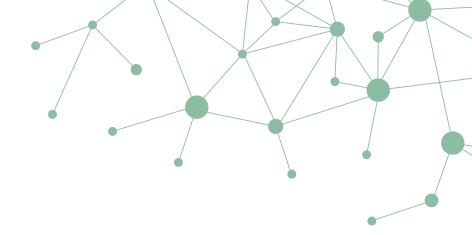






DELHI HIGH COURT Monthly Digest: January 2025



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BAJAJ RESOURCES LIMITED & ANR VS GOYAL HERBALS PRIVATE LIMITED & ORS [CS(COMM)-1564/2016] Judges: Justice Amit Bansal

The plaintiffs' application to amend the plaint in a trademark infringement and passing off suit was allowed. The amendments included details of subsequent trademark registrations, an interim injunction and decree against the defendants' bottle manufacturer, and updated sales and advertising figures. These changes were deemed necessary to address the core issues in the case, avoid multiple proceedings, and did not prejudice the defendants or alter the suit's nature.

ITC LIMITED VS RAJ KUMAR MITTAL & ORS. [CS(COMM)-647/2019]

Judges: Justice Amit Bansal

Mr. Prem Chand Mittal and Mr. Raj Kumar Mittal were found guilty of civil contempt for willfully disobeying an ad interim injunction order. They obstructed the Local Commissioner during execution and provided inconsistent explanations for missing seized products. Despite expressing remorse and apologies, Mr. Mittal was fined INR 500,000 and Mr. Raj Kumar Mittal was fined INR 300,000 for their conduct, avoiding civil imprisonment.

BROAD PEAK INVESTMENT HOLDINGS LTD. AND ANR. VS BROAD PEAK CAPITAL ADVISORS LLP AND ANR [CS(COMM)-405/2024]☑

Judges: Justice Amit Bansal

The plaintiffs failed to establish a prima facie case for an interim injunction against the defendants using the trademark 'BROAD PEAK'. Their trademark application in India was submitted on a 'proposed to be used' basis, and the evidence was insufficient to show prior goodwill and reputation in the mark. The defendants' adoption of the mark appeared bona fide, and both parties had distinct businesses with low likelihood of consumer confusion. The application for interim injunction was dismissed.

MACLEODS PHARMACEUTICALS LTD VS THE CONTROLLER OF PATENTS & ANR. [C.O.(COMM.IPD-PAT)-38/2022] ☑

Judges: Justice Amit Bansal

A revocation petition under Section 64 of the Patents Act remains maintainable even if invalidity is raised as a defense under Section 107 in an infringement suit. The processes are distinct; a revocation petition can remove a patent from the register, while a defense only suggests the patent is revocable. The petitioner possesses an independent right to file a revocation petition, and the expiration of the patent does not render the petition irrelevant, as the cause of action for damages in the infringement suit persists. Applications to dismiss the revocation petition were dismissed.

ROPPEN TRANSPORTATION SERVICES PRIVATE LIMITED VS MR. NIPUN GUPTA & ANR. [C.O. (COMM.IPD-TM)-138/2024]

Judges: Justice Amit Bansal

Roppen Transportation Services Private Limited's petitions led to the removal of the respondent's "RAPIDO" trademark registrations in classes 39, 12, 25, and 42 from the Register of Trade Marks. The respondent's mark was found identical to Roppen's well-known and prior registered "RAPIDO" marks, indicating a dishonest adoption meant to exploit Roppen's goodwill and reputation. This adoption contravened Section 11 of the Trade Marks Act and was likely to cause consumer confusion, meeting the criteria of the "Triple Identity Test."



GENSOL ELECTRIC VEHICLES PVT. LTD. VS MAHINDRA LAST MILE MOBILITY LIMITED [CS(COMM)-849/2024]

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Judges: Justice Amit Bansal

The plaintiff's application for an interim injunction was dismissed due to the defendant's use of the mark 'MAHINDRA ZEO', which is unlikely to cause confusion with the plaintiff's registered trademark 'EZIO'. The plaintiff has not launched its product and lacks established goodwill, while the defendant is a recognized entity in the commercial electric vehicle sector, prominently featuring the 'MAHINDRA' name. Factors such as the nature of the goods, consumer sophistication, and purchasing behavior in the automobile market indicate that the defendant's mark is sufficiently distinct. The plaintiff did not establish a prima facie case for the injunction, and the balance of convenience favored the defendant.

SYNGENTA LIMITED AND ANR. VS GSP CROP SCIENCE PRIVATE LIMITED [CS(COMM)-87/2020] Judges: Justice Amit Bansal

The plaintiffs' application for their Tier-II Confidentiality Club member to access records collected by the court-appointed Scientific Advisor was deemed maintainable. The mutually agreed Terms of Reference entitled Tier-II members to this information, with the exception of supplier records, which could be redacted. Arguments against confidentiality and information leakage were rejected. The defendant is required to provide the relevant documents to Dr. Alan Whitton, the plaintiffs' eligible Tier-II representative.

FMI LIMITED VS MIDAS TOUCH METALLOYS PVT. LTD. [CS(COMM)-721/2024] ☑

Judges: Justice Amit Bansal

FMI Limited received an interim injunction against Midas Touch Metalloys Pvt. Ltd., prohibiting the use of the mark 'INDEED' or any similar variations that could confuse consumers with FMI's registered trademark 'INDI.' The plaintiff demonstrated a prima facie case of passing off due to the phonetic, visual, and structural similarities between the marks, along with the defendant's use of an identical color scheme. The defendant's claims regarding the suppression of facts and the relevance of its separate trademark registrations were dismissed.

RELIANCE GENERAL INSURANCE CO LTD VS SIYA RAM SINGH & ORS. [MAC.APP.-339/2024] Judges: Justice Amit Mahajan

The appeal by the insurance company against the compensation awarded for injuries from a motor accident was dismissed. Evidence, including the victim's wife's testimony and medical records, supported the assessment of 100% functional disability. An award of ₹5,00,000 for future medical expenses was upheld, following established principles for severe permanent disabilities. The insurance company's arguments were rejected, and the statutory amount deposited was directed to be released.

Judges: Justice Amit Mahajan

Abdul Rab received bail in a case involving the Narcotic Drugs and Psychotropic Substances Act. The evidence against him consisted only of co-accused disclosure statements and CDR connectivity, which were insufficient for establishing his involvement. He had also been arrested in two separate cases for the same incident, suggesting a violation of double jeopardy. Bail was granted with conditions, emphasizing that the observations made were solely for this decision and should not affect the trial's outcome.



SHEELA VS STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-4072/2024]

Judges: Justice Amit Mahajan

Sheela was granted regular bail in connection with an FIR under Sections 20/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 involving the recovery of a commercial quantity of ganja. The decision was influenced by a delay of over a year in the trial and Sheela's prolonged incarceration since April 2022. Issues regarding non-compliance with Section 42 of the NDPS Act and the absence of independent witnesses during the search and seizure had not been previously considered. Bail was granted on the condition of furnishing a personal bond, with the stipulation that the observations made should not be interpreted as an opinion on the case's merits.

MITHU KALIKOTEY & ORS. VS SHABBIR KHAN & ORS. (UNITED INDIA INSURANCE COMPANY LTD.) [MAC.APP.-535/2024]

Judges: Justice Amit Mahajan

The Motor Accident Claims Tribunal attributed 20% contributory negligence to deceased pedestrian Bijay Kumar Kalikotey, who was hit by a bus while crossing the road. The decision was based on the principle that pedestrians have a duty of care, particularly in areas without designated crossings. Evidence indicated that the pedestrian crossed the road without adequate precautions, justifying the 20% deduction in compensation despite the driver's rash and negligent behavior.

MS. UPASNA GUNDH & ORS. VS ORIENTAL INSURANCE CO .LTD. AND ORS. [MAC.APP.-54/2025] Judges: Justice Amit Mahajan

The appeal challenging the Motor Accident Claims Tribunal's award of Rs. 53,31,000/- with 9% interest was dismissed due to a delay of over 9 years beyond the limitation period. Explanations for the delay, including financial constraints and previous counsel's misconduct, were deemed insufficient. The substantial delay was not condoned, leading to the dismissal of both the application for condonation and the appeal as barred by limitation.

SANJAY VS STATE (GNCT) OF DELHI [CRL.A.-124/2024]

Judges: Justice Amit Mahajan

The conviction under Section 6 of the Protection of Children from Sexual Offences Act, 2012 for aggravated penetrative sexual assault on a 5-year-old child was upheld. The testimony of the victim and her mother was found reliable and corroborative. The appellant's argument regarding the establishment of the case beyond reasonable doubt was rejected. The victim's evidence was deemed credible, and the appellant did not successfully rebut the presumption under Section 29 of the POCSO Act. The sentence imposed by the trial court was considered proportionate to the offence's severity.

KANWALJEET DHAMMI VS STATE OF NCT OF DELHI [CRL.REV.P.-11/2023]

Judges: Justice Amit Mahajan

Charges under Sections 376(2)(n) and 506 of the Indian Penal Code against the petitioner were deemed unsustainable. The complaint was filed after an inordinate delay of over 30 years, and a property dispute existed between the parties, raising doubts about the allegations. The prosecutrix's statement did not establish a prima facie case, leading to the decision to set aside the charges and discharge the petitioner.



SANJEEV SURI VS SANDEEP SADANA [CRL.L.P.-44/2019]

Judges: Justice Amit Mahajan

The separate acquittal orders in two criminal complaints under Section 138 of the Negotiable Instruments Act, 1881 were upheld. The accused successfully rebutted the presumptions under Sections 118 and 139 by demonstrating that the cheques were not issued to settle any legally enforceable debt. The defense established its case based on the preponderance of probabilities. Prior attempts to settle did not imply an admission of debt by the accused, and the complainant remained responsible for proving the foundational facts required by the Act.

NEELAM WALIA VS SANJAY WALIA [CRL.M.C.-4406/2019]

Judges: Justice Amit Mahajan

The Appellate Court's modification of the Metropolitan Magistrate's order to require the petitioner to rent out her property to the respondent as a condition for maintenance was incorrect. The requirement for granting interim maintenance under the Domestic Violence Act is solely based on evidence of domestic violence. The Appellate Court's order was set aside, and the matter was sent back for fresh consideration.

ANAMIKA CHANDEL VS DR.NARESH CHANDEL [CRL.REV.P.-203/2017]

Judges: Justice Amit Mahajan

Anamika Chandel is recognized as an "aggrieved person" under the Domestic Violence Act, 2005, and her relationship with Dr. Naresh Chandel is considered to be in the "nature of marriage." The decision of the Additional Sessions Judge to dismiss her complaint is set aside. Allegations and factual content will be accepted at this stage, with the validity of the marriage to be examined after evidence presentation. The complaint case is restored to the Family Court for further proceedings.

BABBAN GIRI VS STATE NCT OF DELHI AND ANR. [CRL.M.C.-5556/2024]

Judges: Justice Amit Mahajan

The petition challenging the lower courts' orders was dismissed due to the lack of prima facie evidence of a cognizable offense, despite the petitioner's claims. The Action Taken Report indicated only a minor altercation without serious injuries or robbery. Given the stale nature of the dispute and the absence of exceptional circumstances, the decisions of the lower courts were deemed appropriate.

AAYUB VS STATE GOVT. OF NCT OF DELHI [CRL.REV.P.-15/2025]

Judges: Justice Amit Sharma

Charges against Aayub under Sections 307/34 IPC and 27 Arms Act were upheld based on the injured victim's statement and medical evidence, establishing a prima facie case. The defense's claims, including an alibi and self-inflicted injuries, were deemed relevant for trial consideration, not at the charge framing stage. The trial court's evaluation of evidence was limited to determining the existence of a prima facie case without conducting a mini-trial. No illegality or perversity was identified in the trial court's order.

PITAMBAR BISHWA KARMA VS THE STATE (GOVT OF NCT) DELHI [CRL.A.-639/2023] ☑

Judges: Justice Prathiba M. Singh, Justice Amit Sharma

The prosecution failed to prove the case against the appellant beyond reasonable doubt. Key eyewitness testimony was unreliable due to contradictions. The recovery of the alleged murder weapon was not established, rendering DNA evidence linking blood on the knife to the deceased inconsequential. In the absence of credible evidence, the conviction and sentence of the appellant were set aside, resulting in acquittal.



MD HEYDAITULLAH VS NATIONAL INVESTIGATION AGENCY [CRL.A.-871/2023]

Judges: Justice Prathiba M. Singh, Justice Amit Sharma

The appeal against the dismissal of a bail application under the Unlawful Activities (Prevention) Act was dismissed. Evidence included the appellant taking oaths of allegiance to ISIS, joining pro-ISIS Telegram groups, advocating for an ISIS caliphate through violent jihad, and possessing materials for making explosives and weapons. Sufficient grounds existed to believe the accusations were prima facie true.

RAGHVENDR SINGH @ RINKU VS STATE OF NCT OF DELHI & ANR. [BAIL APPLN.-3400/2023] Judges: Justice Anish Dayal

Raghvendr Singh @ Rinku received bail despite prima facie evidence linking him to the murders of Jagir Kaur and Gurmeet Singh. Contradictions raised by the defense created reasonable doubt, and considerations included over 5 years of incarceration, delayed witness examination, and the co-accused having already obtained bail. The right to a speedy trial and personal liberty were emphasized, leading to the decision to release the applicant.

RAGHVENDR SINGH @ RINKU VS STATE OF NCT OF DELHI [BAIL APPLN.-3337/2023] Judges: Justice Anish Dayal

Bail was granted to Raghvendr Singh @ Rinku, accused of murder and destruction of evidence, despite serious charges. Evidence against him included the recovery of some stolen items, but contradictions in the prosecution's case raised reasonable doubt. He had been in custody for over 5 years without a trial, prompting concerns about prolonged incarceration without a speedy trial. Additionally, his co-accused had already been granted bail, influencing the decision. Conditions attached to the bail included movement restrictions and regular reporting to the investigating officer.

AIZAZ KILICHEVA @ AZIZA @ MAYA VS STATE NCT OF DELHI [BAIL APPLN.-1872/2024] Judges: Justice Anup Jairam Bhambhani

Aziza Kilicheva can receive regular bail in her criminal case under the Foreigners Act and the IPC. However, the authority to grant or refuse a visa is a sovereign function of the Central Government and falls outside the scope of bail proceedings. Kilicheva's visa status must be addressed through separate legal remedies.

NEERAJ SEHRAWAT @ NEERAJ BAWANIYA VS STATE NCT OF DELHI [BAIL APPLN.-1203/2024] Judges: Justice Anup Jairam Bhambhani

The petitioner's bail application was dismissed due to a lengthy trial delay weighed against his serious criminal history and a tendency to reoffend while on bail. The right to a speedy trial does not ensure automatic bail, especially for individuals with a record of heinous crimes. The trial should be expedited, but bail was denied considering the risk of repeat offenses.

NATIONAL HIGHWAYS AUTHORITY OF INDIA VS YEDESHI AURANGABAD TOLLWAY LIMITED [O.M.P. (COMM)-277/2024] ☑

Judges: Justice C. Hari Shankar

The National Highways Authority of India (NHAI) breached its obligations under the Concession Agreement by failing to provide Yedeshi Aurangabad Tollway Limited with timely access to the project site, causing significant project delays. Yedeshi was not responsible for these delays, which were solely due to NHAI's defaults. An arbitral tribunal awarded Yedeshi ₹1,503.15 crores in compensation, encompassing ₹1,323.64 crores in principal, ₹179.51 crores in interest, and ₹33.72 crores for force majeure costs. NHAI is required to deposit the entire awarded amount for a stay, contingent upon Yedeshi providing a bank guarantee for the same sum, with NHAI failing to demonstrate a prima facie case for exemption from this rule.



UNION PULBIC SERVICE COMMISSION VS MUKESH KUMAR ROHILLA & ORS [W.P.(C)-2483/2017] Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The matter has been remanded to the Central Administrative Tribunal for re-examination considering a 2005 UPSC circular that established a minimum 40-mark cut-off for the interview, which was overlooked previously. The applicability of the circular remains for the Tribunal to decide, with a request for an expedited resolution within four weeks due to the prolonged pendency of the original OA for four years and the writ petition for eight years.

STAFF SELECTION COMMISSION & ORS. VS NAVEEN CHAUHAN [W.P.(C)-16424/2024]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The impugned judgment of the Central Administrative Tribunal was quashed, as it directed a fresh medical examination without considering individual facts. The matter has been remitted for de novo consideration, with established principles in mind. All questions of fact and law remain open, and the Tribunal is requested to address the matter expeditiously, ideally within three weeks.

SUDHIR KUMAR SHARMA VS UNION OF INDIA & ORS. [W.P.(C)-943/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The writ petition challenging two orders of the Central Administrative Tribunal was dismissed. The first order, dated 8 November 2024, was issued on consent, in which the petitioner voluntarily abandoned his request for interim relief regarding compulsory retirement and reinstatement. The second order, dated 19 December 2024, only issued notice on the petitioner's applications, including one for interim relief against a recruitment advertisement. Since the petitioner had previously relinquished his request for interim relief, he lacked the standing to challenge the recruitment advertisement.

HARSHPAL SINGH NEGI VS ST MARYS SCHOOL SAFDARJUNG ENCLAVE AND ORS [LPA-49/2025] Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The Letters Patent Appeal was partly allowed, addressing the appellant's termination as a Trained Graduate Teacher. The appropriate authority for the employment challenge is the Delhi School Tribunal (DST), and the appellant was granted the option to seek interim relief there. Disagreement with the previous finding regarding the minority status of the respondent school led to the conclusion that the challenge is not limited by Section 12-C of the NCMEI Act. Consequently, the challenge to the minority status was sent back for fresh consideration on its merits.

<u>VIPIN KUMAR AND ANR VS UNION PUBLIC SERVICE COMMISSION AND ORS [W.P.(C)-2650/2023]</u> ✓ Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The decision of the Central Administrative Tribunal to dismiss the writ petitions challenging the selection process for the post of Principal was upheld. The UPSC's authority to conduct a recruitment test for shortlisting candidates, as indicated in the original advertisement, was affirmed. The allocation of 50% marks each for the recruitment test and interview was deemed consistent with established principles on employment-related selections. There was no alteration of rules during the process, as the possibility of a recruitment test was clearly stated in the original advertisement. The Tribunal's decision was confirmed without dissenting opinions.



INDIAN COUNCIL FOR AGRICULTURAL RESEARCH VS PRAMOD NISCHAL [W.P.(C)-376/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The writ petition filed by the Indian Council for Agricultural Research (ICAR) was dismissed, upholding the Central Administrative Tribunal's decision to reimburse the actual medical expenses for emergency hip replacement surgery incurred by the mother of the respondent, a CGHS beneficiary. It was established that in emergency situations, actual expenses should be reimbursed rather than just CGHS rates, leading to the dismissal of ICAR's challenge.

GOVT OF NCT OF DELHI VS RAKESH SEMALTY [W.P.(C)-7526/2017]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The respondent, a teacher from an autonomous body, is entitled to pay protection under Fundamental Rule 22(I)(a)(1) upon appointment to a higher post in the Directorate of Education. Pay protection applies when transitioning to a role with greater responsibilities, provided eligibility criteria are met. An earlier Office Memorandum limiting pay protection to selections through interviews is deemed unconstitutional, lacking a rational basis for excluding selections made through open competitive examination. The Tribunal's finding to grant pay protection is upheld, and relevant authorities are directed to implement this within a specified timeframe. The writ petition is dismissed.

UNION OF INDIA & ORS. VS SHRI SIHOR RAM EX SSE GROUP C [W.P.(C)-17921/2024]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The writ petition by the Union of India was dismissed, and recovery of excess payment made to a former railway employee was not allowed due to erroneous pay fixation. The case met the criteria that prohibit recovery for Group C/D employees nearing retirement or for excess payments made over five years prior to the recovery order. Therefore, recovery was deemed impermissible.

SUVIDHA YADAV VS GOVERNMENT OF NCT OF DELHI & ORS. [W.P.(C)-3722/2024]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The decision of the Central Administrative Tribunal to dismiss the petitioner's challenge against her non-selection for the Trained Graduate Teacher (Social Science) position was upheld. The discretionary power of the Delhi Subordinate Services Selection Board (DSSSB) to set a cut-off mark for candidate selection was affirmed, stating that candidates not meeting the cut-off cannot claim a grievance. The case was considered consistent with established legal precedent, leading to the dismissal of the petitioner's writ petition.

UNION OF INDIA & ORS. VS RAVI PRAKASH [W.P.(C)-572/2025] ☑

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The order from the Central Administrative Tribunal was quashed because it failed to consider the individual features of each case in a batch of Original Applications. O.A. 1101/2024 was remanded for a new decision based on established principles. The parties are to appear before the Tribunal on 29 January 2025, with a request for an expedited decision.

ASHOK KUMAR VS UNION OF INDIA [W.P.(C)-8626/2021]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The decision of the Central Administrative Tribunal to dismiss the petitioner's claim for continuity of service from 2001 was upheld. The petitioner lacked appointment orders, salary slips, attendance records, or other evidence to prove regular employment since 2001, despite being substantively appointed in 2009 and regularized in 2011. The case was distinguished from Prem Singh v. State of Uttar Pradesh due to differing facts and legal issues. The judgment was unanimous.



UNION OF INDIA AND ORS VS SH HEERA LAL KUNDRA RETD CTI [W.P.(C)-535/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The decision concluded that recovering an alleged excess pension payment from the respondent was unjustified, aligning with principles established in Rafiq Masih. The case was distinguished from Sanjay Sharma due to the absence of fraud or complicity, and the respondent had not been notified about the possibility of recovery when the excess payment occurred.

UNION OF INDIA & ORS. VS MAHENDER SINGH [W.P.(C)-3755/2023]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The punishment order against Mahender Singh was set aside because he did not receive the advice of the Union Public Service Commission (UPSC) prior to the imposition of the punishment. This decision aligns with a precedent establishing that the UPSC's advice must be provided to the employee. Consequently, the authorities are instructed to reconsider the respondent's representation after supplying the UPSC's advice.

RAJESH GOMES VS NEW DELHI MUNICIPAL COUNCIL (NDMC) AND ORS. [W.P.(C)-1310/2019] Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The writ petition filed by Rajesh Gomes was dismissed, affirming the denial of his request for regularization as an HMV driver from 1997. His case was not comparable to other employees who were regularized earlier. He cleared the trade test in 2008 and was regularized as an LMV driver from that date, with no merit found in his claims for earlier regularization.

JASBIR SINGH BHALLA & ANR VS UOI & ORS. [W.P.(C)-3091/2007]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The judgment of the Central Administrative Tribunal, which applied the 1990 Armed Forces Headquarters Stenographers' Service (Private Secretary Grade) Rules for promotions made in 2003–2004, was set aside. The application of the 2004 Armed Forces Headquarters Stenographers' (Group A and Group B posts) Service Rules was deemed appropriate due to a Supreme Court ruling that overruled the precedent used by the Tribunal. The matter was remanded for fresh adjudication in line with the latest Supreme Court ruling.

KRBL LIMITED VS PRAVEEN KUMAR BUYYANI & ORS. [FAO (COMM)-24/2024]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The respondent's use of the "BHARAT GATE" mark infringes upon the appellant's registered "INDIA GATE" trademark under Section 29(2)(b) of the Trade Marks Act. There was a failure to adequately assess the phonetic, visual, and conceptual similarities between the marks. The idea that the appellant could not claim exclusive rights over the terms "India" and "Gate" in the "INDIA GATE" mark was rejected. Differences in packaging and pricing do not eliminate the likelihood of consumer confusion. The lower court's order was quashed, and the earlier interim injunction in favor of the appellant was restored.

KRIPA NARAIN SHAHI AND ANR VS NEW DELHI MUNICIPAL COUNCIL [W.P.(C)-2193/2017] Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The decision of the Central Administrative Tribunal to reject the petitioners' claims for antedating their regularization as Lift Operators in the New Delhi Municipal Council was upheld. The petitioners did not meet the eligibility criteria under earlier NDMC circulars for regularization and were correctly placed on the Regular Muster Roll from 11 June 2002, as per a resolution dated 24 May 2002. Claims of parity with another employee, Ramakant Rai, were rejected due to differences in their situations. The affirmation included a clarification that the petitioners could still challenge a subsequent order dated 2 April 2012 if they wished.



STATE OF WEST BENGAL VS MRS VIPASHA PARUL & ORS. [W.P.(C)-150/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The Central Administrative Tribunal's decision to allow the transfer of a 2019 batch Indian Forest Service officer from West Bengal to Odisha, following her marriage to a 2019 batch Indian Police Service officer, was upheld. Inter-cadre transfers based on marriage permit discretion for the officers involved in choosing their cadre, which cannot be overridden by the government. The case aligns with established precedents regarding inter-cadre transfers on marriage grounds. The writ petition from the State of West Bengal against this decision was dismissed.

MUNICIPAL CORPORATION OF DELHI VS KRISHAN KUMAR & ORS. [LPA-11/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The appeal is not maintainable under Clause X of the Letters Patent because the impugned order only issued notice on an application without resolving any issues definitively, and thus it is not considered a "judgment" eligible for appeal. The order is classified as a discretionary interim measure, warranting appellate intervention only if deemed arbitrary, capricious, or perverse. This matter is standalone and not part of a larger batch of cases.

DELHI POLICE & ORS. VS AJIT SINGH [W.P.(C)-97/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The Central Administrative Tribunal quashed the departmental proceedings against the respondent and ordered reinstatement in service. The respondent's acquittal in the criminal case was based on a comprehensive evaluation of evidence, indicating that the prosecution did not prove the charges. Consequently, disciplinary proceedings could not continue under Rule 12 of the Delhi Police (Punishment and Appeals) Rules, 1980.

THE DIRECTOR GENERAL ALL INDIA RADIO AND ORS VS AKASHVANI AND DOORDARSHAN ADMINISTRATIVE STAFF ASSOCIATION THROUGH ITS VERSUS GENERAL SECRETARY AND ORS [W.P.(C)-17590/2024] Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The Central Administrative Tribunal did not adequately consider the Supreme Court judgment in Jagdev Singh v High Court of Punjab and Haryana, which allows for recoveries of excess payments from government employees under certain conditions. The employees had provided undertakings to refund excess payments at the time of pay fixation. The matter was sent back for fresh consideration, with an emphasis on these undertakings and the relevant judgment.

