
 - Whether the Will executed in favor of Laxmi Nairthy was genuine and enforceable.
2. **Effect of Mutation Orders (1984)**

- Whether mutation in widow's name could override testamentary succession.
- 3. **Succession Rights**
 - Whether heirs of widow could claim ownership despite existence of Will.

Outcome

- **Appeal dismissed.**
- High Court's judgment (2012) affirmed.
- Will of 1983 in favor of **Laxmi Nairthy** upheld.
- Mutation entries in widow's name declared ineffective.

Significance

- **Succession Law:** Testamentary succession overrides mutation entries under land revenue laws.
- **Property Law:** Mutation is only for fiscal purposes; does not confer title.
- **Judicial Principle:** Courts must give primacy to valid Wills over administrative orders.