MUNICIPAL CORPORATION OF DELHI VS VEENA RANI [W.P.(C)-104/2025]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

The respondent, a former employee of the Municipal Corporation of Delhi, is entitled to the second Assured Career Progression (ACP) benefit after 24 years of service and Modified Assured Career Progression (MACP) benefits. The omission of the respondent's educational qualifications in her service book is attributed to the employer, which does not justify denying her career progression benefits. The respondent's retirement was noted with concern as she did not have the opportunity to utilize available promotional avenues.



GOVT OF NCT OF DELHI & ANR VS SUMAN ROHILLA & ORS [W.P.(C)-7081/2018]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

Candidates who obtained the Diploma in Education (Dip Ed) in 2008 are entitled to the same age relaxation as those with the equivalent Elementary Teacher Education (ETE) qualification from 2008 for the Teacher (Primary) post in the Municipal Corporation of Delhi under Advertisement 04/2009. There is no valid distinction between these candidates and those in the Praveen Kumar case, leading to a directive for the authorities to grant the age relaxation to the candidates.

MINA KUMARI VS GOVERNMENT OF NCT OF DELHI AND ORS. [W.P.(C)-77/2019]

Judges: Justice C. Hari Shankar, Justice Ajay Digpaul

W.P.(C) 56/2019 and W.P.(C) 77/2019 were allowed based on a prior decision in W.P.(C) 5179/2018 favoring the respondents. The petitioners in the current matters were entitled to the same relief, leading to the disposition of the writ petitions.

SHWETA CHOWDHERY VS HONBLE HIGH COURT OF DELHI THROUGH ITS REGISTRAR GENERAL [W.P.(C)-76/2025]

Judges: Justice C. Hari Shankar, Justice Amit Mahajan

The writ petition challenging the age requirement in the vacancy notice for the Delhi Higher Judicial Service Examination 2024 was dismissed. The condition that candidates must be at least 35 years old by 1 January 2024 was deemed valid, as the fixation of a cut-off date for minimum age falls within the discretion of the authorities. Arguments for a later cut-off date of 1 January 2025 and claims that the condition made many candidates ineligible were rejected.

<u>DELHI POLICE THROUGH COMMISSIONER OF POLICE AND ANR VS OM PRAKASH [W.P.(C)-26/2025]</u> ∠ Judges: Justice C. Hari Shankar, Justice Amit Mahajan

The Central Administrative Tribunal's decision mandated the Delhi Police to pay interest at GPF rates for the delay in disbursing the respondent's leave encashment benefits from 2009 to 2021. A 12-year delay in releasing these benefits lacked justification, as the leave encashment was unrelated to the prior criminal case and disciplinary proceedings. Interest is applicable from the date of reinstatement in 2009.

URVASHI CHAUHAN VS KENDRIYA VIDYALAYA SANGATHAN & ANR. [W.P.(C)-17972/2024] Judges: Justice C. Hari Shankar, Justice Amit Mahajan

The decision of the Central Administrative Tribunal regarding the teacher's transfer to Kanpur was upheld. There was insufficient evidence to support the claim that the Kendriya Vidyalaya Sangathan underreported vacancies in Ghaziabad, Meerut, and Mathura. Subsequent vacancies arising after the January 31, 2024 cut-off date were deemed irrelevant. The teacher was posted at her first choice, Kanpur, with no errors found in the KVS decision. The teacher may represent to the KVS for a transfer to a nearer station, subject to available vacancies and applicable rules.

NAVODAYA VIDYALAYA SAMITI VS NIDHI RANI AND ORS [W.P.(C)-60/2025]

Judges: Justice C. Hari Shankar, Justice Amit Mahajan

A Bachelor's or Master's degree in Fine Arts or related disciplines meets the essential qualification for the Art Teacher position at Navodaya Vidyalaya Samiti. All respondents, except Vishal Jangid and Savan, are eligible as they hold Master's degrees in Fine Arts or similar fields. The job advertisement did not clarify that the required degree had to be at the Bachelor's or Master's level, thus both are acceptable.



PRABHAT PRATAP RAO VS THE STATE (GOVT. OF NCT OF DELHI) & ANR. [CRL.M.C.-2143/2023] Usunges: Justice Chandra Dhari Singh

The petition filed by Prabhat Pratap Rao to quash the FIR under Sections 376 and 506 of the Indian Penal Code was dismissed. The allegations, if accepted, indicate a prima facie case of rape, as the consent obtained was vitiated by the accused's false promise of marriage. The claims included instances of forcible sexual acts on two occasions. A prima facie case was established, necessitating a trial for evidence examination. Observations made were limited to the quashing petition and do not address the case's merits.

DIVYANSH BAJPAI VS THE STATE (GOVT. OF NCT OF DELHI) AND ANR [CRL.M.C.-4228/2023] Judges: Justice Chandra Dhari Singh

The FIR allegations indicate the commission of rape under Section 376 of the Indian Penal Code, with the respondent's consent reportedly obtained through a false promise of marriage, which undermines her consent as per Section 90 of the IPC. A distinction was made between deceptive promises and mere breaches. Evidence from the investigation, including victim statements and testimonies, supports the need for a trial. Arguments regarding the delay in filing the FIR and the familial relationship were deemed insufficient to dismiss the proceedings. The petition seeking to quash the FIR was dismissed, emphasizing that inherent powers should be applied sparingly and were not warranted in this instance.

M/S APOLLO HOSPITALS ENTERPRISES PRIVATE LIMITED VS SHRI SURESH MALIK [W.P.(C)-11492/2018] Udges: Justice Chandra Dhari Singh

The workmen were illegally terminated as the management did not provide evidence of offering them transfers after project completion. Reinstatement with back wages was deemed unfeasible due to a 21-year delay and the unavailability of their positions. Monetary compensation of ₹10 lakh to one workman and ₹15 lakh to the other workman was ordered, to be paid within 4 weeks, with interest applicable for delays.

YOGESH GUPTA VS CENTRAL BUREAU OF INVESTIGATION THROUGH ITS PRINCIPLE OFFICER [CRL.M.C.-5480/2023] ☑

Judges: Justice Chandra Dhari Singh

The chargesheet and consequential proceedings against petitioner Yogesh Gupta were quashed due to insufficient evidence for offenses such as criminal conspiracy, criminal breach of trust, and cheating. Gupta's involvement was characterized as that of a figurehead following the main promoter's instructions, demonstrating a lack of criminal intent. Continuing proceedings would constitute harassment. Observations apply only to Gupta, and the case against the other accused will proceed.

NATH INTERNATIONAL CORPORATION VS DELHI DEVELOPMENT AUTHORITY [W.P.(C)-13388/2018] Judges: Justice Dharmesh Sharma

The demand for misuse charges by the Delhi Development Authority (DDA) against the petitioner firm was unsustainable in law. The demand letters were quashed, and the DDA was directed to convert the property from leasehold to freehold as per the petitioner's application, covering all costs of stamp papers and registration. The DDA's decisions were found to be contradictory and arbitrary, in defiance of previous orders. Multiple related applications by the petitioner were addressed in this matter.



MALARIA RESEARCH CENTRE EMPLOYEES WELFARE ASSOCIATION & ANR VS K N DESIRAJU, SECRETARY, DEPARTMENT OF HEALTH & FAMILY WELFARE & ORS [CONT.CAS(C)-696/2013]

Judges: Justice Dharmesh Sharma

Allegations of willful disobedience regarding a previous order were not established. Although there was incomplete compliance with the order, particularly concerning the Old Pension Scheme and MBAPS scheme for all regularized employees, this did not constitute willful disobedience. Compliance included the regularization of 225 out of 247 employees, with the non-regularization of 13 employees justified by their prior resignation and re-appointment. The contempt petition was dismissed, allowing individual petitioners to pursue separate remedies for the MBAPS scheme.

RIZWAN AHMED & ANR. VS SUBHASISH PANDA & ORS. [CONT.CAS(C)-1147/2023]

Judges: Justice Dharmesh Sharma

A contempt petition filed by Rizwan Ahmed and another against the Delhi Development Authority (DDA) was dismissed. The demolition drive on the petitioners' land was conducted under a separate order for removing unauthorized encroachments and not in disobedience of a prior order about land acquisition proceedings. Evidence indicated the land was acquired and possessed by the DDA, establishing the demolition as a lawful action. No deliberate disobedience by the respondents was identified.

RITU RAJ JAIN & ORS. VS NETAJI SUBHAS UNIVERSITY OF TECHNOLOGY & ANR. [W.P.(C)-6201/2022] Judges: Justice Dharmesh Sharma

The petitioners appointed before January 1, 2004, at Netaji Subhas University of Technology (NSUT) are bound by the Contributory Provident Fund (CPF)-cum-Gratuity Scheme based on their appointment terms and directives from the Government of India and the Government of NCT of Delhi. They accepted the CPF Scheme without objections at the time of their appointment. The university's decision to implement the CPF Scheme for new entrants from January 1, 2001, aligns with government policy. The claim for entitlement to the General Provident Fund (GPF)-cum-Pension-cum-Gratuity Scheme is rejected, as the university's Board of Governors' recommendations to extend the GPF Scheme were not accepted by the government.

M/S KALSI FINANCE PVT. LTD. VS D.D.A. [W.P.(C)-1444/2004] ☑

Judges: Justice Dharmesh Sharma

M/s Kalsi Finance Pvt. Ltd. is liable for composition charges due to delays in construction on the allotted plot. The delays were attributed to the firm's internal disputes, failure to submit required documents on time, and inaction in pursuing legal rights. The writ petition was dismissed, and the firm cannot be excused from the delays.

RAJU @ CHANAKYA VS THE STATE (GOVT. OF NCT) DELHI [CRL.A.-740/2024]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The convictions of Raju and Mukesh were converted from murder to culpable homicide not amounting to murder under Section 304 Part II of the Indian Penal Code. The actions of the appellants were deemed to lack premeditation and occurred in a moment of grave provocation, without undue advantage or cruelty. The nature of the injuries and the appellants' background supported this outcome.



CRB CAPITAL MARKETS LIMITED (IN PROVISIONAL LIQUIDATION) THROUGH ITS EX DIRECTOR MR. C. R. BHANSALI VS ANOOP JAIN AND ORS. [CO.APP.-19/2023] ☑

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

The appeals from the ex-management of CRB Capital Markets Limited regarding the transfer of Reliance Industries Limited shares are deemed not maintainable. The Company Court lacks jurisdiction to investigate the sale of these shares unless evidence of fraud or collusion affecting the company's assets is present. The shares were purchased by the applicants on the open market before restrictions were imposed, establishing their legitimate claim for transfer. The ex-management's rights to protect company assets do not extend to challenging decisions made by the Official Liquidator or directives during winding-up proceedings.

LATE SH. LAL CHAND VERMA THROUGH HIS LEGAL HEIR VS UNION OF INDIA & ANR. [W.P.(C)-8184/2023] Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

A notice issued under Section 148A(b) of the Income Tax Act, 1961 to a deceased assessee is invalid because it was sent after the assessee's death, failing to serve the legal heir. The applicable law regarding legal representatives is not relevant as no proceedings were pending against the assessee during his lifetime. The notice and all related orders and proceedings are quashed.

JINDAL ITF LTD. VS NTPC LIMITED [OMP (ENF.) (COMM.)-88/2019] ☑

Judges: Justice Dinesh Kumar Sharma

The arbitral award was deemed patently illegal and in violation of public policy. Damages were improperly awarded to the respondent, JITF, for the pre-COD period, which the contract did not permit, and the damages for alleged wrongful termination of the contract by NTPC were excessive and lacked evidence of actual loss. The interpretation of the contract clauses by the arbitral tribunal was considered perverse and unreasonable, leading to the complete nullification of the award.

M/S GREATECH TELECOM TECHNLOGIES PVT LTD VS M/S CORPORATE ENTERPRISES [RFA-87/2025] Usunges: Justice Girish Kathpalia

The summary judgment in favor of M/s Corporate Enterprises for recovery of Rs. 7,01,433/- from M/s Greatech Telecom Technologies Pvt Ltd was upheld. M/s Greatech failed to appear under Order XXXVII despite being served summons. The appellant's claim of fraud related to a prior settlement of Rs. 3,00,000/- was dismissed for not following proper procedure. The single-judge decision did not indicate any disagreement or referral to a larger bench.

SIMMI WALIA VS RAKESH ARORA [RFA-229/2023]

Judges: Justice Girish Kathpalia

The trial court's judgment directing the appellant-tenant to restore possession of the third floor premises to the respondent-landlord was upheld. The appellant admitted to being a tenant in that space, and the dispute regarding whether it was the "top floor" was deemed immaterial. The rent amount exceeded the prescribed limit, disqualifying the appellant from protection under the rent control law. Given these admissions, a full trial was deemed unnecessary, leading to the dismissal of the appellant's appeal.

SH. PRASADI LAL VS THE PRESIDING OFFICER, LABOUR COURT NEW DELHI AND ANR. [W.P.(C)-11509/2018] Usunges: Justice Girish Kathpalia

The Labour Court determined that the petitioner did not prove an employer-employee relationship with the respondent management, as the submitted appointment letter was unreliable. The petitioner failed to meet the burden of proof regarding the employment relationship. There were no valid grounds to challenge the Labour Court's detailed findings based on the evidence presented.



VIKRANT VATS VS AJAY GAHLOT [RFA-45/2025]

Judges: Justice Girish Kathpalia

The appellant's appeal regarding the dismissal of their application for leave to defend was dismissed. The appellant did not provide an explanation for the delay in filing the application within the required period, despite previously entering appearance in the proceedings. The judgment and decree of the lower court were upheld without any identified infirmity.

SMT. GEETA & ORS. VS RAJKIYA SARVODAYA KANYA VIDYALAYA AND ANR. [W.P.(C)-5204/2022] Judges: Justice Girish Kathpalia

The award of the Industrial Tribunal was set aside due to the workmen not being given a fair opportunity to present their case, as their evidence was closed prematurely. The matter was remanded for the Industrial Tribunal to issue notice, schedule a new date for evidence recording, and resolve the dispute within six months.

PUBLIC WORKS DEPARTMENT VS SMT RAMWATI [W.P.(C)-42/2025]

Judges: Justice Girish Kathpalia

Orders of the Appellate Authority under the Payment of Gratuity Act were upheld, dismissing the petitioner's appeals on two grounds: appeals were filed beyond the 120-day limitation period with no power to condone the delay, and the petitioner failed to deposit amounts awarded by the Controlling Authority, a prerequisite for appeal admission. The well-reasoned orders of the Appellate Authority were found sound, and the petitioner was directed to comply with the Controlling Authority's orders within two weeks.

RAKESH KUMAR VS STATE [BAIL APPLN.-1078/2024]

Judges: Justice Jasmeet Singh

Rakesh Kumar was granted bail in an NDPS case despite a commercial quantity of drugs being recovered. Discrepancies in procedural compliance under the NDPS Act and significant trial delays, with only 3 out of 26 witnesses examined, influenced the decision. Bail conditions under Section 37 of the NDPS Act were relaxed due to the undue delay in the trial, with specific conditions imposed on the bail granted.

DR. PUSHPALATA AND ANR. VS RAM DAS HUF & ORS. [CS(OS)-2382/2007] ☑

Judges: Justice Jasmeet Singh

The Ram Das HUF existed when the Hindu Succession (Amendment) Act, 2005 took effect, allowing the plaintiffs to receive a 1/4th share each in the HUF's PPF account. The Kothi at A-28 Friends Colony East was gifted to defendants 3 and 4 before the 2005 amendment, making it no longer HUF property. The properties in Sushant Lok, Gurgaon were identified as the self-acquired properties of defendants 3 and 4, who agreed to relinquish their rights in these properties to the plaintiffs.

SEEMA VS STATE NCT OF DELHI [BAIL APPLN.-3391/2024]

Judges: Justice Jasmeet Singh

Bail was granted to petitioner Seema in a case under the NDPS Act, despite the recovery of a commercial quantity of heroin. The compliance with Section 42 of the NDPS Act is to be assessed at the trial stage. Arguments regarding the absence of videography during the search and significant trial delays, with only 4 out of 21 witnesses examined, were noted. Due to the prolonged incarceration and the likelihood of delayed trial completion, the conditions under Section 37 of the NDPS Act were relaxed, allowing for regular bail subject to specific conditions.



STATE (GNCTD) VS RINKU @ CHOLAN [CRL.A.-271/2020]

Judges: Justice Jasmeet Singh

The trial court's acquittal of the accused under Section 397 of the Indian Penal Code for robbery involving a deadly weapon was set aside. The definition of a deadly weapon includes mere display to instill fear, not requiring actual injury. The accused was convicted under Section 397 and sentenced to 7 years of rigorous imprisonment, to run concurrently with a sentence under Section 394 for robbery.

STATE VS LOKESH [CRL.A.-96/2020] ☑

Judges: Justice Jasmeet Singh

The trial court's acquittal of Lokesh for the offence under Section 324 of the Indian Penal Code was upheld due to significant contradictions in the complainant's testimony, raising doubts about the prosecution's case. The nature and location of the wound also suggested the possibility of a self-inflicted injury. The state filed the appeal, while the victim accepted the acquittal.

VIKRAMJIT SINGH VS NARCOTICS CONTROL BUREAU [BAIL APPLN.-4268/2024]

Judges: Justice Jasmeet Singh

Vikramjit Singh was granted bail after being charged under the Narcotic Drugs and Psychotropic Substances Act, 1985. The confessional statements of co-accused were deemed inadmissible as they did not lead to the discovery of new facts. There was insufficient corroborative evidence linking Singh to the crime, and key accused individuals were not arrested. The twin conditions under Section 37 of the NDPS Act were satisfied, allowing for bail under specific conditions.

RAMESH CHANDRA VS STATE OF NCT OF DELHI [CRL.M.C.-144/2025]

Judges: Justice Jasmeet Singh

The FIR against the petitioner under Section 25 of the Arms Act was quashed due to a lack of conscious possession of a single live ammunition found in his bag. The mere recovery of one cartridge, without any firearm, was deemed insufficient to establish intentional possession. The petitioner explained that he had carelessly packed his belongings in a new bag, leading to the inadvertent presence of the ammunition, which did not satisfy the requirement for conscious possession.

M/S SATISH BUILDERS VS UNION OF INDIA [O.M.P. (COMM)-267/2019] ☑

Judges: Justice Jasmeet Singh

The findings of the Arbitrator in M/s. Satish Builders vs Union of India were upheld. The delay in project completion was attributed to both parties based on the evidence presented, which was deemed a plausible view. The petitioner failed to demonstrate sufficient evidence for material cost increases under Clause 10CC, and labor escalation under Clause 10C was found inapplicable to substituted items according to contract terms. The finishing work on exposed concrete surfaces was considered part of the concrete item as per specifications, negating the petitioner's claim for it as an extra item. Lastly, the Arbitrator's analysis and modification of rates for deviated quantities were viewed as a reasonable discretion based on evidence. The petition was dismissed as the Arbitrator's findings were well-supported and warranted no interference.

GAIL (INDIA) LIMITED VS FOCUS ENERGY LTD. AND ORS. [O.M.P.(I) (COMM.)-281/2024] Judges: Justice Jasmeet Singh

The interpretation of contractual terms and applicability of Force Majeure are triable issues for the arbitral tribunal. A strong prima facie case exists in favor of GAIL (India) Limited. Focus Energy Ltd. must provide solvent security worth Rs. 157.75 crores to secure the disputed amount, as the balance of convenience favors GAIL. No observations were made on the merits to prevent influencing the arbitral proceedings.



GL SAGAR VS EDCIL (INDIA) LTD AND ANR [W.P.(C)-10023/2016]

Judges: Justice Jyoti Singh

The Disciplinary Authority's Disagreement Note was not tentative as required by principles of natural justice, showing a pre-determined view on the employee's charges and denying meaningful opportunity for representation. The dismissal order and Disagreement Note were quashed, and the matter was remanded for a fresh Disagreement Note to be issued in line with natural justice principles, without addressing the case's merits.

MANOHAR SINGH VS N.T.P.C. LTD. [W.P.(C)-1897/2004]

Judges: Justice Jyoti Singh

The rejection of the petitioner's complaint against the Chairman and Managing Director of NTPC was upheld, with no merit found in the allegations of abuse of court process or false affidavits. An investigation by the Ministry of Power and NTPC supported reasonable findings. The petitioner's writ petition regarding pay fixation and promotion challenges was dismissed due to delay, with higher courts confirming that the appointment was a direct recruitment and not deputation, rendering the original judgment final. The petitioner's criminal complaint against the NTPC official was dismissed as an attempt to re-open settled matters.

RINA DEVI VS GOVT. OF NCT OF DELHI & ORS. [W.P.(C)-3442/2024]

Judges: Justice Jyoti Singh

The writ petition regarding alleged negligence resulting in the electrocution death of the petitioner's daughter is not maintainable due to disputed questions of fact. Writ petitions under Article 226 of the Constitution are inappropriate for tortious liability and negligence issues, which require adjudication by civil courts after a full trial. The dismissal does not impact the merits of the case, and the petitioner is free to seek other legal remedies. If pursuing the civil court route, the filing of the writ petition may be considered concerning any delay under Section 14 of the Limitation Act.

PRADEEP KUMAR VS ELECTION COMMISSION OF INDIA AND ORS [W.P.(C)-935/2025]

Judges: Justice Jyoti Singh

The petitioner's writ petition challenging the rejection of his nomination paper is not maintainable. The only available remedy is to file an election petition under the Representation of the People Act, 1951, as Article 329(b) bars judicial intervention during ongoing elections. Similar writ petitions have previously been dismissed, directing parties to pursue election petition remedies. No opinion on the merits of the case has been expressed; only the issue of maintainability is addressed.

<u>VISHVANATH AGARWAL VS ELECTION COMMISSION OF INDIA AND ORS. [W.P.(C)-765/2025]</u> ✓ Judges: Justice Jyoti Singh

The writ petition challenging the election process was dismissed as not maintainable due to the bar under Article 329(b) of the Constitution and the Representation of People Act, 1951. The only available remedy for an aggrieved party is to file an election petition after the election process concludes, and caution exists against making a "two-pronged attack" on election matters.



SH.GULZAR AHMED VS NORTH DELHI MUNICIPAL CORPORATION & ANR. [W.P.(C)-128/2022] Judges: Justice Jyoti Singh

The Gift Deed executed by Ms. Tanveer Begum in favor of Mr. Gulzar Ahmed is valid under Mohammadan law and does not require registration or stamping. Section 129 of the Transfer of Property Act, 1882 supports this validity, and the prior decisions in Hafeeza Bibi and Mansoor Saheb establish the precedent. The rejection of the petitioner's application for mutation based on the absence of registration and stamping was quashed, and the mutation process is to be completed after the petitioner pays the required transfer duty, without the need for the Gift Deed to be registered or stamped.

SMT. SATYA SHARMA VS NEW DELHI MUNICIPAL COUNCIL [W.P.(C)-11500/2024] Judges: Justice Jyoti Singh

The demand letter dated 30.07.2024 from the New Delhi Municipal Council did not comply with previous directives. The license fee for the petitioner's shop must be recalculated starting from 02.09.2002, using the fee from that date as a base, with a 30% enhancement and 7% annual increment applied. Any outstanding dues prior to 2002 were already settled by earlier sub-lessees, so no arrears can be claimed from the petitioner for that period.

SHRI SATISH KAPUR & ORS. VS THE STATE, GOVT. OF NCT OF DELHI & ANR. [W.P.(CRL)-3466/2024] Judges: Justice Manmeet Pritam Singh Arora

A writ petition seeking to quash an FIR under Sections 420 and 120B of the Indian Penal Code was dismissed. The allegations in the FIR indicated a case of cheating and criminal conspiracy. The conduct of the petitioners in retaining Rs. 23 lakhs from the complainant supported the accusations. Observations made were solely for the purpose of addressing the petition and would not affect the trial's merits.

MANISHA GUPTA VS RAJINDER KUMAR & ORS. [CS(COMM)-390/2024] Judges: Justice Manmeet Pritam Singh Arora

The suit filed by the plaintiff, a legal heir of a deceased partner, against the surviving partner and other parties connected to a dissolved partnership firm is maintainable under the Commercial Courts Act, 2015. The transactions involving the defendants, who were creditors, debtors, or employees of the firm, are directly related to the plaintiff's claim for rendition of accounts, necessitating examination of these transactions for effective resolution. Objections to the suit's maintainability have been considered, but no merit-related observations have been made regarding the allegations against the defendants.

RAJINDER KUMAR VS SUNITA GUPTA & ORS. [CS(COMM)-607/2023] Judges: Justice Manmeet Pritam Singh Arora

Liability of the dissolved partnership firm to repay an unsecured loan of Rs. 76 lakhs to the defendant no. 2 is acknowledged by the plaintiff, with no basis for deferring repayment until the final settlement of accounts. The Court Receiver is directed to release the Rs. 76 lakhs plus accrued interest to the defendant no. 2. Amounts owed to two other creditors, Ms. Neha Aggarwal and Ved Prakash HUF, will also be released. Consideration of the plaintiff's request to sell the firm's assets is reserved for the next hearing.

ST GIRI SCHOOL THROUGH SHRI SUDHIR GIRI AUTHORISED REPRESENTATIVE VS MR.DHARMENDRA & ORS. [CONT.CAS(C)-147/2025]

Judges: Justice Manoj Jain

The contempt petition filed by St Giri School against Mr. Dharmendra & Ors. was disposed of, as the respondents did not willfully disobey the earlier order for police protection. Lack of a specific time schedule for actions was noted as the cause of delay. The respondents assured that necessary assistance would be provided after the upcoming elections, by 5th February 2025. The petitioner has the option to revive the contempt petition if compliance with the assurance is not met.



CAPSAVE FINANCE LIMITED VS UNION OF INDIA & ORS. [W.P.(C)-18015/2024]

Judges: Justice Manoj Jain

The Reserve Bank of India (RBI) superseded the Board of Directors of Aviom India Housing Finance Private Limited due to governance concerns and defaults, appointing an Administrator under the Reserve Bank of India Act, 1934. RBI plans to initiate the resolution process for the company under the Insolvency and Bankruptcy Rules, 2019, and will seek to appoint the Administrator as the Insolvency Resolution Professional through the NCLT, New Delhi. The petitioner has the liberty to file a fresh petition if needed in the future.

MAHESH KUMAR VS VIJAY KUMAR DEV & ORS [CONT.CAS(C)-899/2019]

Judges: Justice Manoj Jain

The contempt petition filed by Mahesh Kumar against Vijay Kumar Dev & Ors was disposed of. Kumar sought to correct certain entries in a survey application form but later opted to file a separate substantive petition regarding the survey's entry methods. The survey was already conducted, and his case was considered during that process. Nothing remains in the contempt petition, and Kumar can pursue a new petition if desired. Should he be entitled to a certificate of vending and it is not issued, he may revive the current petition.

RAGHAV VS NITESH KUMAR MISHRA [CONT.CAS(C)-128/2025]

Judges: Justice Manoj Jain

Six connected contempt petitions were disposed of, with the petitioners instructed to report to the Nehru Yuva Kendra Sangathan (NYKS) head office on 31.01.2025. The respondent's counsel confirmed that the petitioners would have necessary actions taken within three working days upon completing procedural formalities. Previous similar matters were addressed with directions issued on 23.01.2025.

SHRI RAM SINGH VS SH ANISH DAYAL SINGH & ORS. [CONT.CAS(C)-1618/2024]

Judges: Justice Manoj Jain

The petitioner is permitted to join duty within one week, as the initial deadline of 21.01.2025 did not provide sufficient time. The respondent department is directed to inform the relevant authorities to facilitate a smooth reporting process for the petitioner.

MS PREETI VS SHRI ASHWINI KUMAR [CONT.CAS(C)-84/2025]

Judges: Justice Manoj Jain

The contempt petition against the respondents was disposed of because the Municipal Corporation of Delhi complied with earlier directives. The MCD issued a fresh show-cause notice, provided an opportunity for hearing, and confirmed that necessary rectifications were made according to the Building Byelaws, thus no further proceedings were needed. The petitioner retains the option to pursue other legal actions as allowed.

VIKRAM SINGH GAHLOT & ORS. VS DELHI DEVELOPMENT AUTHORITY & ORS. [W.P.(C)-1607/2024] Judges: Justice Manoj Jain

The DDA's proposal to auction 364 EWS flats in Sector 19-B Dwarka to successful bidders of higher category flats at market rates addresses the petitioners' grievances. The application was accepted, and the petition was disposed of, allowing the petitioners to challenge the reserved price of the EWS flats if deemed arbitrary or irrational.



FARIDA JAIN VS DELHI DEVELOPMENT AUTHORITY [W.P.(C)-3690/2011]

Judges: Justice Manoj Jain

The DDA's rejection of the petitioner's request for mutation of a flat allotted to her mother was invalid due to the continued acceptance of payments from the petitioner despite the alleged cancellation. The absence of a formal notice of cancellation or clear annulment action demonstrated that the petitioner's entitlement to mutation and possession of the flat remained intact. The DDA is directed to carry out the mutation in the petitioner's favor and transfer possession of the flat within a specified time.

S.C. GUPTA VS D.D.A. & ORS. [W.P.(C)-15655/2004]

Judges: Justice Manoj Jain

The petitioner's application for rectification of an order dated March 1, 2024, was dismissed. The earlier order, made with the petitioner's consent, required the DDA to calculate misuser charges for 19.34 sq. meters used by the petitioner from January 15, 1986, until cancellation. The application for conversion from leasehold to freehold was allowed upon payment of misuser and restoration charges. There was no valid reason to modify the order, and re-hearing the matter was deemed impermissible.

RESIDENT S WELFARE ASSOCIATION B 1 VASANT KUNJ VS DELHI DEVELOPMENT AUTHORITY & ORS.

[CONT.CAS(C)-118/2024]

Judges: Justice Manoj Jain

The directions issued by the Vice-Chairman of the Delhi Development Authority regarding the management of the approach road, pedestrian entry, and parking for a residential area and a school were upheld. The DDA must provide a pedestrian entry from the adjacent green area within 6 weeks to ensure the safety and convenience of school children. The grievances of the petitioners in CONT.CAS(C) 118/2024 and W.P.(C) 1797/2016 were addressed, and no further relief was sought by them.

PARDEEP KUMAR VS UNION OF INDIA & ORS. [W.P.(C)-739/2025]

Judges: Justice Manoj Jain

The writ petition filed by Pardeep Kumar requires the Delhi Development Authority (DDA) to treat it as a representation and make a decision with a speaking and reasoned order within 12 weeks. The DDA must provide an opportunity for a personal hearing to the petitioner before making the decision. The petitioner can pursue further legal action if dissatisfied with the outcome.

SHLOK BHARDWAJ VS DELHI DEVELOPMENT AUTHORITY (DDA) [W.P.(C)-726/2025]

Judges: Justice Manoj Jain

The petitioner reported a dilapidated flat allocated by the Delhi Development Authority (DDA), highlighting issues like a cracked ceiling and fallen plaster. Despite multiple notifications, the DDA did not take action and excluded the flat from its 2016 Roof Replacement Scheme without explanation. The DDA is required to treat the petition as a representation and resolve the matter within six weeks, providing the petitioner a chance to be heard. The petitioner retains the option to return to court if dissatisfied with the DDA's decision.

BHAVYA SINGH VS RESERVE BANK OF INDIA & ORS. [W.P.(C)-4023/2024]

Judges: Justice Manoj Jain

The Directorate of Enforcement (ED) mistakenly froze the petitioner's bank account instead of that of "KUDOS FINANCE AND INVESTMENT PVT. LTD." The ED acknowledged the error and committed to defreezing the petitioner's account and refunding transferred amounts. The case was resolved with a directive for compliance with these commitments.



SH. TARIF SINGH & ORS. VS DELHI DEVELOPMENT AUTHORITY [W.P.(C)-482/2025]

Judges: Justice Manoj Jain

The Delhi Development Authority's order concerning certain warehouses lacked reasoning, hindering the petitioners' ability to appeal. A directive was issued for the DDA to reconsider the matter and issue a reasoned order within six weeks, allowing for personal hearings if necessary. The previous order is rendered ineffective following this directive.

SMT RAJ RANI SINCE DECEASED THROUGH LEGAL HEIR SH. BRIJ MOHAN VS SH. NARESH KUMAR, CHIEF SECRETARY, NCT OF DELHI & ORS. [CONT.CAS(C)-1215/2023]

Judges: Justice Manoj Jain

The contempt petition filed by the legal heir of Smt. Raj Rani was dismissed. The legal heir sought possession of a flat from the Delhi Development Authority (DDA) under a rehabilitation scheme but failed to comply with directives to appear with necessary documents. The DDA offered several opportunities to resolve the matter, which were not utilized by the petitioner. No evidence of willful disobedience by the DDA was found, leading to the dismissal of the petition as meritless.

SHUBHAM JAIN VS POONAM ARORA & ORS. [CONT.CAS(C)-1137/2024]

Judges: Justice Manoj Jain

The respondents issued a speaking order on the petitioner's representation, complying with a previous order, despite the petitioner's disagreement with the reasons for not releasing the sale deed. The focus of the contempt petition was on compliance with substantive directions. Since the respondents provided a decision as required, no further action was warranted in the contempt petition, and the petitioner may challenge the speaking order in a separate substantive petition if desired.

HABIB AHMAD VS THE COMMISSIONER MCD AND ORS [CONT.CAS(C)-1851/2023] Judges: Justice Manoj Jain

The petitioner's request for contempt proceedings against the respondents for non-compliance with previous directions is not currently pursued due to an appeal filed by respondent no. 6 before the Appellate Tribunal, MCD, which was dismissed. A further appeal against this dismissal is pending. The petitioner may file the contempt petition again if the MCD does not take further action as instructed after the pending appeal is resolved.

LACHMAN DASS VS DELHI DEVELOPMENT AUTHORITY [W.P.(C)-1508/2014] ☑

Judges: Justice Manoj Jain

The Delhi Development Authority (DDA) unjustifiably canceled the allotment of a plot of land to Lachman Dass, who received it in 1985 as rehabilitation for his shop destroyed during the 1984 riots. Sufficient documentation, including his inclusion in a DDA survey list, confirmed his operation of a hardware business at the original site. The cancellation based solely on the absence of original documents was deemed inappropriate, considering the circumstances of loss due to the fire. The DDA was directed to restore physical possession of the plot to Lachman Dass within 10 weeks.

MALOOK CHAND VS DELHI DEVELOPMENT AUTHORITY & ORS. [W.P.(C)-8260/2024] Judges: Justice Manoj Jain

The Delhi Development Authority (DDA) is directed to consider the recommendation of the Joint Committee led by the SDM of Punjabi Bagh, which suggested handing over possession of a flat to petitioner Malook Chand, based on positive reports from the EOW and Punjab Government. The DDA must act on this recommendation within 8 weeks, and the petitioner may revive the petition if dissatisfied with the DDA's decision.



KAMLESH KUMAR GUPTA VS NARESH KUMAR & ORS [CONT.CAS(C)-336/2017]

Judges: Justice Manoj Jain

The contempt petition filed by Kamlesh Kumar Gupta was disposed of due to a prior order from 31.05.2011 being recalled on 03.11.2017. The petitioner had the option to approach the Town Vending Committee (TVC) with supporting documents, which subsequently reviewed the case. On 13.12.2024, the TVC stated it could not allocate requested relocation sites but would verify the petitioner's matter once the survey process commenced. The petitioner is now allowed to participate in the survey process, with his case to be reviewed by the TVC as per its order on 13.12.2024.

DIMPLE SACHDEVA VS SANJEEV KUMAR MITTAL & ANR. [CONT.CAS(C)-1703/2024]

Judges: Justice Manoj Jain

The contempt petition filed by Dimple Sachdeva against Sanjeev Kumar Mittal was disposed of because the DSIIDC had considered Sachdeva's representation without her knowledge. Status quo is maintained for two weeks to allow Sachdeva to challenge the DSIIDC's order from 23.08.2024 if she chooses.

PREM BHALLA THROUGH AN ATTORNEY VS SUBHASISH PANDA VICE CHAIRMAN DELHI DEVELOPMENT AUTHORITY [CONT.CAS(C)-1913/2023]

Judges: Justice Manoj Jain

The petitioners were misled into depositing money with the Delhi Development Authority (DDA) through forged allotment letters, with no legitimate allotment or scheme in place. The DDA is required to refund the principal amounts to the petitioners within 12 weeks, contingent upon the petitioners submitting affidavits confirming their non-involvement in any criminal investigation or trial. The ongoing criminal investigation remains unaffected by this directive. The contempt petition was not pursued.

SMT BIMLA KOUL HANDOO VS UNION TERRITORY OF JAMMU AND KASHMIR & ANR. [W.P.(C)-4817/2023] Judges: Justice Manoj Jain

A writ petition by a widow in her seventies regarding the recovery of an excess family pension of Rs. 11,61,477 is deemed maintainable, as the final action occurred within the Delhi High Court's jurisdiction. The facts differ from a previous Supreme Court case, with principles from Rafiq Masih establishing limits on recovery of excess pension payments. Recovery in this instance is deemed impermissible, prompting a directive for the respondents to refund the amount within 10 weeks, with an additional 8% interest per annum if not refunded.

MR ANCKUR V MITTAL VS BANK OF BARODA GENERAL MANAGER (PRINCIPAL NODAL OFFICER) & ANR. [W.P.(C)-28/2025]

Judges: Justice Manoj Jain

The petitioner participated in a SARFAESI auction, depositing 25% of the bid amount but failed to pay the remaining amount on time, resulting in the forfeiture of the deposit. The petitioner contended that the bank later settled with the original borrower, who paid the outstanding dues and had the mortgaged property released, asserting no loss was incurred. A decision was made to require the bank to consider the petitioner's points as a representation and resolve the matter within 6 weeks, without a final determination on the merits. The petitioner was permitted to return if the outcome is unfavorable.



MD. FARUQUE ALWANDER FARUKH GENDA VS GOVERNMENT OF NCT DELHI, SHRI NARESH KUMAR AND ANOTHER [CONT.CAS(C)-317/2024]

Judges: Justice Manoj Jain

The directions from an earlier order regarding the reconsideration of the petitioner's case for premature release have been complied with. The Sentence Review Board reviewed the case and rejected it as per the law, with the meeting minutes approved by the Chief Minister and the Lieutenant Governor. The grievances in the contempt petition have been addressed, and the petition is disposed of, allowing the petitioner the opportunity to challenge the rejection in a separate petition.

NAVEEN YADAV ALIAS PRINCE VS ARVIND RANA [CONT.CAS(C)-1158/2023]

Judges: Justice Manoj Jain

Naveen Yadav is entitled to compensation as per the order dated 26.04.2018. The Sub Divisional Magistrate (SDM) is directed to ensure that the enforcement application is listed and steps are taken to implement the 2018 order. The employer has absconded, and arrest warrants have been issued against him. Yadav is to provide any additional address for the employer to facilitate the execution of the warrants. The SDM is expected to dispose of the application within 6 weeks of filing. The contempt petition is disposed of, allowing Yadav to approach the court again if necessary.

MUKESH KUMAR BANSAL VS CENTRAL BANK OF INDIA & ANR. [W.P.(C)-4138/2021] ♂

Judges: Justice Manoj Jain

The Central Bank of India's action to put the partnership firm M/s Imperial Finance Company's current account "on hold" to recover dues from the sole proprietorship firm M/s Next World Technologies was deemed legally impermissible. The accounts are distinct entities with no mutuality of obligation, necessary for the bank's right of set-off or lien. The bank must immediately lift the "on hold" status from the partnership firm's account but can pursue other legal means to recover dues from the sole proprietorship.

RAJESH KUMAR BALIYAN VS STATE [CRL.A.-376/2010]

Judges: Justice Manoj Kumar Ohri

The prosecution did not conclusively prove the demand and acceptance of a bribe by the appellant, a public servant, under the relevant sections of the Prevention of Corruption Act. Both the complainant and the panch witness failed to positively identify the appellant, and their testimonies contained material contradictions when compared to other witnesses. Consequently, the appellant's conviction was set aside.

DELHI ADMINISTRATION VS HARI CHAND [CRL.A.-557/2009]

Judges: Justice Manoj Kumar Ohri

The acquittal of the respondent in a case under the Prevention of Food Adulteration Act, 1954, was upheld due to discrepancies between the public analyst's and Central Food Laboratory's reports regarding fat content and milk solids, raising doubts about the sample's representativeness. The principles favoring the accused at the appellate stage after a trial court's acquittal were applied, leading to the conclusion that the benefit of the doubt should favor the accused. The appeal was dismissed, and no issues were found in the lower court's order.

MITHLESH KUMAR & ORS. VS STATE [CRL.A.-455/2009]

Judges: Justice Manoj Kumar Ohri

The appellants were convicted under Sections 308 and 323 of the Indian Penal Code for culpable homicide not amounting to murder and voluntarily causing hurt. Evidence from injured victims and eyewitnesses established the necessary intent. The sentence was modified to the period already served, taking into account the appellants' financial condition, lack of prior criminal history, and the 17-year gap since the incident.



SAREGAMA INDIA LIMITED VS VELS FILM INTERNATIONAL LIMITED & ORS. [CS(COMM)-38/2025] Judges: Justice Mini Pushkarna

Saregama India Limited is the owner of the copyright in the song "En Iniya Pon Nilave" from the film "Moodu Pani," based on an assignment agreement with the film's producer. Under Section 17 of the Copyright Act, the producer is recognized as the first owner of the copyright in the musical and literary works of the film. Claims by the music composer, defendant no. 3, for the right to adapt the musical work were rejected due to the assignment of rights to the plaintiff. However, defendant no. 1, the producer of the film "Aghathiyaa," was permitted to use the song upon depositing a license fee of Rs. 30 Lakhs with the court, preserving the rights and contentions of all parties involved.

NEERAJ SARAN SRIVASTAVA & ANR. VS LOUDON OWEN & ORS. [CS(COMM)-686/2023] Judges: Justice Mini Pushkarna

The plaintiffs' replications were accepted as they were filed within the 45-day time limit and the delays were resolved within the allowed 30-day period. The delay in filing the replications was condoned, and the defendants' applications to strike off the replications were dismissed.

IMS LEARNING RESOURCES PRIAVATE LIMITED VS YOUNG ACHIEVERS [CS(COMM)-602/2018] Judges: Justice Mini Pushkarna

IMS Learning Resources Pvt. Ltd. is recognized as the proprietor of the trademark "IMS," having built significant goodwill over four decades. The use of "IMS Young Achievers" by the defendant after the termination of the license agreement constitutes trademark infringement, passing off, dilution, and tarnishment of the well-known trademark. The defendant's actions were characterized as dishonest and vexatious, resulting in an award of ₹30 Lakhs for costs and damages, along with a permanent injunction preventing further use of the mark "IMS" or any similar mark.

AKTIEBOLAGET VOLVO & ORS. VS R. VENKATACHALAM AND ANR. [CS(COMM)-346/2018] Judges: Justice Mini Pushkarna

Aktiebolaget Volvo and others are the registered proprietors of the trademarks "PENTA" and "VOLVO PENTA," having demonstrated extensive use and ownership of these marks. The validity challenges to the trademarks by the defendants were rejected, and the defendants' use of the PENTA mark constituted trademark infringement and passing off. A permanent injunction was granted in favor of the plaintiffs.

DCM SHRIRAM LIMITED VS MR AMREEK SINGH CHAWLA & ORS. [CS(COMM)-990/2024] Z Judges: Justice Mini Pushkarna

DCM Shriram Limited suppressed material facts and misrepresented the timeline regarding the defendants' products, being aware of them since 2018 while claiming a discovery in October 2024. The defendants had been selling products under the "303" and "404" marks since 2014, prior to DCM Shriram's launch of its own products. The plaintiff's failure to disclose relevant documents resulted in non-compliance and a lack of clean hands. This led to the vacation of the previously granted ex-parte ad interim injunction order in favor of the plaintiff.

NOVARTIS AG & ANR. VS NATCO PHARMA LIMITED [CS(COMM)-229/2019]

Judges: Justice Mini Pushkarna

The defendant is allowed to file an additional written statement regarding the plaintiffs' divisional patent application (IN 5338/DELNP/2014), which was refused by the patent office. The plaintiffs' claims that previous interim orders conclusively decided the issues were rejected, as those findings were considered only prima facie and did not prevent the defendant from addressing the divisional application. The defendant has 30 days to submit the additional written statement.



DIAMOND MODULAR PVT LTD. VS YASH ARORA AS TRADING AS SIDDHI VINAYAK TRADERS AND ANR. [C.O. (COMM.IPD-TM)-225/2021]

Judges: Justice Mini Pushkarna

The trademark "GREEN DIAMOND" registered under No. 4290006 in Class 9 is subject to removal due to its dishonest adoption by the respondent, a former distributor of the petitioner's goods. The petitioner has demonstrated prior and continuous use of the "DIAMOND" mark since 1975, building substantial sales and reputation. The similarity between the marks is deceptive, and the respondent's actions were intended to exploit the petitioner's goodwill. The cancellation of the respondent's trademark registration is mandated.

RPG ENTERPRISES LIMITED VS RPG INDUSTRIAL PRODUCTS PVT LTD. [C.O. (COMM.IPD-TM)-203/2022] Usunges: Justice Mini Pushkarna

The trademark registration for "RPG" held by RPG Industrial Products Pvt Ltd is cancelled due to RPG Enterprises Limited's prior adoption and extensive use of the mark, which is recognized as a well-known trademark. The identical use of "RPG" by the respondent is likely to cause consumer confusion, and the adoption of the mark was not made in good faith, violating Sections 11(1), 11(2), and 11(3) of the Trade Marks Act, 1999.

MALPANI ENTERPRISES VS REGISTRAR OF TRADE MARKS [W.P.(C)-IPD-27/2024]

Judges: Justice Mini Pushkarna

The notice of opposition filed by Malpani Enterprises against the trademark application 'R3 DÉCOR' was accepted, despite being submitted after the deadline. The respondent acknowledged that the last date for filing was 16th August 2024, and Malpani Enterprises encountered technical issues while attempting to file online on that date. As a result, the physically filed notice of opposition was ordered to be accepted and processed according to the law. The previous rejection of the notice as time-barred was set aside.

GOVT OF NCT OF DELHI AND ANR VS DHARMESH KUMAR [W.P.(C)-14424/2024]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The Central Administrative Tribunal erred in directing a fresh medical examination for a respondent deemed unfit for appointment in the Delhi Police. The Initial Medical Examination (DME) and Review Medical Examination (RME) reports, which were based on expert opinions, did not reveal significant discrepancies that justified interference. Judicial review in recruitment for disciplined forces like the police is limited and should not act as an appellate authority over medical opinions. The order of the Central Administrative Tribunal was set aside, and the petition from the Government of NCT of Delhi was allowed.

STAFF SELECTION COMMISSION & ORS. VS MANISH KUMAR [W.P.(C)-14508/2024]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The order of the Central Administrative Tribunal (CAT) for the Staff Selection Commission (SSC) to conduct a re-medical examination of Manish Kumar by a new Medical Board was upheld. The available medical reports, including a dermatologist's opinion, did not support the SSC's conclusion that he was unfit due to 'vitiligo vulgaris'. A fresh medical evaluation was deemed necessary.

UNION OF INDIA AND ORS VS ANISH PANDEY [W.P.(C)-14177/2024] ☑

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The order of the Central Administrative Tribunal allowing Anish Pandey's application was set aside due to the oversight of a medical expert's explanation linking his condition, "Gross Deviated Nasal Septum with caudal deviation," to disqualification for the Constable (Executive) post. The matter was remanded for a fresh decision based on legal standards, free from previous observations.



STAFF SELECTION COMMISSION & ORS. VS MOHIT [W.P.(C)-14107/2024]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The petition by the Staff Selection Commission was dismissed, upholding the Central Administrative Tribunal's order for a re-medical examination of Mohit to assess his fitness for the Constable (Executive) position in the Delhi Police Examination, 2023. It was clarified that the disqualification criteria for haemorrhoids pertained only to internal cases, while Mohit had external haemorrhoids, necessitating further medical evaluation to ascertain his condition.

STAFF SELECTION COMMISSIONER & ORS. VS MUKEEM KHAN & ANR. [W.P.(C)-14745/2024]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The petition by the Staff Selection Commissioner was dismissed, affirming the Central Administrative Tribunal's order for a re-medical examination of Mukeem Khan by a new medical board. The applicable medical guidelines for the Central Armed Police Forces, which necessitate hospitalization and additional tests for candidates with hypertension before determining fitness, were acknowledged as appropriate for assessing unfit candidates. The petitioners did not demonstrate compliance with this procedure regarding Khan, leading to the dismissal of the petition.

GOVT OF NCT OF DELHI AND ANR VS OM PRAKASH [W.P.(C)-14189/2024]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

The order for a fresh medical examination of the respondent by a new medical board was set aside due to proper procedures being followed by the DME and RME boards, which assessed the respondent as unfit for appointment due to a squint. The Tribunal's lack of sufficient reasoning for ordering a new examination and reliance on an earlier order without acknowledging key distinctions was noted. The limited scope for judicial review emphasizes deference to medical expertise unless there are procedural breaches or exceptional circumstances.

KULDEEP SINGH SENGAR VS CENTRAL BUREAU OF INVESTIGATION [CRL.A.-53/2020]

Judges: Justice Navin Chawla, Justice Harish Vaidyanathan Shankar

Kuldeep Singh Sengar received 30 days of interim bail for cataract surgery at AIIMS based on genuine medical grounds. No further extensions of the sentence suspension on medical grounds will be allowed. The CBI is instructed to monitor Sengar's activities during this interim bail period.

SAHIL SINGH VS UNION OF INDIA & ANR. [W.P.(C)-11991/2023]

Judges: Justice Navin Chawla, Justice Manoj Jain

Sahil Singh's petition to include bonus marks for his "NCC-A Certificate" and appoint him as Constable was dismissed. He indicated in his application that he did not hold the NCC certificate, and the recruitment notice specified that only candidates who opted for the certificate could receive bonus marks. A previous judgment established that bonus marks cannot be awarded if not claimed in the application. The argument regarding a technical issue in uploading the certificate was dismissed, as he had already stated he lacked it, and the recruitment process was completed.

AET LABORATORIES PVT LTD & ANR. VS HELSINN HEALTHCARE SA [FAO(OS) (COMM)-18/2025] Judges: Justice Navin Chawla, Justice Manoj Jain

The ad-interim ex-parte injunction against AET Laboratories, preventing the commercial launch of an allegedly infringing product in India, remains in effect. The injunction order can be challenged by AET Laboratories through an application to vacate it, with Helsinn Healthcare SA required to respond within two weeks. A decision on the application is to be pursued on merits within four weeks, with no opinion expressed on the claims of either party.



ABHIJIT SINGH VS UNION OF INDIA & ORS. [W.P.(C)-922/2025]

Judges: Justice Navin Chawla, Justice Manoj Jain

The respondents, including the Union of India, must consider Abhijit Singh's claim for disability benefits under the "Golden Jubilee Seema Prahari Kalyan Kawach" and the Para Military Salary Package as a representation and issue a reasoned order within 8 weeks. Merits of the claim are not examined; eligibility determination is left to the respondents. If eligible, benefits and consequential relief must be granted within 4 weeks. The petitioner may seek further legal recourse if dissatisfied with the outcome.

JITENDER SINGH VS UNION OF INDIA & ORS. [W.P.(C)-913/2025] ☑

Judges: Justice Navin Chawla, Justice Manoj Jain

The decision to declare the petitioner unfit for appointment to the post of Assistant Sub Inspector (ASI) under the Limited Departmental Competitive Examination (LDCE)-2022 was upheld. The presence of an opacity in the lung field larger than 1 cm in the petitioner's chest X-ray constituted valid grounds for disqualification, irrespective of the absence of specific medical conditions listed in the Guidelines for Recruitment Medical Examination. The petitioner's existing employment with the CISF and fitness in routine medical check-ups were not considered relevant, as the LDCE medical examination was a separate requirement. No legal infirmity was found in the Review Medical Examination's decision, leading to the dismissal of the petition.

NILESH KUMAR YADAV VS CISF AND ANR. [W.P.(C)-933/2025]

Judges: Justice Navin Chawla, Justice Manoj Jain

The petition by Nilesh Kumar Yadav was dismissed due to medical findings from the Detailed Medical Board and Review Medical Board, which deemed him "unfit" for the Assistant Sub-Inspector position due to "Right Testicular Hypertrophy." The existence of even a "Minimal Hydrocele" is a disqualification under medical guidelines. The argument that normal promotion rules should apply, given his current position as a constable, was also rejected.

CHITRA SHARMA VS UNION OF INDIA THROUGH THE SECRETARY HOME DEPARTMENT MINISTRY OF HOME AFFAIRS & ORS. [W.P.(C)-16598/2024] ☑

Judges: Justice Navin Chawla, Justice Manoj Jain

The presence of a small cyst on the upper lid of the petitioner's left eye should not have led to her disqualification for the Constable (GD) position in CAPFs and Assam Rifles Examination, 2024. The RMEB indicated that further diagnostic evaluation was necessary, yet labeled the petitioner unfit without conducting it. A directive was issued for re-examination at the Army (R&R) Hospital to assess her medical fitness, and one Constable (GD) position was to remain vacant in the event of her success.

SANJAY KUMAR VS UNION OF INDIA AND ORS. [W.P.(C)-9519/2019]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The recovery of Rs. 1,30,143 from the petitioner, a Group C employee, was deemed impermissible as the excess amounts for RHA and HRA were due to the respondents' error. The respondents must refund the recovered amount to the petitioner within 12 weeks.

BIBEKANANDA DAS VS UNION OF INDIA AND ORS [W.P.(C)-274/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The petitioner's grievance regarding dismissal from service by the Commandant, CISF in Rajasthan is not suited for the High Court of Delhi. The cause of action arose in Rajasthan, making that jurisdiction more appropriate. The petition is dismissed, but the petitioner may approach the jurisdictional High Court.



CHANDER KANT VS CENTRAL RESERVE POLICE FORCE & ANR. [W.P.(C)-264/2025] ☑

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

A split judgment directed the re-examination of the petitioner by a new Medical Board, including an Ophthalmologist, for the Constable (Driver) position in the Central Reserve Police Force. The introduction of a new rejection ground during the Review Medical Examination posed a potential lack of remedy for the petitioner. The fresh medical examination is to be completed within two weeks. If deemed fit, the petitioner's appointment process will continue. If found unfit, reasons will be provided, allowing the petitioner to pursue legal remedies.

AJAY SINGH KUSHWAHA VS UNION OF INDIA & ORS. [W.P.(C)-260/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

Respondents are required to decide the petitioner's representation within 8 weeks. The merits of the petitioner's claim have not been considered, and the question of limitation remains open for future adjudication if a relevant proceeding is initiated. The petition was disposed of without separate or dissenting judgments.

MS. UTKARSHA LAL VS UNION OF INDIA & ORS. [W.P.(C)-17236/2024]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The petitioner, unable to attend the Physical Endurance Test (PET)/Physical Standard Test (PST) due to an injury, received a final opportunity to take the test within two weeks. The PET/PST is considered a minimum requirement rather than a competitive exam. Valid reasons for the initial absence were acknowledged, and the respondents were directed to inform the petitioner's counsel about the new test arrangements. If the petitioner fails to appear on the rescheduled date, her candidature will be rejected. This decision balances the petitioner's circumstances with the selection process requirements.

KIRAN SEHGAL PROP. M/S BALAJI TRADING COMPANY AND OTHERS VS VEENA AGGARWAL PROP. POWER ELECTRO CONTROLS [FAO (COMM)-5/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The appeal was dismissed, maintaining the interim order that prohibited the use of the trademarks "POWERMEN DLX" and "POWERMEN MAXX" due to their phonetic similarity to the registered trademark "POWERMAN," which is likely to cause confusion. Registration of the appellants' marks does not prevent a passing off action. An injunction can be issued against a registered proprietor if passing off is established. Arguments regarding other similar marks in the market and outstanding debts were deemed irrelevant to the passing off claim. Observations made were only preliminary and not final regarding the merits of the case.

BAKSISH AHMAD VS UNION OF INDIA & ANR. [W.P.(C)-229/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The writ petition filed by Baksish Ahmad challenging his dismissal from service by the Commandant of the 44th Bn. BSF was dismissed. The appropriate forum to address the petition was determined to be outside the jurisdiction of Delhi High Court, as the cause of action originated in West Bengal and Jammu & Kashmir. The petitioner's ability to seek remedies in the proper jurisdiction was preserved.



EX CPO JITENDRA SINGH VS UNION OF INDIA & ORS. [W.P.(C)-216/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

The petition by Ex CPO Jitendra Singh, challenging the Armed Forces Tribunal's rejection of his request for an expedited hearing regarding his termination through a Summary Trial, was dismissed. It was emphasized that the Tribunal's decision to not expedite the hearing lacked any legal issues that would necessitate intervention. The petitioner had sought an expedited hearing of the Original Application instead of interim relief, which had previously been granted. The dismissal does not prevent the petitioner from filing another application with the Tribunal if the OA is not heard in a reasonable time or if circumstances change.

SAYRESH DHAVJ DHANGDA VS STAFF SELECTION COMMISSION AND ANR [W.P.(C)-17991/2024] Judges: Justice Navin Chawla, Justice Ravinder Dudeia

The petition challenging the Detailed Medical Report and Review Medical Report, which deemed the petitioner unfit for the Physical Standard Test for the position of Constable in various forces, was dismissed due to lack of territorial jurisdiction. The recruitment advertisement specified that jurisdiction was limited to the location of the Computer Based Examination, which was not in Delhi where the petition was filed. The petitioner was advised to approach a court with proper jurisdiction.

AMIT KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-230/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

A petition challenging dismissal from the CISF was deemed unsuitable for adjudication in Delhi due to the application of the doctrine of forum non conveniens, as the cause of action arose in Tamil Nadu. The petition was dismissed, and the petitioner was given the option to approach the jurisdictional High Court for remedies.

BRIJ KISHOR AND ORS VS UNION OF INDIA & ORS. [W.P.(C)-245/2025]

Judges: Justice Navin Chawla, Justice Ravinder Dudeja

Respondents are directed to consider the petitioners' representation for notional monetary benefits in replacement pay scale from January 1, 1996, to October 10, 1997, based on the ranks held as of January 1, 1996. Petitioners rely on a prior judgment. If entitled to reliefs, benefits will be released for the three years preceding the writ petition. If claims are rejected, respondents must issue a reasoned order, allowing petitioners to challenge it as per the law.

DEEPAK & ORS. VS UNION OF INDIA & ORS. [W.P.(C)-1092/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents are required to consider and decide the statutory petition filed by the petitioners within 8 weeks, taking into account the communication dated 16.01.2025 from the Commandant of the 200 BN BSF. There are no comments on the merits of the case or the applicability of the Order dated 16.01.2025. The petition is disposed of.

CONST. RAJESH KUMAR SHARAWAT VS UNION OF INDIA & ORS. [W.P.(C)-1068/2025] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents are directed to treat the petitioner's writ petition as a representation and to issue a reasoned order within 8 weeks, without addressing the merits of the case. The petitioner retains the right to challenge the subsequent order if aggrieved. The writ petition and any pending application have been disposed of.



SONU SINGH VS UNION OF INDIA & ORS. [W.P.(C)-121/2025] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The CISF is to establish a Medical Board to re-evaluate Sonu Singh's fitness for the Assistant Sub Inspector (Executive) position according to government medical guidelines. The board must include an orthopedic specialist and take into account a medical report from the Army Hospital. If found fit, Singh will be appointed retroactively to the date of his batchmates with all benefits except pay. If declared unfit again, no further challenges to that decision will be permitted.

KARTHIKEYAN K (DC/ELECT) VS UNION OF INDIA & ORS. [W.P.(C)-1065/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

Karthikeyan K (DC/Elect) challenged the Annual Transfer Order 2024 issued by FHQ BSF, arguing that he should not be assigned to FTR, Srinagar again after completing the three-year tenure as per the Transfer Policy Circular dated 01.12.1999. The respondents were directed to consider this challenge as a representation for the Annual Transfer Order-2025 or Regular Transfer Orders. It was indicated that an opinion on the merits of the claim had not been provided, and the petitioner could pursue legal action if the representation was rejected.

ASHOK JINDAL VS UNION OF INDIA THROUGH THE CHAIRMAN RAILWAY BOARD & ORS. [W.P.(C)-992/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents, specifically the Union of India through the Chairman Railway Board, must establish an Integrated Medical Board to evaluate Ashok Jindal's medical status and fitness category within four weeks. Jindal, a Constable in the Railway Protection Force, sustained a crush injury to his right foot on duty, resulting in a Disability Certificate indicating 20% locomotor permanent disability. No opinion has been provided on the merits of Jindal's claims, and the Medical Board can make an independent decision. Jindal retains the right to challenge any unfavorable decision made by the respondents.

ROHTASH KUMAR GODARA VS BORDER SECURITY FORCE [W.P.(C)-467/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The Border Security Force must decide Rohtash Kumar Godara's post-confirmation petition under Section 117(2) of the Border Security Force Act, 1968 within three weeks. Godara has already served 37 days of open arrest and 68 days of rigorous imprisonment. If the decision is not made in that timeframe, the Force is required to address Godara's application for suspension of sentence under Section 130(1) of the Act within the same period.

HASEEB AHMAD VS DELHI WAQF BOARD THROUGH CEO & ORS. [W.P.(C)-410/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition filed by Haseeb Ahmad against an order of the Central Administrative Tribunal was dismissed as misconceived and labeled "luxury litigation." The Tribunal had scheduled a hearing for the original application on 29.10.2024 and allowed the petitioner to mention the case earlier if necessary. The petition was dismissed with costs of Rs. 5,000 to be deposited with the Delhi High Court Legal Service Committee.

MOHD YUNUS AND ORS VS DELHI WAQF BOARD & ORS [W.P.(C)-412/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition challenging the Central Administrative Tribunal's order was dismissed. The Tribunal had set a hearing date for 29.10.2024 and allowed the petitioners to request an earlier mention if necessary. The petitioners were deemed ineligible for preferential treatment compared to similarly placed individuals, and it was concluded that Tribunal's case management should not face interference.



MOHD SADAT ASHRAF ORS & ORS. VS DELHI WAQF BOARDTHROUGH & ORS. [W.P.(C)-409/2025] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition challenging the order of the Central Administrative Tribunal regarding expedited hearing on an interim relief application was dismissed. The petitioners could not claim preferential treatment over similarly placed individuals. The original application was set for a hearing the following day, rendering the writ petition misconceived.

METOMATIC INDUSTRIES PRIVATE LIMITED VS PRV ALLOYS LLP [RFA(COMM)-46/2025] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The appellant's appeal against a partially decreed suit in favor of the respondent was allowed. The appellant admitted to owing a sum but raised a plea regarding the trial court's lack of jurisdiction, which was not considered in the original decree. The appellant was granted the option to file a review application regarding this issue in the trial court and retains the right to challenge any adverse orders in accordance with the law.

MR SUNIL KUMAR VS UNION OF INDIA & ORS. [W.P.(C)-764/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The government's 2024 circular limiting the retention period for government accommodation remains effective. The petitioner is permitted to retain the accommodation until February 28, 2025, provided an undertaking to vacate by that date is submitted. The retrospective application of the circular did not allow adequate time for alternate accommodation arrangements. If the petitioner vacates by the specified date, the retention period will be regularized at the normal license fee from April 1, 2024. This decision considers the specific circumstances of the case and any potential favorable government provisions for personnel in "Legacy & Thrust Districts."

FORCE NO 047010151 INSP GD SANDEEP KUMAR AND ORS VS UNION OF INDIA AND ORS [W.P.(C)-15100/2022]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

Respondents cannot deny seniority to petitioners based on incomplete mandatory field service, as transfers and postings are the prerogative of authorities. Seniority for the petitioners must be re-fixed in line with previous judgments, and they should receive the associated benefits. No comments were made regarding the petitioners' rank for the Assistant Commandant position, as that was not relevant to the matter at hand.

NARENDER SINGH VS UNION OF INDIA AND ORS. [W.P.(C)-1394/2019] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The order withdrawing the petitioner's second financial upgradation under the ACP scheme was declared void due to a lack of opportunity for the petitioner to be heard or receive a show cause notice, violating principles of natural justice. The impugned order was set aside, and any deducted amounts were to be refunded. The respondents may reconsider the petitioner's entitlement for the second ACP in accordance with the law.



M/S MN AUTOMOBILE PRIVATE LIMITED VS GURIQBAL SINGH & ANR. [FAO (COMM)-20/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

M/S MN Automobile Private Limited must deposit the entire arrears of rent under Order XXXIX Rule 10 of the Code of Civil Procedure. The company did not dispute the lessor-lessee relationship or its obligation to pay rent, and a change in shareholding or management does not terminate the lease or exempt compliance with its terms. An acknowledgment of the payment obligation is sufficient, without needing to specify the exact amount. The appeal was dismissed but an extension of six weeks for the deposit was granted.

TILOTTAMMA MOSHAHARY RAWAT AND ORS VS UNION OF INDIA AND ORS [W.P.(C)-9788/2023] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The Central Reserve Police Force (CRPF) Recruitment Rules for the Assistant Commandant (Ministerial) position require candidates to be in the SHAPE I Medical Category and serve a 2-year probation period, which can be extended by another 2 years. There is no automatic confirmation after probation, as confirmation depends on a fitness assessment by the Departmental Promotion Committee and meeting the SHAPE I Medical Category standard. The challenge to the show cause notices for reversion lacked merit.

AJIT KUMAR & ORS. VS UNION OF INDIA & ORS. [W.P.(C)-1826/2022]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The review petition filed by the Union of India and others was dismissed for lacking merit. The petitioners were to receive the same relief granted to SI/GD Vinod Kumar in a previous judgment, supported by a prior co-ordinate bench decision and the Supreme Court's upholding of that decision.

NEERAJ SHARMA VS STAFF SELECTION COMMISSION AND ORS [W.P.(C)-11096/2023]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The DME and RME reports declaring the petitioner 'Unfit' for recruitment did not comply with guidelines. For 'Tachycardia', hospitalization prior to a fitness decision was required but was not followed. Concerning 'Scoliosis', the RME report lacked detailed investigation, contrary to a specialized hospital's report indicating no spinal deformity. A fresh Medical Board, excluding original DME and RME members and including an Orthopedician, is to be established for re-examination within 8 weeks.

UMESH KUMAR SINGH & ORS. VS UNION OF INDIA & ORS. [W.P.(C)-231/2022]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The review petition was dismissed due to lack of merit. Petitioners sought a review of a previous order that directed the respondents to treat a writ petition as a representation and extend relief similar to another case. A related review petition had previously been dismissed, and an appeal to the Supreme Court against that dismissal was also rejected, leaving no grounds to allow the current review petition.

YOGESH KUMAR SAXENA & ORS. VS UNION OF INDIA & ORS. [W.P.(C)-266/2022] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The review petition filed by the petitioners was dismissed due to lack of merit. The earlier direction to treat the writ petition as a representation and extend relief similar to that granted to SI/GD Vinod Kumar was not applicable to the petitioners. A prior decision by a co-ordinate bench, which dismissed a similar review petition and was upheld by the Supreme Court, supported this outcome. This matter involves similar issues across multiple cases.



NITISH KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-522/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petition challenging the Detailed Medical Examination (DME) and Review Medical Examination (RME) reports, which declared the petitioner "unfit" for the Assistant Sub-Inspector (Executive) position, was dismissed. The condition of moderate left-sided hydrocele, untreated, constituted an absolute ground for rejection under the Uniform Guidelines for the Medical Examination Test (MET) for Recruitment, regardless of its impact on duty performance. The medical reports were deemed valid.

SUNIL KUMAR MEHTA VS UNION OF INDIA & ORS. [W.P.(C)-529/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

A deformity of the fingers or hand does not automatically render a candidate unfit for appointment unless it significantly impairs their ability to perform required duties. In this case, the Detailed Medical Examination and Review Medical Examination did not confirm such impairment before labeling the petitioner unfit. A re-examination by a Medical Board at the Army Hospital (R&R) is mandated, with outcomes affecting the continuation of the appointment process based on the findings of fitness or unfitness.

RAHUL KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-554/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

A fresh Medical Board, including a Dermatologist, must determine if the petitioner's "Genital Vitiligo" qualifies as a "chronic skin disease" that disqualifies him from the Assistant Sub-Inspector (Executive) position. This process should exclude the doctors who previously deemed him "Unfit." The new assessment is to be completed within three weeks. If found "Fit," the appointment process will proceed; if "Unfit," the petitioner's candidature will be rejected.

ASST COMDT JAVED ALI (RETD) VS UNION OF INDIA & ORS. [W.P.(C)-390/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner, a retired Assistant Commandant in the Border Security Force, challenged a General Security Force Court order that found him guilty of violations under the Border Security Force Act, 1968, resulting in demotion and a severe reprimand. The respondents were directed to decide on the petitioner's Post Confirmation Petition against the GSFC order within six weeks and inform him of the decision. The petitioner has also filed a separate writ petition contesting a dismissal from service imposed by the GSFC.

HEAVY ENGINEERING CORPORATION LIMITED VS RAMPUR ENGINEERING CORPORATION LIMITED [FAO(OS) (COMM)-292/2024]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The appeal by Heavy Engineering Corporation Limited, seeking to condone the delay in challenging an arbitral award, was dismissed. The arbitral award was properly served, and the delay exceeded the maximum 30-day period allowed for condonation. The issue of the award's validity due to the unilateral appointment of the arbitrator remains open for future proceedings.

WTC NOIDA DEVELOPMENT COMPANY PVT. LTD. VS MS. ARTI KHATTAR & ORS. [FAO (COMM)-12/2025] Udges: Justice Navin Chawla, Justice Shalinder Kaur

The order dismissing the appellant's petition under Section 9 of the Arbitration and Conciliation Act, 1996 was set aside due to a premature determination regarding the validity of the arbitration agreement, which occurred without response from the respondents. The matter was remanded to the district court for reconsideration of the existence and arbitrability of the disputes after receiving the respondents' input, without addressing the merits of the dispute.



SUBHASH VS DIRECTORATE GENERAL BORDER SECURITY FORCE AND ORS [W.P.(C)-17678/2024] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's candidature for the Constable (Cook) position in the Border Security Force was wrongly rejected. A higher-level certificate will be accepted even if not stated in the advertisement. The respondents must reconsider the petitioner's application based on merit and, if suitable, appoint him with retrospective seniority from the date of his batchmates, without salary for the intervening period. The decision must be communicated to the petitioner within four weeks.

TAPAN CHETRY VS UNION OF INDIA AND ORS [W.P.(C)-453/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents' decision to consider the petitioner's promotion case in a sealed cover was not justified, as there were no pending disciplinary proceedings or charge sheet against him at the time of the Departmental Promotion Committee meeting. Reasons for using the sealed cover procedure must be provided, allowing the petitioner to contest them if necessary.

RAJINDERA PRASAD VERMA VS UNION OF INDIA AND ORS [W.P.(C)-469/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents were directed to explain the use of the sealed cover procedure for the petitioner's promotion to Inspector (Pharmacist), given that no disciplinary proceedings or charge-sheet existed at the time of the Departmental Promotion Committee. The petitioner has the option to contest the reasons provided by the respondents if dissatisfied.

ARBIND YADAV EX CT GD UIN 1191774 VS UNION OF INDIA AND ORS [W.P.(C)-436/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petition by Arbind Yadav challenging his termination from the Sashastra Seema Bal and the constitutionality of Rule 23 of the SSB Rules 2009 was dismissed. The application of the doctrine of forum non conveniens indicated that the appropriate jurisdiction for this matter is Uttar Pradesh, where the cause of action arose. The petitioner may approach the relevant High Court.

RAJU SHARMA VS UNION OF INDIA AND ORS [W.P.(C)-455/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents were directed to provide reasons for using the sealed cover procedure against Raju Sharma for his promotion to Assistant Commandant (Ministerial). At the time of the Departmental Promotion Committee (DPC), no disciplinary proceedings or charge sheet existed against Sharma. The sealed cover procedure was deemed inappropriate under these circumstances. The respondents must now explain their actions, with Sharma allowed to contest the reasons if dissatisfied.

ESAIYA KERKETTA VS UNION OF INDIA AND ORS [W.P.(C)-483/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's designation as 'unfit' for the Assistant Sub-Inspector (Executive) position, based on Detailed Medical Examination and Review Medical Examination reports, was deemed unjustified. A reexamination by a new Review Medical Examination, including a specialist dermatologist, is required to assess whether the petitioner's hypopigmentation condition qualifies as a "chronic skin disease" and its potential impact on job performance. Proper examination by a medical board is necessary before declaring a candidate unfit.



G. SHEKHAR VS UNION OF INDIA AND ORS [W.P.(C)-511/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The Detailed Medical Examination (DME) and Review Medical Examination (RME) reports deeming the petitioner unfit for the Assistant Sub-Inspector (Executive) position were deemed inadequate. The RME failed to fully consider a specialist dermatologist's opinion that the petitioner's hypopigmentation condition was asymptomatic and would not impair his activities. A fresh RME is required, conducted by a newly formed board including a dermatologist, to assess whether the condition qualifies as a "chronic skin disease" and its impact on job performance. Proper evaluation of medical conditions is essential before declaring a candidate unfit.

EX CT COOK NITESH KUMAR CHANDRAKAR VS UNION OF INDIA AND OTHERS [W.P.(C)-471/2025] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's appeal against the order dated 12.06.2023 must be considered by the Director General, BSF, within six weeks. The Director General is required to decide on the appeal and communicate the decision to the petitioner. The petitioner can challenge the decision if aggrieved.

SUMIT SANGWAN VS UNION OF INDIA AND ORS [W.P.(C)-13248/2022]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The dismissal of an Assistant Commandant in the Border Security Force was upheld under Section 10 of the BSF Act, 1968 and Rule 20(4)(a) of the BSF Rules, 1969. The Competent Authority's exercise of power was deemed appropriate after the findings of the General Security Force Court were not confirmed by the Confirming Authority. There was no re-appreciation of evidence, and the petitioner did not demonstrate any mala fide actions, irrelevant considerations, or arbitrary conduct in the decision-making process.

AMIT KUMAR YADAV VS UNION OF INDIA AND ORS. [W.P.(C)-509/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The matter is remanded to the Review Medical Examination Board for re-evaluation of the petitioner's medical fitness for appointment as an Assistant Sub-Inspector. Previous assessments regarding the petitioner's "pilonidal sinus" condition were deemed insufficient for determining its classification under medical guidelines. The RME Board is to consult medical experts within three weeks and review the petitioner's medical documents accordingly. If found fit, necessary steps for appointment will follow.

KAUSHAL KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-510/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petition by Kaushal Kumar challenging the medical reports declaring him unfit for the Assistant Sub-Inspector position was dismissed. His condition of Coronal Hypospadias is listed as a disqualification in the medical guidelines for recruitment. The Review Medical Examination included a Specialist Urologist's opinion before deeming him unfit. Prior case law underscores that all examination stages, including medical examinations, must be cleared for fitness consideration. The petition had no merit.

MANDEEP KUMAR VS UNION OF INDIA & ORS. [W.P.(C)-508/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

An Integrated Medical Board will assess the medical status and fitness category of Mandeep Kumar within 4 weeks. Kumar joined the Railway Protection Force as a Constable in 2015 and sustained a crush injury on his right foot in 2024, receiving a disability certificate. There is no opinion on the merits of the case, and the decision lies with the Medical Board and the respondents. Kumar may challenge the decision if aggrieved.



ANAND KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-414/2025] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's grievance against the Commandant, Central Industrial Security Force (CISF), declaring him "unsuitable for employment in the CISF" was not appropriate for adjudication in Delhi, as the order was issued in Tamil Nadu and the cause of action arose there. The petition was dismissed, with the petitioner allowed to approach the jurisdictional High Court.

GAURAV KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-405/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition challenging the Review Medical Examination, which declared the petitioner unfit for appointment as a Constable (Driver) in the CRPF, was dismissed due to lack of territorial jurisdiction. The recruitment advertisement specified that jurisdiction lay with the court in the location of the examination, and since the petitioner did not appear in Delhi, this forum was inappropriate. The petitioner was granted liberty to approach the relevant court with territorial jurisdiction.

GURUSHIDDAPPA N SHIROL VS UNION OF INDIA & ORS. [W.P.(C)-383/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents, including the Union of India and State Bank of India, must consider the petitioner's claim for benefits under the Golden Jubilee Seema Prahari Kalyan Kawach scheme and the Central Armed Police Salary Package account as a representation. A reasoned order must be issued within 8 weeks. If the petitioner is eligible, the benefits should be granted within 4 weeks. The merits of the claim were not examined, as the petitioner had not made a prior representation before approaching.

EX CONST CREW PRAMOD YADAV VS UNION OF INDIA THROUGH & ORS. [W.P.(C)-403/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The High Court of Delhi lacks jurisdiction over the writ petition challenging the petitioner's dismissal from the Border Security Force (BSF), as the primary cause of action occurred in Assam where the dismissal order was issued. The petition is dismissed, with the petitioner allowed to approach the appropriate jurisdictional high court.

RAVI RAJ SOULANKI VS M/S KRY FOREVER LLP & ORS. [FAO (COMM)-3/2025] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The order of the District Judge granting an ad-interim injunction against the appellant was modified. There will be no injunction on the appellant or respondents 2 and 3 regarding the use of the 'The Crush Coffee' mark due to prior litigation related to it. The appellant is permitted to file an application before the Trial Court to vacate the interim injunction concerning 'The Coffee Concept' label, and the Trial Court must address this application within four weeks.

APTEC ADVANCED PROTECTIVE TECHNOLOGIES AG VS UNION OF INDIA [FAO(OS) (COMM)-227/2024] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The decision dated 18.11.2010 by the sole arbitrator, which dismissed the appellant's applications for discovery of documents and addressed the compatibility of the crampons supplied by the respondent, constitutes an interim award challengeable under Section 34 of the Arbitration and Conciliation Act, 1996. The earlier dismissal of the appellant's Section 34 petition is set aside, requiring a merits-based assessment of the petition without regard to prior observations.



BASANTI LATA JENA AND ORS VS UNION OF INDIA AND ORS. [W.P.(C)-306/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents were directed to treat the petition as a representation and decide on it within 12 weeks, considering the previous judgment in Ajit Singh & Ors. vs. Union of India & Ors. No opinion was expressed on the merits of the petition. If the petitioners are entitled to the claimed relief of notional monetary benefits for the period from 01.01.1996 to 10.10.1997, the entitlement will be limited to 3 years prior to the petition's filing. In case of rejection, a reasoned order must be communicated, allowing the petitioners to challenge it legally.

HEMANT KUMAR GOYAL @ HARISH GOYAL VS YASHWANT JAIN & ANR. [FAO (COMM)-6/2025] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The trial court is directed to expedite the hearing of an application under Order XXXIX Rule 4 of the Code of Civil Procedure filed by Hemant Kumar Goyal, who is appealing to set aside a November 25, 2024 order that restrained him from using certain trademarks. The respondents' counsel has agreed to cooperate for the expedited process, with a preference for the trial court to decide the application within a month of its filing.

RAHUL KUMAR VS CENTRAL RESERVE POLICE FORCE & ORS. [W.P.(C)-328/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petition filed by Rahul Kumar challenging the Review Medical Examination Report, which deemed him unfit due to Bifid Uvula for the Constable (GD) position in CAPFs, was dismissed because of lack of territorial jurisdiction. The terms in the advertisement specifying the jurisdiction were binding, and he was granted the option to approach the appropriate court with jurisdiction.

ABHISHEK SUHANE VS UNION OF INDIA & ORS. [W.P.(C)-195/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner is entitled to retain government accommodation in New Delhi until January 20, 2025, due to not being informed about the de-classification of the area until July 2024 and his wife's medical treatment. If the petitioner does not vacate by the deadline, he will be liable for damages according to the respondents' order.

MUKESH SINGH RAJPUT VS UNION OF INDIA & ORS. [W.P.(C)-4703/2021] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

Writ petitions were allowed, directing the grant of ACP/MACP benefits to the petitioners based on service from their initial appointment as Followers (Group 'D' posts), rather than from their remustration to higher posts. Previous judgments established that ACP benefits should be granted without considering remustration to higher posts. Appeals against these judgments were dismissed.

SYNERGIES CASTING LTD. VS NATIONAL RESEARCH DEVELOPMENT CORPORATION & ANR. [FAO(OS) (COMM)-1/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The appeal by Synergies Casting Ltd. against the Single Judge's order is not maintainable as the Arbitration and Conciliation Act, 1996 does not permit appeals beyond those specified in Sections 37 or 50. The order in question neither set aside nor refused to set aside the arbitral award, thus not falling under Section 37(1)(c). The appeal was dismissed.



RAVI PRAKASH SHARMA VS UNION OF INDIA & ORS. [W.P.(C)-3868/2023]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The order rejecting the petitioner's representation for promotion to Logistics Officer (Deputy Commandant) was set aside, directing re-assessment of the petitioner's eligibility according to recruitment rules. It was clarified that the 9-year experience requirement is not restricted to a specific pay scale, and the respondents must evaluate the petitioner's overall experience. If deemed eligible, the promotion process must commence, including the convening of a Departmental Promotion Committee.

EX CONST CREW SHER SINGH VS UNION OF INDIA THROUGH & ORS. [W.P.(C)-96/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's writ petition challenging his dismissal from the Border Security Force was dismissed based on the principle of forum non conveniens. The major cause of action occurred in Assam, where the dismissal was issued, rather than in Delhi, where the inquiry was held. The dismissal of the petition allowed the petitioner to approach the appropriate jurisdictional High Court.

VED VIR SINGH VS UNION OF INDIA & ORS. [W.P.(C)-16927/2024]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

In a case where the petitioner's candidature was rejected due to an unhealed scar from tattoo removal, it was deemed necessary to direct a re-examination by a new Medical Board. The rejected tattoo had been removed, but the scar had not fully healed during the previous examination. There are no disqualifications for an unhealed scar. A new Medical Board will assess whether the tattoo is completely removed and if the scar has healed. If the petitioner is found fit, appointment is to occur in the next following batch if the current one is full.

PARMAR NARAN BHAI RUPA BHAI & ANR. VS SH GOVIND MOHAN & ORS. [CONT.CAS(C)-10/2025] 2 Judges: Justice Navin Chawla, Justice Shalinder Kaur

The respondents acted in defiance of an interim order staying the recovery of alleged salary overpayments from the petitioners. Acknowledging the error, the respondents' counsel apologized for the recoveries made due to a communication gap between authorities. An order was issued for the respondents to refund the amounts recovered after the interim order within two weeks.

EX CONST CREW RAJVEER SINGH YADAV VS UNION OF INDIA & ORS. [W.P.(C)-46/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition by an ex-constable of the BSF challenging his dismissal from service was dismissed. The inquiry took place in Delhi, but the show-cause notice and final dismissal order were issued in Kolkata. The principle of "forum non conveniens" indicated that Delhi was not the appropriate venue for the petition, allowing the petitioner to approach the jurisdictional High Court instead.

EX CONST CREW HANS RAJ VS UNION OF INDIA & ORS. [W.P.(C)-44/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition by Ex Const Crew Hans Raj challenging his dismissal from the Border Security Force (BSF) was dismissed. The court noted that the main cause of action occurred in Kolkata, where the dismissal order was issued, despite the inquiry being conducted in Delhi. The doctrine of forum non conveniens was applied, and the petitioner was granted the option to approach the appropriate jurisdictional High Court.



BABREY SINGH VS UNION OF INDIA AND ORS [W.P.(C)-7570/2016]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The Disciplinary Authority found the petitioner, a railway employee, guilty of dereliction of duty after 150 meters of contact and catenary wire were stolen under his supervision. The punishment of a three-stage salary reduction for three years was deemed appropriate, taking into account the petitioner's past misconduct and his failure to improve despite previous penalties.

ABHISHEK KUMAR VS UNION OF INDIA AND ORS [W.P.(C)-17816/2024]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner will undergo re-examination by a new Medical Board of at least three ophthalmologists, distinct from the earlier Review Medical Board. The new examination aims to clarify the location of the petitioner's corneal opacity, which was disputed between reports from Guru Nanak Eye Centre and the Review Medical Board. If the petitioner is deemed fit after the re-examination, the appointment process will proceed; if not, the new Medical Board's opinion will be considered final.

KALU RAM SAINI VS UNION OF INDIA AND ORS. [W.P.(C)-9899/2019]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

In a tie between candidates for the Assistant Commandant (Executive) position in the CISF, age became the deciding factor, per precedent. The petitioner, being older than the last recommended candidate, is to be declared selected and granted retrospective seniority just above that candidate, along with consequential benefits, excluding back pay or allowances for the period of non-service. The appointment of the respondent, who has been in the position for over five years, remains undisturbed.

SHREYA JUYAL VS UNION OF INDIA AND ORS [W.P.(C)-49/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition challenging the medical boards' decisions on the petitioner's fitness for appointment to the Indian Air Force due to "Beta Thalassemia Trait" was dismissed. The medical boards' opinions were deemed credible, following established guidelines that categorize "Beta-Thalassaemia" as a reason for unfitness. No evidence of malafide intent or insufficient testing by the boards was identified. The petitioner will receive the medical test reports within two weeks.

EX CONST CREW MONU YADAV VS UNION OF INDIA & ORS. [W.P.(C)-63/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The High Court of Delhi does not have jurisdiction over a writ petition challenging a petitioner's dismissal from the BSF, as the major cause of action arose in Bhuj, Gujarat, where the dismissal order was issued. The previous inquiry held in Delhi does not establish it as the appropriate forum for the case. The petition was dismissed, allowing the petitioner the option to approach the relevant High Court.

EX CONST CREW PRADEEP VS UNION OF INDIA & ORS. [W.P.(C)-67/2025] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petition challenging the dismissal from the Border Security Force (BSF) was deemed to lack jurisdiction in Delhi, as the dismissal order was issued in Kolkata, where the major cause of action occurred. The earlier inquiry's location in Delhi did not establish it as the appropriate forum. The petition was dismissed, allowing the petitioner the option to approach the jurisdictional High Court.



KAUSTHUBA NAND PANT VS UNION OF INDIA & ANR. [W.P.(C)-6720/2020]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition filed by Kausthuba Nand Pant regarding adverse remarks in his Annual Performance Appraisal Report (APAR) for 2016-17 and promotion to Commandant was dismissed. The adverse remarks highlighted issues such as insufficient visits to forward posts and involvement in illegal liquor distribution in a Naxalite-affected area. The petitioner was informed of these remarks and given a chance to respond, which was duly considered and rejected. The denial of promotion was based on the petitioner's failure to meet the criteria of having at least three out of the last five APARs rated as 'Very Good' and having no adverse entries in the considered APARs.

AJIT KUMAR VS UNION OF INDIA & ANR. [W.P.(C)-6498/2023]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

Ajit Kumar's petition challenging the 'Good' grading and adverse remarks in his Annual Performance Appraisal Report for 2021-22 was dismissed. The assessment by the Reporting/Initiating Officer and Reviewing Officer was supported by valid reasons, including Kumar's casual appearance at a rehearsal and delays in processing an important file. The judgment emphasized that the assessment of an officer's performance falls within the administrative authority's purview, and there were no grounds of malice or arbitrariness to warrant interference.

EX CONST CREW DINESH KUMAR YADAV VS UNION OF INDIA AND ORS. [W.P.(C)-45/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The writ petition challenging the termination from service by the Deputy Inspector General of the Border Security Force was dismissed. The major cause of action occurred in Assam where the show cause notice and termination order were issued. Conducting a court of inquiry in Delhi did not establish it as the appropriate forum. The petitioner retains the option to approach the jurisdictional High Court.

EX CONST CREW DEEPAK KUMAR YADAV VS UNION OF INDIA & ORS. [W.P.(C)-47/2025]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner's challenge to the dismissal from the Border Security Force is not within the jurisdiction of the Delhi High Court, as the primary cause of action occurred in Kolkata where the dismissal order was issued. The doctrine of forum non conveniens applies, and the petitioner retains the option to approach the appropriate jurisdictional High Court.

YASHPAL SACHDEVA & ANR VS SUNIL RELLI [C.R.P.-54/2019] ☑

Judges: Justice Neena Bansal Krishna

The plaintiff's suit to declare a registered sale deed null and void lacks maintainability due to the absence of a cause of action in the plaint. Oral contentions about a subsequent agreement are inadmissible as they contradict the registered sale deed. Allegations of fraud have been previously rejected in a criminal proceeding, with no new facts presented. The valid registered sale deed in favor of the defendant stands unchallenged. Additionally, the plaintiff failed to pay the required court fee despite several opportunities, further supporting the rejection of the suit.

CHARAN SINGH @ BABLI VS STATE OF NCT OF DELHI [BAIL APPLN.-4635/2024]

Judges: Justice Neena Bansal Krishna

The bail application of Charan Singh was dismissed due to serious allegations against him, including firing at the complainant and supplying a firearm to a co-accused who later caused the death of the complainant's father. Claims of parity with co-accused granted bail were rejected, as Singh's role was more significant. Arguments regarding CCTV footage and contradictions in testimonies were deemed irrelevant at the bail stage, to be considered during the trial.



VICKY @ VICKY TIWARI VS STATE OF NCT OF DELHI [BAIL APPLN.-394/2025]

Judges: Justice Neena Bansal Krishna

Bail was granted to Vicky @ Vicky Tiwari in a case under Sections 307/323/34 IPC due to insufficient evidence supporting the allegations, with the victims sustaining only simple injuries and no recovery of the alleged weapon. Co-accused had already received bail, and considerable delays in the trial were noted, infringing on the right to a speedy trial. Bail was conditioned on ensuring the accused's cooperation during the trial.

SUNITA YADAV VS STATE & ANR. [CRL.M.C.-1672/2018]

Judges: Justice Neena Bansal Krishna

The petition to cancel the bail of Prem Veer was dismissed. The second bail application was filed a month after the first was rejected, based on previously considered grounds. Co-accused Satbir and Arun Kumar had been granted bail under similar circumstances, providing a new factor. No illegality was found in the bail order from February 26, 2018, and there had been no allegations of misuse of bail over the past 7-8 years. A chargesheet had been filed, and prosecution evidence was being recorded.

TOHEED KHAN VS STATE (GNCT OF DELHI) AND ANR. [BAIL APPLN.-178/2025]

Judges: Justice Neena Bansal Krishna

Toheed Khan was granted bail in a case involving sections of the Bhartiya Nagrik Suraksha Sanhita and the POCSO Act. He married the victim under Muslim law, and the victim expressed no objection to his bail. The prosecution claimed the victim was a minor based on school records. Further examination of the case was necessary, and bail was granted with conditions, leaving the issues of the victim's age and the marriage's legitimacy unresolved.

RAMAKANT AND CO. PRIVATE LIMITED VS UNION OF INDIA & ANR. [W.P.(C)-16085/2023]

Judges: Justice Neena Bansal Krishna

The petitioner companies were required to file their financial statements within 30 days of their Annual General Meetings on September 30, 2019. The Union of India's circular extending the filing deadline to November 30, 2019, did not override the statutory requirement. Consequently, the additional fees charged by the Registrar of Companies for late filings in December 2019 were deemed appropriate, as the filings were made after the 30-day deadline.

MONIKA VS STATE GOVT.OF NCT OF DELHI [BAIL APPLN.-4720/2024] ☑

Judges: Justice Neena Bansal Krishna

The bail application of Monika, charged under Sections 8/21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, was dismissed due to failure to satisfy the twin conditions under Section 37 of the Act. The recovery of 265 grams of heroin and Monika's previous drug-related offenses indicated no reasonable grounds to believe she was not guilty and suggested a likelihood of reoffending if released. Arguments regarding procedural lapses in the search and seizure were deemed irrelevant at this stage, and the delay in trial was insufficient to justify bail without meeting Section 37 requirements.

JITENDER SINGH VS YOGESHWAR SINGH TOMAR & ORS. [C.R.P.-370/2024] ☑

Judges: Justice Neena Bansal Krishna

The revision petition by Jitender Singh to dismiss the plaintiff's suit was rejected. The cause of action arose in November 2014 when the plaintiff became aware of the defendant's prior sale of the property in 2005. The plaintiff's suit filed in September 2017 was within the limitation period. The defenses presented by the defendant regarding the agreement and the plaintiff's knowledge of the 2005 sale were considered disputed facts not suitable for dismissal under Order VII Rule 11 CPC.



LUCKYGIRL FASHION PRIVATE LIMITED VS UNION OF INDIA & ANR. [W.P.(C)-16031/2023]☑

Judges: Justice Neena Bansal Krishna

Petitioner companies were required to submit their financial statements by 29.10.2019 under Section 137 of the Companies Act. The government circular dated 29.10.2019, which extended the due date to 30.11.2019, did not alter the statutory filing timeline of 30 days post-AGM. As the Petitioners submitted their financial statements between 19.12.2019 and 22.12.2019, the additional fee imposed by the government portal was appropriate according to the Companies Act provisions. The writ petitions lacked merit and were dismissed.

CHOLAMANDALAM MS GEN INS CO. VS DEEPIKA TALWAR & ORS. [MAC.APP.-244/2021] 2 Judges: Justice Neena Bansal Krishna

The offending bus was found negligent in causing the accident that resulted in the deceased's death, supported by the charge sheet against the driver and eyewitness testimony. The deceased was entitled to 50% future prospects due to permanent employment, and the Group Personal Accident policy amount was not to be deducted from the compensation. An interest rate of 6% p.a. was deemed reasonable. The total compensation was revised to Rs. 1,70,10,000/- with 6% interest.

LALIT VS THE STATE (NCT OF DELHI) [BAIL APPLN.-47/2025] ☑

Judges: Justice Neena Bansal Krishna

The anticipatory bail application filed by Lalit under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was dismissed. Investigations were at an initial stage, and a co-accused named Lalit as the supplier of heroin. Custodial interrogation was deemed necessary to uncover the source of supply and the full chain of events. Lalit's prior involvement in a narcotics case was also noted. The circumstances did not support the granting of anticipatory bail.

M/S NATIONAL INSURANCE CO. LTD. VS SUNITA DEVI (INJURED) & ORS. [MAC.APP.-120/2023] Judges: Justice Neena Bansal Krishna

The negligence of the Maruti Omni van driver caused the accident due to failure to maintain a safe distance and timely braking. Compensation for Rajinder Singh Meena was modified since he did not suffer any loss of income, but amounts for pain and suffering, conveyance, special diet, and attendant charges were increased. The compensation awarded to Sunita Devi was upheld based on the severity of her injuries and permanent disability. Two appeals by the insurance company regarding the compensation awards were partly allowed and partly dismissed.

KAPIL DEV PASRICHA VS THE STATE NCT OF DELHI [BAIL APPLN.-247/2025]

Judges: Justice Neena Bansal Krishna

Kapil Dev Pasricha's bail application was dismissed due to his role as the mastermind in a fraudulent scheme that cheated approximately 10,500 investors. His history of similar crimes and tendency to evade legal processes contributed to the decision, emphasizing the serious nature of the offense against the public.



JAGDISH SHARMA VS NAVTEJ SINGH AND OTHERS [MAC.APP.-28/2024]☑

Judges: Justice Neena Bansal Krishna

Jagdish Sharma's total compensation was increased from Rs.16,86,358 to Rs.29,61,000, with an interest rate of 9% per annum. Compensation was awarded for loss of income during a 14-month treatment period, future loss of earnings due to a 90% permanent disability from a right hip disarticulation, cost of prosthetic limb replacement, and non-pecuniary damages for loss of amenities and disfiguration. The assessment accounted for Sharma's income and ability to manage his wood business during treatment. While the award for prosthetic limb replacement was upheld, separate compensation for maintenance and repair was not granted.

SALMAN VS THE STATE (GOVT OF NCT OF DELHI) [BAIL APPLN.-4666/2024]

Judges: Justice Neena Bansal Krishna

Bail was denied to Salman due to a strong prima facie case against him involving conspiracy to commit dacoity. He was in constant contact with co-accused individuals and was found in possession of stolen cash and jewelry. The seriousness of charges, including criminal conspiracy, harboring accused, and receiving stolen property, contributed to the decision, with prosecution witnesses yet to be examined.

NAVEEN @ GHODA VS STATE NCT OF DELHI [BAIL APPLN.-4651/2024]

Judges: Justice Neena Bansal Krishna

Naveen's bail application was dismissed due to his role as the main perpetrator in the murder of Akshay, involving charges under Sections 302/201/365/120B of the Indian Penal Code and Sections 25 and 27 of the Arms Act. The prosecution alleged that he, along with co-accused Charanjeet and Nitin, abducted, shot, and disposed of Akshay's body. The gravity of the allegations and the recovery of the murder weapon from Naveen supported the prosecution's case. The circumstances surrounding his involvement distinguished him from Nitin, who was granted bail for different reasons.

GUDDI & ORS VS MOHAN SHARMA & ORS (IFFCO TOKIO GENERAL INSURANCE CO LTD) [MAC.APP.-635/2019]☑

Judges: Justice Neena Bansal Krishna

The appeal resulted in an increased compensation for the family of Suresh Chand, who died from injuries in a road accident. The initial calculation of income based on Rajasthan's minimum wage rates was correct, but adjustments were made for loss of dependency due to the deceased's matriculate status, compensation for lost income during treatment, and enhanced loss of consortium. The total compensation was raised to Rs. 13,17,000, up from Rs. 7,48,866.

BHAJJAN KAUR VS STATE [CRL.M.C.-3197/2021]

Judges: Justice Neena Bansal Krishna

The petition by Bhajjan Kaur to quash an FIR for offenses under various sections of the Indian Penal Code and the Delhi Sales Tax Act was dismissed. Allegations of forgery, breach of trust, and use of false documents were deemed serious. Despite the petitioner's lengthy trial period of over 21 years, insufficient grounds to quash the charges were present. A directive was issued for the trial court to expedite the trial, aiming for completion within six months.



VIJAY KUMAR GUPTA ALIAS BABLU VS PURNIMA GARG [C.R.P.-265/2023]

Judges: Justice Neena Bansal Krishna

The plaintiff could not prove settled possession of the ground floor of the property, which was solely occupied by the deceased Smt. Shanti Rani Gupta. Evidence showed the plaintiff's possession was restricted to the first floor and one room on the ground floor. The deceased's Class-II legal heir occupied the disputed portion after her demise, which did not constitute physical dispossession of the plaintiff. The trial court's judgment was set aside, and the plaintiff's suit under Section 6 of the Specific Relief Act was dismissed.

MS AASTHA AGRAWAL VS STATE OF NCT OF DELHI [W.P.(CRL)-127/2025]

Judges: Justice Neena Bansal Krishna

The FIR against the petitioner under Section 25 of the Arms Act, 1959 was quashed due to the absence of the requisite mental element of intention or knowledge for the offense. The petitioner, a medical student, was unaware of a live cartridge in her bag, and no suspicious circumstances indicated otherwise. Consequently, the FIR and all related proceedings were quashed.

JOSEPH TANOH VS STATE OF NCT OF DELHI [BAIL APPLN.-4513/2024] ☑

Judges: Justice Neena Bansal Krishna

Joseph Tanoh's bail application was dismissed due to charges under the NDPS Act for possessing 280 grams of heroin. Despite some contradictions in the prosecution's compliance with procedural requirements, these issues were deemed unsuitable for resolution at the bail stage. The serious nature of the offense, the fact that Tanoh was a foreign national with a forged business visa, and potential flight risk contributed to the decision against granting bail.

MOHD TAHIR HUSSAIN VS STATE (NCT OF DELHI) [CRL.M.(BAIL)-50/2025] ☑

Judges: Justice Neena Bansal Krishna

The right to contest elections is acknowledged, but the serious allegations against Mohd Tahir Hussain, a former municipal councilor implicated in multiple FIRs related to the 2020 Delhi riots, including the murder of an intelligence bureau official, must be considered. Hussain, not being a sitting member of parliament or a leader of a national party, was granted custody parole to complete nomination filing formalities under strict conditions to prevent evidence tampering or witness influence, while interim bail was denied.

RAJAN HANDA VS STATE THROUGH THE SHO & ORS. [CRL.M.C.-149/2025]

Judges: Justice Neena Bansal Krishna

The petitioner's application for FIR registration against his father and brother was dismissed. The dispute was deemed primarily civil, involving allegations of forgery and asset misappropriation among family members, with an ongoing civil lawsuit. No police investigation was deemed necessary since the accused were identified, and an inquiry under Section 200 CrPC could still be initiated by the Magistrate if required. The rejection of the Section 156(3) application was appropriate as the circumstances did not justify the use of discretionary powers under this provision.

RINKU @ GAJENDRA VS SHYAMBIR PATHAK & ORS. [MAC.APP.-52/2022]

Judges: Justice Neena Bansal Krishna

An appeal led to an increase in compensation for an injured pillion rider from Rs. 3,41,664 to Rs. 8,31,000, with an interest rate of 9% per annum. It was established that being a pillion rider does not imply contributory negligence without evidence of the rider's actions affecting the accident. Compensation calculations included loss of income, future earning capacity, medical expenses, special diet, and attendant charges.



ORIENTAL INSURANCE CO LTD VS VIJENDER SINGH @ BIJENDER SINGH & ORS [MAC.APP.-26/2020] Judges: Justice Neena Bansal Krishna

The appeal by the insurance company was dismissed regarding the compensation awarded to the parents of the deceased in a motor accident case. Evidence, including eyewitness testimony and the chargesheet against the driver, established the driver's sole negligence. The lack of a driving license for the deceased did not imply contributory negligence. The compensation for loss of consortium and a 9% per annum interest rate were upheld, as the insurance company did not provide evidence to support a lower prevailing rate.

DILIP PURI VS STATE (NCT OF DELHI) & ORS [CRL.M.C.-2872/2018]

Judges: Justice Neena Bansal Krishna

Dilip Puri's criminal miscellaneous petition was accepted, leading to the restoration of his bail initially granted by the Metropolitan Magistrate. The order cancelling the bail by the Additional Sessions Judge was set aside, as the prosecution's reasons, including the seriousness of offenses under Section 467 IPC and the need for further investigation, were deemed insufficient. The initial bail decision took into account the allegations and the CFSL report, and Puri had cooperated with the investigation without misusing his bail.

N. VIJAYA KUMAR VS TECHNOLOGY DEVELOPMENT BOARD THROUGH AUTHORISED REPRESENTATIVE & ORS. [CRL.M.C.-809/2021]

Judges: Justice Neena Bansal Krishna

The summoning order against petitioner N. Vijaya Kumar in a Section 138 complaint was set aside. Since he was not a director at the time the cheque was dishonored and faced no allegations in the legal notice, he cannot be summoned as an accused based solely on his prior role or as a guarantor. The conclusion was based on the requirements of Section 141 and prior legal precedents.

SMT RENU GARG & ANR. VS THE STATE [CRL.M.C.-1909/2021]

Judges: Justice Neena Bansal Krishna

Charges were framed against Smt. Renu Garg and Sh. Naresh Garg under Sections 363/370 read with 120B of the Indian Penal Code and Sections 80 & 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Prima facie evidence indicated a conspiracy involving the petitioners, who did not adhere to proper adoption procedures under the Juvenile Justice Act. Reasonable grounds existed to suspect that the child was illegally purchased.

URMILA VS GOVT OF NCT OF DELHI [BAIL APPLN.-4495/2024] ☑

Judges: Justice Neena Bansal Krishna

Urmila, accused of conspiring with her brother Rohit to murder her mother-in-law, was granted bail after four years in jail. Only 7 of the 27 prosecution witnesses have been examined, with 5 witnesses dropped, indicating a lengthy trial ahead. Rohit has already been granted bail. Urmila must fulfill certain conditions, including submitting a bail bond, attending court as required, and refraining from criminal activities or contacting witnesses.



RAJENDER DHUPAR & ANR. VS STATE & ORS. [CRL.M.C.-4509/2019]

Judges: Justice Neena Bansal Krishna

The petition filed by the brother-in-law and sister-in-law of the complainant resulted in their discharge from charges under Sections 498A and 406 of the Indian Penal Code. The allegations against them were deemed vague and lacking specific details, with no prima facie evidence of harassment or dowry demands. It was noted that there is a tendency in matrimonial disputes to implicate the husband's relatives without substantial allegations. The previous order of the Additional Sessions Judge was set aside, upholding the discharge by the Metropolitan Magistrate.

NEW INDIA ASSURANCE COMPANY LTD VS RUPIN & ORS. [MAC.APP.-314/2021]

Judges: Justice Neena Bansal Krishna

The appeal by the insurance company against the compensation awarded to the claimants was dismissed. Evidence, including eyewitness testimony and the driver's chargesheet, established the offending vehicle's involvement and negligence in the accident that resulted in Shri Vishal's death. The lack of citation of the eyewitness in the criminal case did not diminish his credibility. The driver, who could have refuted the vehicle's involvement, did not testify.

HARISH KUMAR MITTAL VS NATIONAL INSURANCE CO LTD & ORS [MAC.APP.-94/2020] ☑

Judges: Justice Neena Bansal Krishna

In an appeal for enhanced compensation, the injured party received acknowledgment for one month's loss of income due to medical leave, but claims for loss of earning capacity and attendant charges lacked supporting evidence. Compensation for non-pecuniary damages was deemed reasonable. The total compensation was increased to Rs. 1,50,580/- with an interest of 9% per annum.

DEPUTY COMMISSIONER OF POLICE VS SH. RAHUL & ANR. [MAC.APP.-139/2021]

Judges: Justice Neena Bansal Krishna

The appeal by the Deputy Commissioner of Police regarding compensation awarded to Mr. Rahul for injuries from a road accident was dismissed. The arguments on contributory negligence, functional disability assessment, and income calculation were found unmeritorious. Evidence confirmed the driver's sole negligence, the 15% functional disability was deemed reasonable, and the income calculation based on minimum wages was appropriate. Compensation for non-pecuniary damages was also considered reasonable given the injuries and Rahul's age.

STATE VS S.K KOHLI [CRL.M.C.-2168/2021] ☑

Judges: Justice Neena Bansal Krishna

The petition to cancel the anticipatory bail granted to S.K. Kohli was dismissed. The bail order was deemed well-reasoned, with consideration given to the documentary evidence and the absence of justifiable grounds for cancellation. The incident occurred in June 2018, but the FIR was only registered in April 2019, with no charge sheet filed. Despite claims of needing custodial interrogation, no application for it was submitted by the investigating agency. The petition lacked merit and was dismissed.

SAURABH CHADHA VS STATE AND ANR. [CRL.M.C.-3509/2021]

Judges: Justice Neena Bansal Krishna

The petition seeking quashing of the FIR against the petitioners under Sections 323, 341, 354, and 34 of the Indian Penal Code was dismissed. Despite Petitioner No. I's absence during the incident, there are prima facie allegations of physical assault and wrongful restraint against the other petitioners. The existence of civil disputes does not negate the cognizable offenses alleged. The petitioners can pursue relief such as discharge or acquittal based on evidence in the trial court.



CHOWGULE PUBLIC SCHOOL VS ANITA BHOLA & ORS. [W.P.(C)-917/2025] ☑

Judges: Justice Prateek Jalan

The decision of the Delhi School Tribunal to condone the delay in filing an appeal under Section 8(3) of the Delhi School Education Act, 1973, was upheld. The Tribunal possesses the authority to condone delays, as supported by the Nebhraj case precedent. The argument that the Nebhraj judgment was per incuriam was rejected, and the Tribunal's choice to condone the delay was deemed appropriate. Section 14 of the Limitation Act, 1963, was considered, but the delay was sufficiently justified due to the respondent's prior pursuit of conciliation proceedings. Observations made were solely for the writ petition's decision and would not affect the appeal's merits before the Tribunal.

D.C.GOEL VS B.S.E.S.YAMUNA POWER LTD. [W.P.(C)-7580/2008]

Judges: Justice Prateek Jalan

The writ petition challenging the seniority list for promotion to Assistant Engineer was dismissed. The difference in eligibility criteria for degree-holders and diploma-holders does not necessitate separate seniority lists. A diploma-holder with more experience may be senior to a degree-holder with less experience. The delay in promotion was attributed to insufficient vacancies rather than issues with the seniority list. No basis was found for interference with the seniority list.

H.N. WADHWA VS PUNJAB NATIONAL BANK [W.P.(C)-5295/2015] ☑

Judges: Justice Prateek Jalan

The punishment of removal from service imposed on H.N. Wadhwa by Punjab National Bank was deemed disproportionate to the proven charge of submitting fake hotel bills. The more serious charge was found to be procedurally flawed and set aside. As the initial punishment relied on both charges, it could not be upheld based only on the proven charge. Given the long delay in proceedings and Wadhwa's advanced age, the punishment was substituted with compulsory retirement instead of further disciplinary proceedings.

JITENDRA KUMAR KAUSHIK VS UCO BANK [W.P.(C)-8159/2018] ☑

Judges: Justice Prateek Jalan

The dismissal of an Assistant Manager at UCO Bank was upheld due to the misappropriation of customer funds and abuse of his official position for personal gain. The petitioner admitted to taking money from customers and depositing it into his own accounts, citing financial difficulties as justification. The charges were substantiated, and his actions constituted serious irregularities, highlighting a significant breach of trust expected of a bank officer. The claim that the borrowings were from personal friends was rejected, and the dismissal was deemed appropriate in light of the proven misconduct. The writ petition was dismissed, affirming the decisions of the disciplinary, appellate, and reviewing authorities.

OM PRAKASH LAKHINA VS UOI & ORS. [W.P.(C)-2818/2006]

Judges: Justice Prateek Jalan

The writ petition challenging the dismissal from UTI Asset Management Company is not maintainable. UTIAMC, now a privately managed company with only 30.75% public ownership, does not operate under governmental control and is not considered a "State" under Article 12 of the Constitution. The petitioner may pursue alternative legal remedies and can seek the benefits of Section 14 of the Limitation Act, 1963, for the duration of the pending writ.



MANOJ KUMAR VS HONBLE DISTRICT AND SESSIONS JUDGE, HEAD QUARTERS [W.P.(C)-10874/2022] Judges: Justice Prateek Jalan

The petitioner, a Process Server, was dismissed from service for demanding a bribe of Rs. 300 to file a false report regarding summons service. Both the disciplinary and appellate authorities confirmed the proven charge. The dismissal was deemed appropriate due to the petitioner's role in maintaining the integrity of the court's processes.

SHAILESH KUMAR JHA VS UNION OF INDIA AND ORS [W.P.(C)-87/2025]

Judges: Justice Prateek Jalan

The writ petition challenging the rejection of a promotion from Senior Management Grade Scale-V to Top Executive Grade Scale-VI was dismissed. The bank's decision followed a merit-based selection process that included performance appraisal, a written test, and an interview. The petitioner scored 68.33, below the cut-off mark of 70.10 required for promotion. Allegations of bias and misinformation lacked sufficient evidence, and there were no grounds to challenge the bank's decision.

SOMA BHADRA VS PRUDENCE SCHOOL DWARKA AND ORS. [W.P.(C)-6863/2021] Judges: Justice Prateek Jalan

The petitioner's challenge to the school's order placing her "on a break" and the request for salary and arrears per the 6th and 7th Central Pay Commission recommendations was deemed maintainable under Article 226. Objections regarding maintainability and delay were rejected. Relief was granted for the period from her reappointment on 02.01.2015, with instructions to re-compute and pay the unpaid emoluments and arrears within eight weeks, with a 9% per annum interest on failure to comply.

DHRUVA GOEL VS M/S CHETANYA BUILDCON PVT LTD & ORS. [CS(OS)-166/2024] Judges: Justice Prathiba M. Singh

The sale deed for the suit property will be executed in favor of the plaintiff by an officer of the court, based on the power of attorney and supporting documents. Statements made by the counsel for Defendant Nos. 6 and 7 were backed by communications with clients. The sale deed must be executed within two months, without imposing additional liability on Defendant Nos. 6 and 7, who are senior citizens and transferred the property years ago. The application from Defendant Nos. 6 and 7 to recall the decree dated April 5, 2024, was dismissed.

KIRAN SINGH VS NATIONAL HUMAN RIGHTS COMMISSION & ORS [W.P.(CRL)-2475/2015] Judges: Justice Prathiba M. Singh, Justice Amit Sharma

The National Human Rights Commission's recommendations are binding on the government, including an order for compensation of Rs. 5 lakhs to the legal heirs of deceased individuals in an alleged fake encounter by Delhi Police. The Ministry of Home Affairs is directed to make the payment along with interest and litigation costs, despite delays. There were insufficient grounds established for a CBI inquiry at this stage after reviewing relevant reports and inquiries related to multiple deaths in the encounter.

ZAFAR ABBAS @ JAFFAR VS NATIONAL INVESTIGATION AGENCY [CRL.A.-785/2024] Judges: Justice Prathiba M. Singh, Justice Amit Sharma

The appeal filed by Zafar Abbas challenging the rejection of his third bail application was dismissed. A prima facie case was established against him as an over-ground worker for the terrorist organization Lashkar-e-Taiba (LeT), involving conspiracy activities such as procuring fraudulent SIM cards and bank accounts, and communication with a LeT operative in Pakistan. Previous bail applications were rejected, and the evidence met the requirements under Section 43D(5) of the UAPA. Abbas could not demonstrate his innocence at this stage.



DAYA KISHAN VS UNION OF INDIA THROUGH LAND ACQUISTION COLLECTOR & ORS. [W.P.(C)-16100/2023]

Judges: Justice Prathiba M. Singh, Justice Amit Sharma

The earlier judgment declaring land acquisition proceedings lapsed was based on incomplete facts, as the Land Acquisition Collector did not disclose that possession of the land was taken by the Public Works Department in 2014 and handed to the Delhi Metro Rail Corporation in 2015 for the construction of the Tikri Kalan Metro Station. The Delhi Metro Rail Corporation and Public Works Department were directed to file applications in the previous writ petition to correct the record. Additionally, the petitioner's claim to the land was regarded as doubtful due to unregistered documents, necessitating the inclusion of the Delhi Metro Rail Corporation and Public Works Department in the writ petition for comprehensive consideration.

STATE OF NCT OF DELHI VS SUBHAN ALI @ GANGI & ANR. [CRL.L.P.-197/2022]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The accused was convicted under Sections 354 and 452 of the Indian Penal Code but acquitted under Section 376 (rape). The survivor's trial testimony improved upon her initial statement, which did not claim sexual intercourse. The reasoning for not believing the testimony regarding sexual assault was deemed plausible, supported by the evidence, including the medical examination report. The state's petition challenging the trial court's judgment was dismissed.

PORTER BUILDCON PRIVATE LTD & ORS. VS UNION OF INDIA & ORS. [W.P.(CRL)-960/2023]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The petitioners, private entities and an individual, are permitted to file appeals before the Appellate Tribunal against orders declaring their properties as benami under the Prohibition of Benami Property Transactions Act, 1988. The validity of the Act's provisions and actions by the Initiating Officer and Adjudicating Authority were not addressed. The limitation period for filing appeals is extended to include the duration of the pending writ petition, with a deadline set for 28th February 2025. The Adjudicating Authority is required to allow the petitioners additional time for completing pleadings in the confiscation proceedings.

SANJEEV SHARMA VS THE STATE NCT OF DELHI & ORS. [W.P.(CRL)-88/2025]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The petition for a habeas corpus order to produce Kapil Kumar Singh, who was reported missing, was found unwarranted. Kapil Kumar Singh was admitted to a de-addiction rehabilitation center by his cousin and was in a stable mental condition, demonstrating the ability to make personal choices. No link was established between his family's property dispute and the habeas corpus petition.

CHIRAG ARORA VS THE STATE OF NCT OF DELHI & ANR. [W.P.(CRL)-3918/2024]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

A habeas corpus petition was filed by a father seeking the return of his 5-year-old son. Assessment of the parents' living conditions and financial situations led to an interim shared parenting arrangement, with the child residing primarily with the mother and allowing the father regular visitation rights. The parents were instructed to maintain a cooperative relationship for the child's upbringing and may seek further remedies regarding custody or visitation in Family Court.



ANJALI PANDEY VS UNION OF INDIA AND ORS [W.P.(C)-10482/2024]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

Seized gold bangles belonging to a Thai national are classified as "personal effects" under the Baggage Rules 2016, making them exempt from customs seizure. Past judgments support that jewellery for personal use by tourists, including foreign nationals, is included in this definition. The gold bangles must be returned to the petitioner within two weeks, or their value compensated if already disposed of. Interim guidelines for customs department procedures regarding tourists' jewellery will be implemented until the Baggage Rules are re-evaluated.

NIVIN VERMA VS STATE NCT OF DELHI & ANR. & ORS. & ORS. [W.P.(CRL)-224/2025] ☑

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

Ongoing domestic violence proceedings remain undisturbed. The petitioner must refrain from contacting the child's school or attempting to meet the mother and daughter for their safety. The petitioner may seek visitation rights through the Mahila Court, which will evaluate the circumstances and issue orders at the next hearing.

M/S OM GEMS AND JEWELLERY VS DEPUTY COMMISSIONER OF CUSTOMS (IMPORT) AIR CARGO COMPLEX NSCBI AIRPORT & ORS. [W.P.(C)-6218/2024]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The final assessment order from the Customs Department is appealable, allowing the petitioner to challenge delays and other issues before the appellate forum. The Customs Department must comply with a previous ruling to release the bank guarantee with 6% interest, independent of the final assessment order. The appellate authority is directed to adjudicate the appeal against the final assessment order impartially, without influence from previous orders.

JOGINDER SINGH @ JOGINDER RANA VS NATIONAL INVESTIGATION AGENCY [CRL.A.-799/2023] Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

Joginder Singh @ Joginder Rana's appeal for bail was dismissed due to insufficient justification under Section 43D(5) of the Unlawful Activities (Prevention) Act, 1967. A significant amount of weapons and incriminating materials were found at his residence, and statements from protected witnesses connected him to the Lawrence Bishnoi gang. The involvement of his sons in criminal activities and their evasion of law enforcement were also noted. The accusations were deemed prima facie true, and the gravity of the claims, alongside the transnational aspect of the crimes, contributed to the decision not to grant bail.

GAJANAN KHANWE VS UNION OF INDIA & ORS. [W.P.(CRL)-99/2025]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

An Indian woman, Ms. AK, and her infant son faced deportation from the UK after the cancellation of her dependent visa by her husband. Concerns were raised regarding their situation, prompting the direction for the Ministry of External Affairs to provide Ms. AK with legal aid, counseling, and assistance via the Indian High Commission in the UK to help her seek legal remedies. Ms. AK indicated a desire to return to India with her son, leading to a request for the Indian High Commission to facilitate this in accordance with UK law. A status report on the assistance provided by the High Commission was requested for the next review.



QAMAR JAHAN VS UNION OF INDIA, REPRESENTED BY SECRETARY, MINISTRY OF FINANCE & ORS. [W.P.(C)-198/2025]☑

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The Baggage Rules, 2016 under the Customs Act, 1962 require a reassessment to prevent harassment of genuine tourists and travelers, including Indians, regarding strict limits on the value and quantity of jewelry as personal effects. Current value limits are outdated and do not reflect the market price of gold, prompting the need for re-examination in collaboration with relevant departments, followed by a report on the reconsideration process.

VIJAY ENTERPRISES ANDANR VS ADDITIONAL DIRECTOR GENERAL DIRECTORATE OF REVENUE INTELLIGENCE ANDORS. [W.P.(C)-15436/2023] ☑

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The show-cause notice issued by the Directorate of Revenue Intelligence on 23rd May 2008 and the subsequent order-in-original dated 31st January 2024 were quashed due to a 15-year delay in adjudication, violating the time limits under Section 28(9) of the Customs Act. The delay was deemed unjustifiable, as placing the matter in the "call book" did not excuse the prolonged process. Additionally, the issuance of the order-in-original while a writ petition challenging the show-cause notice was pending breached principles of natural justice.

TILAK RAJ JAIN AND ANR. VS ADDITIONAL DIRECTOR GENERAL, DIRECTORATE OF REVENUE INTELLIGENCE, DELHI ZONAL UNIT AND ORS. [W.P.(C)-14922/2023]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

A delay of nearly 15 years in addressing a show-cause notice issued in 2008 was deemed unjustified. Previous judgments indicate that authorities must demonstrate genuine impediments to justify such delays. The repeated placing and removing of the matter from the "call book" failed to justify the prolonged non-adjudication. Consequently, the show-cause notice dated 26th December 2008 was quashed.

POLYGLASS ACRYLIC MANUFACTURING CO PVT LTD VS THE ADDITIONAL DIRECTOR GENERAL THROUGH THE DIRECTOR DIRECTORATE OF REVENUE INTELLIGENCE & ORS. [W.P.(C)-15195/2023]

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The show-cause notice issued by the Directorate of Revenue Intelligence against Polyglass Acrylic Manufacturing Co Pvt Ltd cannot be adjudicated after a delay of nearly 9 years. Reliance on the phrase "where it is possible to do so" in Section 28(9) of the Customs Act does not justify such indefinite delays. The notice was repeatedly placed in and removed from the "call book" without valid justification, resulting in a prolonged delay. Therefore, the notice issued in 2014 is quashed due to the failure to adjudicate it within the prescribed time limits under the Customs Act.

Judges: Justice Prathiba M. Singh, Justice Dharmesh Sharma

The Customs Department cannot encash the bank guarantee of M/s Amar Singh and Sons Tree Nuts LLP while the appeal against the Order-in-Original regarding customs duty, penalties, and confiscation of goods is pending. This is based on a Circular from the Central Board of Indirect Taxes and Customs, which prohibits coercive recovery during the appeal process if a pre-deposit has been made. The encashment of the bank guarantee is restrained, provided it remains active, pending the final outcome of the appeal.



NARESH KUMAR JAIN VS R.L. KAPOOR (SINCE DECEASED) THROUGH HIS LRS [EX.S.A.-1/2023] Judges: Justice Purushaindra Kumar Kaurav

Objections filed by the appellants/objectors under Order XXI Rule 97 of the Code of Civil Procedure are not maintainable as they are transferees pendente lite and barred by the doctrine of lis pendens under Section 52 of the Transfer of Property Act. A pendente lite transferee cannot raise objections under Order XXI Rule 97, and no appeal lies against such adjudication under Sections 96 or 100 of the Code of Civil Procedure.

IQBAL SINGH (DECEASED) THR LRS VS HARI KISHAN LAL (DECEASED) THR LRS [RSA-123/2019] ☑ Judges: Justice Purushaindra Kumar Kaurav

The sale deed dated 21.10.1937 was proven valid through original registration records, effectively transferring ownership of property, including plot numbers 50 to 53, from the original plaintiff's predecessor to the defendants' predecessor. Challenges to the validity of the sale deed and claims of ownership by the plaintiffs were dismissed. No substantial question of law emerged, as the matter largely involved factual findings not subject to re-examination in a second appeal.

NANDAN SINGH VS LAXMI DEVI SINCE DECEASED THROUGH LRS AND ORS [RFA-594/2014] Judges: Justice Purushaindra Kumar Kaurav

The appeal was dismissed, confirming that an oral partition of the properties was validly executed during the lifetime of the common ancestor, Chaudhary Harphool Singh. Evidence such as exclusive possession, separate electricity connections, and construction activities supported the existence of the oral partition. The principle of preponderance of probabilities indicated that the evidence substantiated the respondents' claims regarding the family settlement and partition, with no need for interference with the trial court's judgment.

TARJIT SINGH AND ORS VS M/S SAVILLE ROW COLLECTIONS PVT LTD AND ORS [RSA-13/2023] Judges: Justice Purushaindra Kumar Kaurav

The civil suit seeking the declaration and cancellation of a sale deed was maintainable, as the plaintiff did not need to claim possession relief under Section 34 of the Specific Relief Act. Jurisdiction was barred under Section 50 of the Delhi Rent Control Act due to the monthly rent being below Rs. 3,500, preventing the claim for possession. The terms of the compromise decree and Agreement to Sell indicated that physical possession of the property remained with the tenant, M/s Jainsons Westend, not the defendant. Therefore, the plaintiff was not required to seek possession relief. The findings from the first Appellate Court were based on a correct interpretation of the law.

RITU PAHWA VS PAYAL KASHYAP & ANR. [FAO-363/2024]

Judges: Justice Ravinder Dudeja

The application for an interim injunction against the installation of a common lift in the residential building was dismissed. The lift construction complied with the sanctioned plan and the no-objection certificate issued by municipal authorities. Technical issues regarding the structural design could be resolved by submitting a structural stability certificate. Balancing the appellant's privacy concerns with the practical need for the lift and the advanced stage of construction indicated that allowing the completion of the lift installation was in favor of convenience.



ASHOK KUMAR VS SITARA & ORS. [CM(M)-3798/2024]

Judges: Justice Ravinder Dudeja

The trial court's dismissal of the petitioner's application to amend the written statement was upheld. The petitioner had previously disclosed the respondent's alternative accommodations and did not explain the delay in filing the amendment application. Proposed amendments regarding additional legal heirs and the respondent's alleged concealment of income were deemed unnecessary for the case. The petitioner failed to show that the matter could not have been raised earlier despite due diligence, leading to the conclusion that there was no error in the trial court's decision.

M/S SKYTECH CONSTRUCTION LTD VS ASHOK KUMAR SHARMA [CM(M)-3995/2024] Judges: Justice Ravinder Dudeja

The petition by Skytech Construction Ltd. challenging the trial court's ex-parte order was dismissed. The defendant did not sufficiently justify its non-appearance, as the medical certificate of its lawyer did not require strict bed rest, and alternative representatives could have been sent. The trial court's order was deemed legally sound, and the defendant was granted the opportunity to apply to present its evidence.

WALNUT PICTURES AND ORS VS RAJYESH PATNI [CM(M)-3575/2024] ☑

Judges: Justice Ravinder Dudeja

The order dismissing the petitioners' application for condonation of delay in filing the written statement was set aside. The delay, although beyond the 30-day deadline, fell within an extended 90-day period and was adequately explained. A pragmatic approach was taken to allow the delay subject to the petitioners paying a cost of Rs. 30,000 to the respondent. The previously filed written statement was permitted to be taken on record after the cost payment.

THE GENERAL MANAGER, NORTHERN RAILWAYS VS MRS HARLEEN KAUR [CM(M)-4146/2024] ✓ Judges: Justice Ravinder Dudeja

The petition by the General Manager of Northern Railways was dismissed, maintaining the decisions of the State and National Consumer Disputes Redressal Commissions. These bodies had not condoned a 64-day delay in filing an appeal against a District Commission order that found the Railways liable for negligence and deficiency of service in a complaint by Mrs. Harleen Kaur. The lack of a reasonable explanation for the delay led to the refusal to condone it.

USHA DRAGER PRIVATE LTD & ANR. VS DRAEGERWERK AKTIENGESELLSCHAFT & ORS. [CM(M)-2296/2024]

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Judges: Justice Ravinder Dudeja

The petition by Usha Drager Private Ltd. to amend the suit's valuation from Rs. 1 lakh to Rs. 200 crores was dismissed. The petitioners failed to show due diligence, as relevant turnover figures had been available since 2008, yet the amendment application was delayed for 16 years. Valuation must be based on the filing time and cannot be amended due to later developments. The proposed amendment was considered neither bona fide nor necessary for resolving the dispute, and approving it would prejudice the respondents and compromise procedural integrity.



GAURAV TREHAN SUBSTITUTED BY JAI KUMAR TREHAN THROUGH LR. VS GURVINDER SINGH BRAR AND ORS. [CM(M)-59/2025]

Judges: Justice Ravinder Dudeja

The petition filed by the legal heirs of Jai Kumar Trehan was dismissed, challenging the trial court's order that rejected their application to record Gaurav Trehan's evidence as a plaintiff's witness. The petitioners did not summon Gaurav Trehan earlier, despite his evidence being relevant. The application was viewed as an attempt to address gaps in the case, filed 27 years after the initial suit and after the defendant's evidence concluded. The trial court's order was found to have no illegality or judicial impropriety.

SUNITA SHARMA & ANR. VS OM PRAKASH SHARMA & ANR. [CM(M)-450/2022] Judges: Justice Ravinder Dudeja

The trial court erred by setting aside the order dismissing the suit based solely on the respondent's allegations against previous counsel, without adequately examining the circumstances surrounding the recorded compromise. The parties' statements, which were signed and acknowledged in court, indicated their awareness of the settlement. The necessary assessment of the parties' understanding at the time of recording should not have been deferred to the Bar Council. The impugned order was set aside, with the matter remanded for fresh consideration of the review application, addressing all relevant aspects.

M/S K. K. SPUN INDIA PVT LIMITED & ANR. VS M/S REGAL ENTERPRISES [CM(M)-3/2025] Judges: Justice Ravinder Dudeja

The trial court's order closing the petitioners' evidence in a commercial suit was set aside. A more pragmatic and justice-oriented approach was deemed necessary, emphasizing the Commercial Courts Act's goal of speedy resolutions. The trial court should have imposed costs for non-compliance instead of preventing the petitioners from presenting their evidence. Fresh dates for recording the petitioners' evidence must be scheduled within 15 days, with the condition of no further adjournments.

SH RAJEEV SHUKLA VS SH GOPAL KRISHNA SHUKLA [CM(M)-2342/2024] Judges: Justice Ravinder Dudeja

The trial court's dismissal of the petitioner's application for condonation of delay in filing the written statement was based on the incorrect belief that the application was improperly filed under Section 151 CPC instead of the Limitation Act. The focus should have been on the substance of the application rather than the technicality of the cited provision. The trial court is directed to rehear the arguments on the application for condonation of delay and issue a reasoned order on the merits, preserving the parties' rights and contentions.

RAJINDER SINGH VS STATE [W.P.(CRL)-1054/2021]

Judges: Justice Rekha Palli, Justice Prathiba M. Singh, Justice Subramonium Prasad, Justice Saurabh Banerjee, Justice Manoj Jain

The guidelines from the Karan v. State of NCT of Delhi case are unsustainable and need to be set aside. The Full Bench overstepped its powers by delegating victim compensation determination to the DSLSA, which is solely the Trial Court's responsibility. The requirement for the accused to file an affidavit disclosing assets and income violates constitutional and statutory rights against self-incrimination. Additionally, the mandatory procedure outlined in the guidelines causes significant delays in sentencing, infringing on the accused's right to a speedy trial.



M JOSEPH LOUIS ALOYSIUS VS THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA & ORS [LPA-595/2017]

Judges: Justice Rekha Palli, Justice Saurabh Banerjee

The appeal was allowed, setting aside previous orders. The appellant's challenge to the Board of Discipline's findings regarding 'other misconduct' will be considered on its merits. The findings that dishonor of cheques constituted 'other misconduct' lacked proper contextual appreciation. The matter is remanded to the Appellate Authority for reconsideration of the original and supplementary appeals, to be decided within two months.

NBCC (INDIA) LIMITED VS AMAN LEKHI & ORS. [LPA-126/2024] ☑

Judges: Justice Rekha Palli, Justice Saurabh Banerjee

NBCC (India) Limited's appeal clarified that the protected area of the Dariya Khan Tomb is 1.25 acres, not 14 acres as previously stated. No additional relief for construction or commercial activities was granted; any such endeavors require approval from relevant statutory authorities. The surrounding prohibited and regulated areas remain extensive and cannot be utilized without proper permissions.

UMANG VS UNION OF INDIA AND ORS & ANR. [W.P.(C)-1263/2025]

Judges: Justice Sachin Datta

Petitions challenging the release of the movie "2020 Delhi" were dismissed as premature, pending certification from the Central Board of Film Certification (CBFC). The producers indicated the film is fictional and will include a disclaimer. Previous precedents establish a presumption of validity for CBFC certification, suggesting that the petitioners' concerns can be addressed through this process. Allegations regarding potential voter influence prompted direction to the Election Commission for appropriate action on a related complaint. No grounds to interfere were identified at this stage, leading to the dismissal of the petitions and all pending applications.

VIJENDER GUPTA & ORS. VS GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI & ORS. [W.P.(C)-18021/2024]

Judges: Justice Sachin Datta

Laying of CAG reports before the Legislative Assembly is a mandatory requirement under Article 151(2) of the Constitution. A writ of mandamus cannot compel the Speaker to convene a special sitting for this purpose, as it is within the Speaker's exclusive domain. The government of NCT of Delhi failed to timely forward 14 CAG reports to the Lieutenant Governor, as mandated by Section 48 of the GNCTD Act. After the new Legislative Assembly is formed following elections, the government must ensure the CAG reports are tabled promptly.

TAEKWONDO FEDERATION OF INDIA VS INDIAN OLYMPIC ASSOCIATION & ORS. [CM APPL.-906/2025] Udges: Justice Sachin Datta

The Taekwondo Federation of India (TFI) must conduct fresh selection trials within one week to include deserving athletes who were excluded from the initial selection for the National Games. The exclusion of international players and athletes from paramilitary forces, who did not participate in the National Championships, was noted as problematic. The TFI is directed to hold open selection trials and to provide two wild card entries per weight category for these athletes. A public notification regarding the trials is necessary, with oversight from a representative of the Indian Olympic Association and/or the Games Technical Conduct Committee.



M/S MANJALLY JEWELLERS VS DIRECTOR GENERAL OF FOREIGN TRADE & ORS. [W.P.(C)-138/2025] Judges: Justice Sachin Datta

The mid-term revision of the Bullion Tariff Rate Quota (TRQ) allocation for FY 2024-25 under the India-UAE Comprehensive Economic Partnership Agreement (CEPA) was deemed unreasonable due to the lack of prior notice and opportunity for hearing to the petitioners. Respondents must re-examine the issues raised and issue a fresh decision while maintaining current allocations during the review process, with each case assessed on its own merits.

MAHANAGAR TELEPHONE NIGAM LTD VS MICRO AND SMALL ENTERPRISE FACILITATION COUNCIL AND OTHERS [W.P.(C)-115/2025]

Judges: Justice Sachin Datta

The writ petition filed by Mahanagar Telephone Nigam Ltd. challenging an arbitral award was dismissed. The arbitrator had jurisdiction to consider all claims made by the petitioner, not limited to the specific invoice mentioned in the MSME Facilitation Council's referral. The petitioner's objections to jurisdiction were considered and rejected by the arbitrator. The appropriate remedy is to challenge the arbitral award under the Arbitration and Conciliation Act, 1996, not through a writ petition. The petitioner's contentions on the merits of the award remain open for consideration in subsequent proceedings under the Arbitration Act.

Judges: Justice Sanjeev Narula

The bail application of Mohit Jaiswal was dismissed due to prima facie evidence of his conscious possession of over 1.8 kg of MDMA. His attempts to inquire about and collect parcels addressed to others suggested involvement in drug trafficking. The requirements of Section 37 of the NDPS Act were not met, as there were no reasonable grounds to believe he was not guilty and a risk of reoffending while on bail was present. The ongoing investigation into an international drug trafficking conspiracy indicated that his release could hinder the probe, leading to the decision to deny bail.

RANGOLI INTERNATIONAL PVT LTD & ORS. VS CENTRAL BUREAU OF INVESTIGATION & ORS. [CRL.M.C.-350/2025]

Judges: Justice Sanjeev Narula

The FIR/RC against the Petitioner company and its directors alleges conspiracy, fraud, and corruption, indicating cognizable offences that necessitate CBI investigation. Although the classification of the account as 'fraud' was previously set aside, the Respondent banks retain the right to seek an investigation. The allegations, if substantiated, fall under the IPC and the Prevention of Corruption Act. Examination of the merits or evidence is not appropriate at this stage. A petition to quash the FIR/RC was dismissed, allowing the CBI investigation to proceed.

MOHD. SIRAJUDEEN @ M. MOHAMED SIRAJUDEEN VS STATE (EOW SOUTH-EAST) GOVT. OF NCT OF DELHI [BAIL APPLN.-2796/2024] [BAIL APPLN.-2796/2024]

Judges: Justice Sanjeev Narula

Mohd. Sirajudeen was granted bail on charges under Sections 420/406/467/468/120-B/34 of the Indian Penal Code. The decision emphasized that bail is the norm and pre-trial detention should not equate to punishment. The lack of evidence indicating potential interference with the trial or tampering with evidence supported the decision. Bail was granted with conditions, and any observations made were solely for assessing the bail application and not reflective of the case's final merits.



SMT. TABASSUM & ORS. VS AMNA BEGUM & ORS. [W.P.(C)-5068/2022]

Judges: Justice Sanjeev Narula

The writ petition was dismissed, affirming the eviction orders against the petitioners from property owned by the respondent, an elderly senior citizen. The respondent's ownership was established, and allegations of mistreatment by the petitioners were substantiated. The respondent's rights under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 took precedence over the petitioners' claims, highlighting the importance of protecting the dignity and security of senior citizens in their homes.

TELECOM REGULATORY AUTHORITY OF INDIA VS AKSHAY KUMAR MALHOTRA [W.P.(C)-3026/2015] Judges: Justice Sanjeev Narula

The petition by the Telecom Regulatory Authority of India (TRAI) was allowed, and the order of the Central Information Commission (CIC) was set aside. TRAI's authority to obtain information from telecom service providers (TSPs) is limited to its regulatory functions and does not cover individual customer grievances. TRAI is not required to collect or create information that it does not already possess. The Right to Information Act does not grant the CIC the power to compel TRAI to interpret the Telecom Commercial Communications Customer Preference Regulations, 2010. Grievances against TRAI should be addressed to the Telecom Disputes Settlement and Appellate Tribunal (TDSAT), not the Consumer Disputes Redressal Forum.

ATUL PUNJ VS UNION OF INDIA & ORS. [W.P.(C)-9372/2024]

Judges: Justice Sanjeev Narula

Prolonged travel restrictions imposed by an indefinite Look Out Circular (LOC) on the Petitioner are unsustainable despite the State's interest in investigating financial impropriety allegations. The Petitioner's right to travel is prioritized, leading to conditional permission for a 15-day trip to the UK, contingent on providing securities and safeguards. The principles of res judicata do not prevent reconsideration of the LOC suspension due to changed circumstances.

RAJASTHAN EQUESTRIAN ASSOCIATION VS UNION OF INDIA & ORS. [W.P.(C)-5989/2022] Ustice Sanjeev Narula

The Relaxation Clause in the National Sports Development Code 2011, allowing exemptions for NSFs, is valid. However, the exemptions granted to the Equestrian Federation of India were found to be unjustified, as they compromised the principles of transparency, accountability, and representation outlined in the Sports Code. A Fact-Finding Committee will be established to assess the realities of equestrian sports in India and suggest reforms for EFI's governance structure to comply with the Sports Code.

DIRECTORATE OF EDUCATION VS RAMJAS SCHOOL [LPA-488/2022] ☑

Judges: Justice Rekha Palli, Justice Saurabh Banerjee

The appeal by the Directorate of Education against Ramjas School's fee increase for the 2016–2017 academic session was dismissed due to an insufficient explanation for a 175-day delay in filing. The Directorate failed to demonstrate a "sufficient cause" for the delay as required by Section 5 of the Limitation Act. The application for condonation of delay was denied, resulting in the dismissal of the appeal, with no examination of the merits of the fee increase issue.



SANDEEP GUPTA VS UNION OF INDIA AND ORS [W.P.(C)-5366/2024]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner, a Superintending Engineer in the Border Roads Organization, is deemed to have voluntarily retired effective 17.04.2024, having satisfied the requirements under Rule 56(k) of the Fundamental Rules by providing the necessary notice. The absence of a formal order to withhold permission for retirement before the notice period ended, despite pending allegations and a Court of Inquiry, indicates that such allegations do not justify withholding retirement. The respondents are instructed to release the petitioner's pensionary and other retirement benefits within two months.

LEELAM VS UNION OF INDIA & ORS [W.P.(C)-181/2017] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The death of Sub-Inspector Surender Yadav, while on casual leave and traveling on his personal motorcycle, was not considered to have occurred during the performance of official duties. This situation fell under Category A of the OM dated 20.04.2011, concerning deaths due to natural causes unrelated to government service. The findings of the Court of Inquiry were inconclusive regarding any involvement of terrorists or anti-social elements. Compensation awarded by the Motor Accident Claims Tribunal aligned with the conclusion that the accident did not relate to his official duties. Consequently, the petitioner was not entitled to Liberalized Family Pension/Extra Ordinary Family Pension and Ex-gratia lumpsum compensation as per the relevant OMs, leading to the dismissal of the writ petition.

MAKHDUM ALI HAIDAR VS UNION OF INDIA AND ORS [W.P.(C)-3465/2023]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The adverse remarks and below benchmark grading of '3.1' in the petitioner's Annual Performance Assessment Report (APAR) for the period from 01.04.2015 to 31.03.2016 were deemed unjustified due to insufficient reasoning and lack of specific incidents by the Reporting and Reviewing Authorities. The Pen Picture in the APAR was considered inadequate for explaining the adverse grading. Regularization of the petitioner's overstay leave (OSL) by the competent authority negated its use as a basis for downgrading the APAR. Despite the guidelines prohibiting a second appeal against adverse remarks after the first appeal, the impugned APAR was quashed due to its flaws.

SANTOSH KUMAR YADAV @ RANJAN VS UNION OF INDIA AND ORS. [W.P.(C)-5015/2018] Judges: Justice Navin Chawla, Justice Shalinder Kaur

The termination of the petitioner's service due to false information was deemed unsustainable. The petitioner was a juvenile at the time of the alleged offense, and according to the Juvenile Justice Act, 2000, a juvenile in conflict with the law does not face disqualifications from conviction. The petitioner was not required to disclose the pending criminal case as it contradicted the principles of the Juvenile Justice Act. The impugned orders were set aside, and the respondents were directed to reinstate the petitioner with all consequential benefits, excluding back wages, within 12 weeks.

SEEMA JAMWAL VS UNION OF INDIA AND ORS [W.P.(C)-9319/2022]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The death of the petitioner's husband, an Inspector in the Indo-Tibetan Border Police Force, was linked to his service conditions, particularly his posting in a high-altitude area and delays in receiving medical treatment. The petitioner, as the widow, is entitled to Extraordinary Pension and ex-gratia compensation of Rs. 35 lakhs due to the death occurring while on duty at a specified border post. An order rejecting the petitioner's claims was set aside, directing the payment within 12 weeks.



SUNIL KUMAR SINGH VS UNION OF INDIA AND ORS [W.P.(C)-7730/2012]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The dismissal of a Pay Clerk from the Central Reserve Police Force for financial irregularities and misappropriation of government funds was upheld. Findings of misconduct included making false entries, drawing house rent allowance in another person's name, and manipulating the government muster roll. The penalty of dismissal was deemed proportionate to the misconduct, and the individual was ineligible for compassionate allowance under Rule 41 of the Central Civil Service (Pension) Rules, 1972, due to the nature of the offenses involving moral turpitude and personal gain. The writ petition was dismissed.

ALEMLA JAMIR VS NATIONAL INVESTIGATION AGENCY [CRL.A.-606/2024]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The appellant's appeal against the rejection of her second bail application was dismissed. Evidence collected by the National Investigation Agency indicated that the appellant was a member of the NSCN(IM) terrorist gang, involved in raising funds through extortion. The argument that NSCN(IM) is not a terrorist organization due to ongoing peace negotiations was rejected. The appellant, identified as a "Kilonser" (Cabinet Minister) in the group, was deemed a flight risk and a potential threat to evidence integrity. Despite acknowledging her lengthy incarceration, the delay in trial was not sufficient to override stringent bail restrictions under the UAPA, and the trial was noted to be fast-tracked.

ISHITA VS UNION OF INDIA MINISTRY OF HOME AFFAIRS THROUGH ITS SECRETARY & ORS. [W.P.(C)-13121/2022]☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The petitioner, unable to complete the 15-day jungle camp training due to chickenpox, should not be penalized for this absence. Her operational experience, awards, and commendations were acknowledged. It was directed that her confirmation be considered and inter-se seniority fixed without regard to the incomplete training, awarding marks for the training she completed. If she qualifies, her seniority will be adjusted accordingly; otherwise, she will be placed at the bottom of her batch's seniority list. This decision is specific to the case and does not set a precedent for others seeking exemptions from the mandatory training.

KALU SINGH VS UNION OF INDIA AND ORS. [W.P.(C)-6197/2018]

Judges: Justice Navin Chawla, Justice Shalinder Kaur

The premature retirement of Kalu Singh from the Central Industrial Security Force (CISF) under Rule 48(1)(b) of the Central Civil Services (Pension) Rules, 1972 is upheld. The Superannuation Review Committee evaluated Singh's entire service record, including instances of misconduct and punishments, and concluded he was unfit for continued service. The decision was deemed valid, with no evidence of arbitrariness or lack of reasoning.

KULDEEP SINGH VS DIRECTOR GENERAL CRPF AND ORS. [W.P.(C)-3227/2021] ☑

Judges: Justice Navin Chawla, Justice Shalinder Kaur

In the absence of recorded reasons for denying the petitioner Disability Pension, the petitioner's disability is presumed to be service-related. The petitioner is entitled to a Disability Pension calculated at 40%, rounded off to 50%, along with arrears commencing from three years prior to the petition.



BIMAL ROY GAMBHIR VS DILIP GAMBHIR & OTHERS [CS(OS)-3361/2015]

Judges: Justice Subramonium Prasad

The plaintiff did not prove that the gift deed executed by Rikhi Kesh in favor of the defendant was forged or fabricated. The gift deed was properly executed and registered, granting the defendant absolute ownership of the property after acceptance during the donor's lifetime. Documentary evidence, including the gift deed, conveyance deed, and official records, supported this conclusion. The plaintiff lacks any rights to the suit property and is not entitled to the requested partition. The suit was dismissed.

SONAKSHI GUPTA VS L.R GUPTA, HUF & ORS [CS(OS)-1965/2012]

Judges: Justice Subramonium Prasad

The plaint cannot be rejected under Order VII Rule 11(d) CPC. The 2005 amendment to the Hindu Succession Act, which grants daughters equal coparcenary rights, applies even if the partition was recorded in 2006. A plaintiff's rights as a coparcener by birth are not denied based on the timing of partition, and whether the partition occurred will be determined during the trial.

M/S JAIPRAKASH ASSOCIATES LIMITED VS M/S NHPC LIMITED [ARB.P.-1061/2023] ☑

Judges: Justice Subramonium Prasad

The case involved a dispute deemed "demonstrably non-arbitrable." The Arbitral Tribunal had previously examined the Petitioner's claim for additional costs and found insufficient evidence. Re-agitation of the issue in a new arbitration was considered a waste of resources and contrary to public policy. Therefore, the Petitioner's request to restart the arbitration was dismissed, as the underlying dispute had been conclusively resolved.

SANJAY KUMAR VS SECURITIES AND EXCHANGE BOARD OF INDIA [CRL.M.C.-507/2022] ☑

Judges: Justice Subramonium Prasad

Documents and materials reviewed by the High Powered Advisory Committee (HPAC) and the panel of Whole Time Members (WTM) of SEBI, relevant to the petitioner's request for compounding an offense, are necessary for assessing the application. The dismissal of the petitioner's request for these documents under Section 91 Cr.P.C. has been set aside, with a directive for SEBI to produce the relevant documents. The decision on sharing these documents with the petitioner remains pending.

SHRI INDERJEET SINGH BINDRA VS SMT RAMESH KUMARI AND OTHERS [CS(OS)-63/2017] **Judges: Justice Subramonium Prasad**

The plaintiff's review petition challenging the earlier refusal to cancel a power of attorney dated 24.07.1987 was dismissed. Arguments regarding the applicability of Article 65 of the Limitation Act were deemed inappropriate for a review petition, which is limited to correcting clear errors or considering new evidence. The principles governing reviews emphasize their limited scope, applicable only in cases of clear errors or significant new evidence.

M/S BRANDAVAN FOOD PRODUCTS VS CAPITAL EQUIPMENT INDIA [CS(COMM)-1176/2024]

Judges: Justice Subramonium Prasad

The plaintiff's commercial suit for recovery of opportunity costs due to defective equipment cannot proceed without first completing the mandatory pre-institution mediation process under Section 12A of the Commercial Courts Act. The application for exemption from this requirement was rejected, as no irreparable loss was evident and no urgent relief was needed. The plaint was returned, and the plaintiff was directed to seek pre-institution mediation before refiling the suit.



KGF COTTONS PVT LTD VS HALDIRAM SNACKS PVT LTD [O.M.P. (COMM)-426/2023]

Judges: Justice Subramonium Prasad

The petition by KGF Cottons Pvt Ltd under Section 34 of the Arbitration and Conciliation Act, 1996, challenging the arbitral award in favor of Haldiram Snacks Pvt Ltd was not maintainable. A petition under Section 34 requires a copy of the impugned arbitral award to assess the grounds for setting it aside. The initial filing on 26.07.2023 without the award was deemed "non-est" and did not count towards the limitation period. The re-filing on 10.10.2023 was beyond the three-month limitation period from receiving the award as per Section 34(3) of the Act, leading to the dismissal of the petition on the grounds of being time-barred.

TEFCIL BREWERIES LIMITED VS ALFA LAVAL (INDIA) LIMITED [O.M.P. (COMM)-479/2018]

Judges: Justice Subramonium Prasad

The petition challenging the arbitral award was barred by limitation because it was not filed within 3 months from the disposal date of the Section 33 application for correction of the award. A conflict existed between two Supreme Court rulings regarding the calculation of the limitation period, but the applicable interpretation was that it should be based on the disposal date of the Section 33 application. Since the petition was submitted after the 3-month period, it was dismissed as time-barred.

KAMAL GUPTA & ANR. VS M/S SURGE INDUSTRIES LTD. & ORS. [CS(OS)-694/2024]

Judges: Justice Subramonium Prasad

The defendants raised triable issues regarding the loan amount, interest rate, and repayment timeline, necessitating a full trial. They acknowledged a debt of Rs. 2 crores, leading to conditional leave to defend, contingent upon furnishing security for this amount. The ordinary rule favors granting leave to defend, with denial being the exception. The efforts of the amicus curiae were appreciated.

Judges: Justice Subramonium Prasad

The plaintiff's suit is barred under Order XXIII Rule 1(4)(b) of the Code of Civil Procedure because the plaintiff unconditionally withdrew a previous suit on the same matter in Vadodara without court permission for a fresh filing. The distinction between "abandonment" and "withdrawal" indicates that this withdrawal amounts to abandonment, preventing the filing of the current suit.

VIKASH @ PAREEK VS THE STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-4144/2024] Judges: Justice Swarana Kanta Sharma

The bail application of Vikash @ Pareek, charged under Sections 18/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 for possessing a commercial quantity of opium, was dismissed. The twin conditions under Section 37 of the NDPS Act were not satisfied, with no reasonable grounds to believe the accused had not committed the offense. Arguments regarding the incompleteness of the chargesheet without the FSL report and the invalidity of remand orders were rejected. No grounds for granting regular bail were identified.



BACHITTAR SINGH VS STATE OF NCT OF DELHI & ORS. [CRL.M.C.-240/2025]

Judges: Justice Swarana Kanta Sharma

The dismissal of the petitioner's complaint and the revision petition was found to be erroneous. The petitioner, from a disadvantaged socio-economic background and dependent on legal aid, should not be accountable for the non-appearance of his legal aid counsel. The complaint is to be restored, and a new legal aid counsel appointed. The responsibility for effective legal representation rests with the legal aid system and judiciary. Directions were issued to the Delhi State Legal Services Authority to enhance monitoring and grievance redressal mechanisms for legal aid cases.

THE STATE (GNCT OF DELHI) VS SHAKEEL AHMED @ DURRANI [CRL.M.A.-6955/2024]

Judges: Justice Swarana Kanta Sharma

A delay of 272 days in filing a revision petition against the discharge of accused Shakeel Ahmed from serious charges, including murder and violations of the Arms Act, is to be condoned. The serious nature of the allegations and the potential injustice to the victim and the State are considered paramount, alongside the need to balance the rights of the accused with the larger interests of society.

SULEMAN SAMAD VS STATE OF NCT OF DELHI [BAIL APPLN.-4266/2024]

Judges: Justice Swarana Kanta Sharma

The accused, a first-time offender, is entitled to bail under Section 479 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) after serving more than one-third of the maximum possible sentence. There was a failure to promptly address the bail application by the trial court, despite having the necessary information. A directive was issued for the trial court to decide on the bail application within 7 days.

HIMANSHU SINGLA VS STATE OF NCT OF DELHI & ANR. [CRL.REV.P.-4/2025]

Judges: Justice Swarana Kanta Sharma

The framing of charge against the petitioner under Section 64(2)(m) of the Bharatiya Nyaya Sanhita (BNS) for establishing sexual relations with the prosecutrix on a false promise of marriage, despite being married, was upheld. At the charge-framing stage, only a prima facie case is required, leaving final guilt determination for trial. The prosecutrix's assertion of being unaware of the petitioner's marital status and relying on his promise to obtain a divorce was seen as credible. The order to frame the charge was sustained, with modifications to some observations.

IRFAN BADSHAH VS STATE OF NCT OF DELHI [W.P.(CRL)-130/2025] ☑

Judges: Justice Swarana Kanta Sharma

Irfan Badshah, convicted under Sections 302/232/34 of the Indian Penal Code and sentenced to life imprisonment, had his parole request initially rejected. Despite a prior FIR against him under the Arms Act during a previous parole, he maintained good conduct in prison and received recommendations for premature release. Taking into account his time served, he was granted a 4-week parole period, subject to specific conditions.

BHAGWAN MALIK @ RAJESH @ BABU VS STATE OF NCT OF DELHI [W.P.(CRL)-261/2025] Usunges: Justice Swarana Kanta Sharma

The petitioner, convicted under Sections 302/394/34 of the Indian Penal Code and in custody for 18 years and 7 months, was granted a 3-week furlough with conditions. The decision considered the lengthy custody period and satisfactory conduct, despite a late surrender during a previous furlough. Conditions included furnishing a personal bond, reporting to the local police station, and surrendering immediately after the furlough.



DALIP SINGH VS STATE OF NCT OF DELHI [W.P.(CRL)-234/2025]

Judges: Justice Swarana Kanta Sharma

Dalip Singh, convicted for offenses under Sections 302, 307, 392, 120B, and 34 of the Indian Penal Code and serving a 17-year sentence, is granted a three-week furlough. His conduct was generally satisfactory, with one instance of late surrender after a previous furlough. Furlough is aligned with the progressive and correctional objectives outlined in the Delhi Prison Rules, leading to the directive for his release under certain conditions.

JYOTI ALIAS KITTU VS THE STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-262/2025]

Judges: Justice Swarana Kanta Sharma

The anticipatory bail application of Jyoti alias Kittu, accused of inflicting grievous injuries on her husband by pouring boiling water mixed with chili powder, was dismissed. Arguments for leniency based on gender were rejected, emphasizing that crimes causing life-threatening injuries require firm responses regardless of the perpetrator's gender. Factors such as the severity of the injuries, the accused's actions in locking the victim in a room and fleeing with his phone, and a prior complaint from the victim were considered. The need for a gender-neutral approach was highlighted, with a focus on the victim's plight. No opinion on the case's merits was expressed in the decision.

MD SALAUDDIN VS STATE NCT OF DELHI [W.P.(CRL)-207/2025]

Judges: Justice Swarana Kanta Sharma

MD Salauddin received a 3-week furlough due to his generally good conduct during 16 years of imprisonment, despite a prior instance of surrendering 10 days late. The decision considered the Delhi Prison Rules, 2018, which outline objectives and eligibility for furlough. Conditions for the furlough include furnishing a personal bond, reporting to the local police station, and mandatory surrender at the end of the furlough period.

PR. COMMISSIONER OF INCOME TAX VS DCM SHRIRAM LTD [ITA-566/2023]

Judges: Justice Swarana Kanta Sharma

The rates at which the assessee sold electricity to State Electricity Boards (SEBs) should be used as the internal comparable uncontrolled price (CUP) for determining market value or arm's length price (ALP) under Section 80IA of the Income Tax Act. The average rates from the Indian Energy Exchange (IEX) were rejected as an external CUP due to material differences affecting pricing. The market value must be based on the rates charged by SEBs to industrial consumers, rather than the rates at which the assessee sold power to the SEBs. The transfer pricing adjustments made by the TPO were dismissed, upholding the ITAT's decision.

ANITA VS STATE (NCT OF DELHI) [BAIL APPLN.-194/2025]

Judges: Justice Swarana Kanta Sharma

Anita's anticipatory bail application was dismissed due to prima facie evidence of her involvement in obtaining loans from multiple banks using forged documents and mortgaging the same property with different banks. The seriousness of the offences necessitated custodial interrogation to uncover the facts, and no justification was found for granting anticipatory bail.

THE STATE (GNCT OF DELHI) VS SAHIL CHOPRA & ORS. [CRL.REV.P.-52/2024]

Judges: Justice Swarana Kanta Sharma

The accused persons, Sahil Chopra, Baljeet Singh, and Shokkhnoza Trigarhera, were discharged from charges under Sections 376D, 506, and 109 of the Indian Penal Code. The victim's statement under Section 164 Cr.P.C. denied the occurrence of rape or sexual abuse and indicated a lack of understanding of the FIR. The charge sheet did not contain incriminating evidence against the accused.



VIKASH @ BHIM VS THE STATE OF NCT OF DELHI THROUGH ITS STATION HOUSE OFFICER POLICE STATION JAFFARPUR KALAN NEW DELHI 110073 [BAIL APPLN.-167/2025]

Judges: Justice Swarana Kanta Sharma

Anticipatory bail applications filed by Vikash @ Bhim were dismissed in connection with three FIRs under the Bharatiya Nyay Sanhita, 2023 and Arms Act. The allegations included serious claims of conspiracy to forcibly take possession of disputed property using firearms. Custodial interrogation was deemed necessary to investigate the larger conspiracy, and the seriousness of the offenses provided no grounds for granting anticipatory bail.

PRIYANSHU PANDEY VS STATE OF NCT OF DELHI THROUGH SHO [BAIL APPLN.-3825/2024]

Judges: Justice Swarana Kanta Sharma

Anticipatory bail was granted to Priyanshu Pandey after evidence, including CCTV footage and the complainant's statements, did not support the prosecution's case. The complainant's account changed significantly after six days, claiming the accused's presence and assault, which was contradicted by the CCTV showing he was not at the scene. Additionally, it was verified that the accused was at his residence in Lucknow during the alleged incident. Bail was granted with certain conditions.

VISHAL@BUNTY VS THE STATE NCT OF DELHI [BAIL APPLN.-4527/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Vishal @ Bunty, charged with murder under Section 302/34 of the Indian Penal Code for the death of Manoj @ Bobby in a secured jail van, was dismissed. The offense was deemed serious due to its occurrence in a heavily guarded environment and the alleged motive linked to previous murder revenge. The gravity of the crime and the prosecution's claims led to the conclusion that there were insufficient grounds for granting bail at this stage.

SUDHIR KUMAR VS THE STATE NCT OF DELHI [BAIL APPLN.-4091/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Sudhir Kumar, charged under Sections 376 and 506 of the Indian Penal Code, was dismissed due to serious allegations of sexual assault and blackmail involving threats to release inappropriate videos of the complainant. Although the initial relationship was reportedly consensual, subsequent encounters were described as occurring under duress, with the accused allegedly exploiting the complainant's vulnerabilities. Concerns were raised regarding the misuse of a photograph of the complainant's minor daughter on social media. The gravity of the offenses and the pending examination of material witnesses resulted in the decision against granting bail. A directive was issued to expedite the preparation and submission of the Forensic Science Laboratory report to the investigating officer.

ANIL KUMAR BHARTI VS STATE OF NCT OF DELHI & ANR. [CRL.M.C.-4356/2022]

Judges: Justice Swarana Kanta Sharma

The petition filed by Anil Kumar Bharti under Section 482 Cr.P.C. to quash the order dismissing his bail application was deemed infructuous, as he had already been granted bail in a separate application. The challenge to the dismissal of his bail application by the Sessions Court no longer held relevance. The petition was disposed of as infructuous.



ARJUN PRASAD YADAV VS STATE OF NCT OF DELHI [BAIL APPLN.-4682/2024]

Judges: Justice Swarana Kanta Sharma

Regular bail was granted to Arjun Prasad Yadav, the uncle of the main accused Shubham, due to contradictions in the victim's Section 164 Cr.P.C. statements; the initial statement did not support the prosecution, while the later one implicated the accused. Shubham had already received regular bail, and there were no specific allegations against Yadav, who has a clean record and no reported threats to the victim or evidence tampering. These factors led to the decision to grant bail with certain conditions.

ANIL KUMAR BHARTI VS STATE OF NCT OF DELHI [BAIL APPLN.-40/2025]

Judges: Justice Swarana Kanta Sharma

Anil Kumar Bharti was granted regular bail in a case involving charges under multiple sections of the IPC and POCSO Act. The main accused had previously been granted bail, and the victim's initial statement did not support the prosecution. Although the victim later made additional allegations against Bharti and his relatives, the absence of arrest at the time of the chargesheet and Bharti's clean record indicated no grounds for denying bail. This situation was treated as an individual case.

SALMAN ALIAS SAMMA VS STATE OF NCT OF DELHI [BAIL APPLN.-2800/2024]

Judges: Justice Swarana Kanta Sharma

Bail was denied to the accused, Salman, in a murder case involving the death of an under-trial prisoner inside a secured jail van. The severity of the offense and the circumstances of the crime, along with unexamined prosecution witnesses and significant motive details in the chargesheet, support the decision against granting bail at this stage.

CHITRANSHU PANDEY VS THE STATE NCT OF DELHI [CRL.M.C.-82/2025]

Judges: Justice Swarana Kanta Sharma

The order declaring Chitranshu Pandey a proclaimed offender under Section 82 of the Code of Criminal Procedure was quashed due to evidence of his cooperation with the investigation and CCTV footage confirming his presence at home on the alleged incident date, which contradicted the victim's statements. The overall facts and the prior granting of anticipatory bail contributed to the decision, emphasizing the contradictory evidence and the petitioner's involvement in the investigation.

SHIV KUMAR VS STATE (NCT) OF DELHI [BAIL APPLN.-3428/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Shiv Kumar was dismissed due to serious charges under multiple sections of the Indian Penal Code and the POCSO Act, related to the kidnapping and sexual assault of two minors, a boy aged 6-8 and a girl aged 5. Substantial evidence was presented, including detailed victim statements, matching bloodstains from the scene, and the accused's identification of the location. The severity of the crimes and the subsequent death of the 5-year-old victim influenced the decision, with no grounds found for granting bail at this stage.

KULDEEP SINGH VS THE STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-159/2025]

Judges: Justice Swarana Kanta Sharma

The bail application of the petitioner, husband of the deceased, was dismissed due to evidence suggesting he allegedly murdered his wife shortly after their marriage, linked to dowry demands and harassment. The severity and brutality of the crime were highlighted, noting the intent behind Section 304B of the Indian Penal Code concerning dowry deaths. Granting bail was deemed counter-productive and not justified at that stage.



GULAM HAZRAT MIRZALE VS CUSTOMS [BAIL APPLN.-1845/2024]

Judges: Justice Swarana Kanta Sharma

Gulam Hazrat Mirzale's bail application was dismissed after he was intercepted at IGI Airport with a trolley bag containing approximately 3.60 kg of heroin, classified as a commercial quantity under the NDPS Act. The case required satisfying the twin conditions of Section 37 of the NDPS Act for bail, which was not met. Arguments regarding violations of the NDPS Act and absence of independent witnesses or CCTV footage did not affect the admissibility of evidence. Given the trial stage and the applicant's status as a foreign national, no grounds for granting bail were established.

SUBHAN ALI VS THE STATE NCT OF DELH I AND ANR [BAIL APPLN.-4422/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Subhan Ali was dismissed due to serious charges under the Bharatiya Nyaya Sanhita, 2023, and the Prevention of Children from Sexual Offences Act, 2012, for sexually assaulting a 13-year-old victim. The allegations involved a trusted neighbor, referred to as "chacha," highlighting the profound trauma faced by the victim. The case emphasizes that crimes against minors are not only physical violations but also attacks on their innocence and safety. The decision was influenced by the need for further examination of public witnesses before granting bail.

BILAL ANSARI VS STATE (THROUGH SHO PS JYOTI NAGAR) [BAIL APPLN.-3790/2024]

Judges: Justice Swarana Kanta Sharma

The anticipatory bail application of Bilal Ansari was dismissed in a case involving serious allegations under IPC Sections 498A, 406, and 34, as well as Sections 3/4 of the Dowry Prohibition Act. Evidence indicated that he and his family harassed his wife for additional dowry, subjected her to abuse, and evicted her from their home while keeping her belongings. The argument that hospitalization was necessary for a cruelty claim under Section 498A was rejected. Additional concerns included the selling of the dowry car, remarrying without consent, and offering only a minimal settlement. The dismissal did not express any opinion on the merits of the case.

COMMISSIONER OF CUSTOMS (IMPORT) VS BEETAL TELETECH LIMITED [CUSAA-30/2024]

Judges: Justice Swarana Kanta Sharma

The interpretation of the word "and" in the exclusion entry of Serial No. 13 in the amended Notification No. 24/2005 is conjunctive. This interpretation supports the customs duty exemption for Wireless Access Points (WAPs) imported by Beetal Teletech Limited, which utilize only MIMO technology and not LTE standards. A similar legal issue involving another importer, Ingram Micro India Pvt. Ltd., was also considered.

DCIT, CIRDE-25(1), NEW DELHI VS TATA POWER DELHI DISTRIBUTION LTD. [ITA-199/2020] Usunges: Justice Swarana Kanta Sharma

Section 115JB of the Income Tax Act, 1961 does not apply to an electricity generation and distribution company for the assessment year 2007-08. The decision is based on precedent from the Kerala High Court, which concluded that this section excludes electricity generation companies. The Revenue's appeal was dismissed, affirming the Income Tax Appellate Tribunal's decision. This matter was considered alongside another appeal from the Revenue regarding the same company for the assessment year 2006-07, addressing the same issue.



PR. COMMISSIONER OF INCOME TAX- 9 VS M/S TATA POWER DELHI DISTRIBUTION LTD. (FORMERLY KNOWN AS M/S NORTH DELHI POWER LIMITED) [ITA-687/2019]

Judges: Justice Swarana Kanta Sharma

Section 115JB of the Income Tax Act, concerning Minimum Alternate Tax (MAT), does not apply to a power distribution company for the assessment year 2006-07. The requirement to prepare the profit and loss account per the Companies Act, 1956 is incompatible with the special statutes governing electricity companies. Previous decisions from the Kerala, Bombay, and Rajasthan High Courts support this position. The order by the ITAT to delete revenue authorities' additions under Section 115JB was upheld, leading to the dismissal of the revenue's appeal.

DCIT, CIRCLE-25(1), NEW DELHI VS TATA POWER DELHI DISTRIBUTION LTD. [ITA-196/2020] Judges: Justice Swarana Kanta Sharma

The Income Tax Appellate Tribunal's decision that Section 115JB of the Income Tax Act, 1961 (minimum alternate tax) does not apply to an electricity generation and distribution company for the assessment year 2008-09 is upheld. This follows a prior judgment favoring the same assessee for the assessment year 2006-07. The ITAT's deletion of additions made by the Assessing Officer regarding book profits under Section 115JB is justified.

COMMISSIONER OF CUSTOMS AIR CHENNAI-VII COMMISSIONERATE VS M/S. INGRAM MICRO INDIA PVT. LTD. [CUSAA-38/2023]

Judges: Justice Swarana Kanta Sharma

The phrase "MIMO and LTE Products" in the exclusion entry of Notification No. 24/2005 pertains specifically to products that utilize both MIMO technology and the LTE standard together. Products that employ only MIMO technology without the LTE standard do not fall under this exclusion. This interpretation is supported by the language used, the meaning of the conjunction "and," and legislative intent, which aims to exclude only those products incorporating both technologies. Consequently, M/s. Ingram Micro India Pvt. Ltd. was granted exemption from customs duty for its MIMO-enabled wireless access points lacking LTE support.

KBS INDUSTRIES LTD & ANR. VS THE CUSTOMS CENTRAL EXCISE AND SERVICE TAX SETTLEMENT COMMISSION PRINCIPAL BENCH NEW DELHI & ORS. [W.P.(C)-10505/2024]

Judges: Justice Swarana Kanta Sharma

The order of the Customs, Central Excise and Service Tax Settlement Commission was upheld regarding KBS Industries Ltd. and its director. An interest of ₹1,15,13,067/- was imposed on delayed customs duty payments due to unmet export obligations linked to an exemption notification under Section 25(1) of the Customs Act. The exemption notification was deemed reasonable and not arbitrary, rejecting challenges to its constitutional validity.

COMMISSIONER OF CUSTOMS (AIR), CHENNAI-VII COMMISSIONERATE VS MS REDINGTON (INDIA) LIMITED [CUSAA-44/2024]☑

Judges: Justice Swarana Kanta Sharma

The phrase "MIMO and LTE Products" in the customs notification refers solely to products that utilize both MIMO technology and LTE standards simultaneously, excluding those using only MIMO technology. The wireless access points (WAPs) imported by the respondent, which utilized MIMO technology without LTE, qualified for the customs duty exemption. The argument that "and" should be interpreted as "or" was rejected as it would misinterpret the language and intent of the notification. Additionally, the WAPs fell under the Information Technology Agreement, further entitling them to the exemption.



BHURA SINGH @ KUNAL THROUGH ITS PAIROKAR BROTHER MR BABLU VS STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-4371/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Bhura Singh, accused of offenses including murder, was dismissed. Evidence presented included CCTV footage, witness statements, and the recovery of blood-stained clothes and a motorcycle, all linking him to the crime and the victim, Charanjeet Singh. The severity of the charges and the pending examination of material witnesses contributed to the decision against granting bail at this stage.

SONANSH CREATIONS PVT LTD VS ASSISSTANT COMMISSIONER OF INCOME TAX AND ANR. [W.P.(C)-12316/2022]

Judges: Justice Swarana Kanta Sharma

Notices issued under Sections 148A(b) and 148 of the Income Tax Act to reopen the assessment of Sonansh Creations Pvt Ltd are unsustainable. The requirements of Section 148A necessitate that the Assessing Officer must form an opinion based on the correctness of available information, rather than on mere allegations.

GAUTAM THADANI VS DIRECTOR INCOME TAX (INVESTIGATION) AND ANR [W.P.(C)-10960/2016] Judges: Justice Swarana Kanta Sharma

The delay in issuing the requisition under Section 132A of the Income Tax Act was justified due to ongoing investigations by the Income Tax authorities. The explanations provided by the petitioner regarding the source of ₹98 lakh in seized cash were deemed unconvincing, establishing reasonable grounds for believing it represented undisclosed income. However, if no demand has been crystallized, the seized cash must be returned to the petitioner, as the assessment period under Section 153A has expired.

SONANSH CREATIONS PVT. LTD VS ASSISTANT COMMISSIONER OF INCOME TAX AND ANR. [W.P.(C)-17570/2022]

Judges: Justice Swarana Kanta Sharma

The Assessing Officer could not issue a notice under Section 148 of the Income Tax Act for the assessment year 2015–16 due to a lack of credible material refuting the petitioner's claim that the transaction value was less than ₹50 lakh. Initially, the AO concluded that reopening the assessment was not warranted, but this decision was overridden. An informed opinion must be formed based on all available material, and the assessment cannot be reopened solely based on information suggesting escaped income without accurately determining transaction values. The notice under Section 148 was set aside as it exceeded the limitation period; however, the AO may initiate fresh proceedings if new material indicates that bank transfer values surpass the petitioner's claims.

SALMAN KHAN VS STATE GOVT. OF NCT OF DELHI AND ANR. [BAIL APPLN.-3607/2024] Judges: Justice Swarana Kanta Sharma

Salman Khan's bail application was rejected due to prima facie evidence linking him to a conspiracy to defraud victims seeking jobs in Gulf countries. The investigation revealed that he used forged documents to operate a fake travel agency, collected substantial amounts of money and passports from victims, and subsequently fled, leaving them defrauded. The nature of the allegations is serious, and bail was denied as the investigation is ongoing and a charge-sheet has been filed.



SYED FAIZ ALI VS STATE (GNCT) OF DELHI [BAIL APPLN.-3809/2024]

Judges: Justice Swarana Kanta Sharma

The anticipatory bail application of Syed Faiz Ali was rejected in connection with a conspiracy to defraud job seekers through a fake travel agency. The investigation revealed the use of forged documents, fake identities, and fraudulent bank transactions to deceive victims with promises of jobs abroad. Co-accused Salman Khan disclosed that he transferred victims' passports and money to Ali, and a complainant presented a photograph of Ali taken during the incidents. Ali showed a lack of cooperation during the investigation, and custodial interrogation was deemed necessary to recover the victims' passports and track down absconding co-accused.

SUSHMA VS STATE/NCT OF DELHI [BAIL APPLN.-4553/2024]

Judges: Justice Swarana Kanta Sharma

The bail application of Sushma was rejected due to prima facie evidence of her involvement in the dowry-related death of her daughter-in-law Pooja. Serious allegations included harassment for dowry and attempts to mislead the investigation. The gravity of the charges indicated that no ground for regular bail existed at this stage, with no opinion expressed on the merits of the case.

SHEIKH SEHZAD VS STATE OF NCT OF DELHI [BAIL APPLN.-38/2025]

Judges: Justice Swarana Kanta Sharma

Sheikh Sehzad faced charges under Sections 489B/489C of the Indian Penal Code and Section 15(1)(a)(iiia) read with Section 16 of the Unlawful Activities (Prevention) Act, 1967. A substantial quantity of Fake Indian Currency Notes, including 108 high-quality counterfeit notes, was recovered from his possession during his arrest. The seriousness of the offense and his involvement in a similar case influenced the decision against granting him regular bail at this stage.

RAJA RAM VS STATE GOVT. OF NCT OF DELHI [BAIL APPLN.-4584/2024]

Judges: Justice Swarana Kanta Sharma

Bail was denied for Raja Ram, father-in-law of deceased Pooja, in a case under Sections 498A/304B/34 of the Indian Penal Code. Prima facie evidence indicated harassment for dowry demands of Rs. 5 lakhs, supported by a video call and audio clip from the deceased, along with attempts to mislead the investigation. The seriousness of the allegations and the pending charge framing contributed to the decision, with observations strictly at the prima facie stage.

SMT. SAVITRI DEVI VS SMT. SARASWATI DEVI [RC.REV.-98/2024]

Judges: Justice Tara Vitasta Ganju

The tenant was granted additional time until May 31, 2025, to vacate the rented premises, contingent on filing an undertaking to surrender possession by that date. In return, the landlord agreed to waive any user or occupation charges. The tenant was required to submit the undertaking within a week, with non-compliance leading to automatic dissolution of interim protection and the landlord's ability to initiate legal proceedings.

MOHD ZAKIR & ORS VS CHANDU LAL [CM APPL.-51652/2024] ☑

Judges: Justice Tara Vitasta Ganju

Petitioner/tenants are obligated to pay use and occupation charges to the respondent/landlord for continued occupation of commercial premises following an eviction order. Monthly payment amounts were assessed based on the commercial nature and location of the premises and a lease deed for a similar property provided by the landlord. The tenants must pay these charges, pending the final outcome of the petition, and an application to submit documents from prior proceedings was addressed.



USHA INTERNATIONAL LIMITED VS THE SUB DIVISIONAL MAGISTRATE (VASANT VIHAR) AND ORS [W.P.(C)-9832/2016]

Judges: Justice Tara Vitasta Ganju

The respondents must record the mutation of the subject premises in the revenue records for Usha International Limited within 12 weeks of the application submission. The petitioner sought to update the revenue records to reflect its name, and a compliance certificate had already been issued. Specific timelines and processes for this mutation have been established.

NEW DELHI MUNICIPAL COUNCIL VS AJIT SINGH [CM(M)-147/2025]

Judges: Justice Tara Vitasta Ganju

The petition by the New Delhi Municipal Council regarding an interim order in Ajit Singh's appeal under the Public Premises (Eviction of Unauthorised Occupants) Act was disposed of. Ajit Singh will submit a rejoinder within two weeks, and both parties agreed to avoid unnecessary adjournments. Final hearing is scheduled for 24.02.2025, with all rights and contentions reserved.

SH AMIT KUMAR VS MS SHILPA GHOSH & ANR. [CM APPL.-65682/2024]

Judges: Justice Tara Vitasta Ganju

The appropriate use and occupation charges for a commercial property used as a godown by the tenant were set at Rs. 15,000 per month, effective from August 2024. This decision was based on evidence of comparable rental rates for similar properties in the area. A timeline for the tenant's payment was established, and the charges remain subject to the final outcome of the case. No separate opinions by judges were indicated, and the matter appears to be individual.

SHRI RAVI ARORA VS SHRI VIJAY SHANKER [CM APPL.-3911/2025]

Judges: Justice Tara Vitasta Ganju

The petitioner's revision petition challenging the dismissal of their leave to defend application in eviction proceedings was dismissed. The respondent's bona fide requirement for the premises for his son to set up a new business was considered to still exist, with subsequent events regarding alternate accommodation not undermining this genuineness. Prior experience in the proposed business is not necessary to establish a bona fide requirement. No grounds were found to interfere with the trial court's order.

SHRI KESAR DASS ARORA, & ANR. VS SHRI VIJAY SHANKER [CM APPL.-3992/2025] Judges: Justice Tara Vitasta Ganju

The eviction order against the tenants was upheld due to the landlord's demonstrated bona fide need for the premises, despite lacking prior business experience. The need was assessed as of the date the eviction petition was filed, with subsequent events considered only if they overshadowed the landlord's stated requirement. The revisionary jurisdiction was defined as limited to errors apparent on the record, without re-examining the case in full.

SATVINDER SINGH VS NEW DELHI MUNICIPAL COUNCIL AND ORS. [W.P.(C)-1930/2023] Judges: Justice Tara Vitasta Ganju

The writ petition by Satvinder Singh is not maintainable due to ongoing proceedings before the Estate Officer of the NDMC under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. Parties are instructed to avoid unnecessary adjournments, and the Estate Officer is requested to expedite the proceedings. All rights and contentions of the parties remain open for consideration before the Estate Officer.



SHRI KESAR DASS ARORA VS SHRI VIJAY SHANKER & ORS. [CM APPL.-3945/2025]

Judges: Justice Tara Vitasta Ganju

The revision petition challenging the eviction order was dismissed. The landlord's need for business expansion was deemed bona fide, and prior experience in the intended business was not a requirement. New grounds regarding the vacation of other shops raised by the petitioner were not considered, as they had not been presented previously. The available smaller vacated shops did not satisfy the landlord's requirements, leading to no basis for altering the eviction order.

ABDUL SATTAR & ANR VS MASLAH UDDIN [CM APPL.-3047/2024] ☑

Judges: Justice Tara Vitasta Ganju

An eviction order against a tenant, when stayed, requires the tenant to pay reasonable user/occupation charges to the landlord to compensate for the delay. The appropriate charges for a commercial shop in a main market area were determined, with a discount given due to the poor condition of the premises. Payments must be made in a specified manner, which does not affect the rights of either party and is subject to the final case outcome.

M/S DAKSH OVERSEAS INC. & ANR. VS THE PRINCIPLE COMMISSIONER OF CUSTOMS (IMPORT) & ANR. [W.P.(C)-4895/2020]

Judges: Justice Tara Vitasta Ganju

The impugned order by the Principal Commissioner of Customs was set aside due to violations of natural justice, as the Petitioners were not given access to relied upon or non-relied upon documents and did not have an opportunity to be heard. The Respondent must conduct a new hearing, allowing the Petitioners to present additional facts or documents, and issue a reasoned order within 12 weeks. All parties retain their rights and contentions.

KAILASH RAM GUPTA VS SH MANOJ [CM APPL.-76188/2024]

Judges: Justice Tara Vitasta Ganju

The tenant's application for leave to defend the landlord's eviction petition was dismissed due to the landlord's established bonafide need for the premises, necessitated by a large family including marriageable sons and frequently visiting married daughters. The alternate accommodation claimed by the tenant was found unsuitable for the landlord's requirements. The judgment reaffirmed limited scope for revisionary jurisdiction, emphasizing that views of the trial court should not be substituted unless there is an evident error.

AVINASH SINGH JAWA VS SHEKHAR KHANNA [C.R.P.-12/2025]

Judges: Justice Tara Vitasta Ganju

The civil revision petition filed by Avinash Singh Jawa was dismissed due to evidence of attempts to delay execution proceedings. The address in the vakalatnama matched previous notices and warrants, indicating non-cooperation. The petitioner was permitted to withdraw the petition and raise contentions before the Executing Court.

MUKESH KUMAR SHARMA VS THE PRESIDENT OF SHAHDRA BAR ASSOCIATION & ORS [W.P.(C)-6169/2013]

Judges: Justice Tara Vitasta Ganju

Mukesh Kumar Sharma filed a writ petition challenging the rules and election procedures of the Shahdara Bar Association. He later limited his request to the restoration of his membership. The bar association's secretary confirmed that membership would be restored upon payment of subscription dues within two weeks. Following this agreement, Sharma indicated that no further issues remained, leading to the disposal of the petition.



AVINASH SINGH JAWA VS ROHIT KAPOOR [C.R.P.-13/2025]

Judges: Justice Tara Vitasta Ganju

The civil revision petition filed by Avinash Singh Jawa was dismissed. The Executing Court examined his contentions and noted that he was attempting to delay the execution proceedings by being evasive. The petitioner was allowed to withdraw the petition but retains the right to raise his arguments before the Executing Court, with all parties' rights and claims remaining open for adjudication.

TARZAN (INDIA) CHEMICAL INDUSTRIES VS O.P JINDAL [RC.REV.-296/2018] ☑

Judges: Justice Tara Vitasta Ganju

Tarzan (India) Chemical Industries received an extension until 30.04.2025 to vacate the premises, contingent upon a payment of Rs. 40,000 by 31.03.2025. The tenant agreed to file an undertaking within a week, confirming compliance with the conditions set. Execution of the previous eviction order in favor of landlord O.P. Jindal is stayed until 30.04.2025, provided the tenant adheres to the undertaking.

SH SRI CHAND YADAV & ORS. VS AJAY KUMAR SHARMA [RC.REV.-385/2024]

Judges: Justice Tara Vitasta Ganju

The parties mutually reached a settlement, granting tenants until June 30, 2025, to vacate the premises, contingent upon paying user and occupation charges of Rs. 15,000 per month. Tenants must file an undertaking within two weeks to confirm the settlement terms, including the vacating timeline and payment obligations. Execution of the previous eviction order is stayed; however, this interim protection will be revoked if the tenants default on the undertaking, permitting the landlord to take legal action.

M/S VOESTALPINE SCHIENEN GMBH VS DELHI METRO RAIL CORPORATION LTD. & ANR [W.P.(C)-5439/2016]

Judges: Justice Tara Vitasta Ganju

The communications by DMRC that suspended all business dealings with the petitioner for 6 months were set aside. Clause 3.1(b) of the bidding contract required JICA's recognition of the petitioner as ineligible due to corrupt or fraudulent practices before such action could be taken. DMRC did not obtain JICA's approval, making the communications unsustainable. If DMRC obtains the necessary JICA approval in the future, it can take appropriate action against the petitioner as per the law.

OM PRAKASH SINCE DECEASED & ORS. VS POONAM JAIN [RC.REV.-342/2024] ☑

Judges: Justice Tara Vitasta Ganju

The petition filed by the tenants challenging the eviction order was dismissed. The landlord is not required to specify the exact nature of the intended business. The landlord's explanation for selling other properties due to financial constraints was deemed plausible. Tenants have a remedy under Section 19 of the Delhi Rent Control Act if the landlord fails to use the premises for the stated purpose. The contention that the landlord already runs a dairy business was addressed, and it was clarified that the business belongs to the landlord's son. The examination of all contentions indicated no errors in the trial court's findings.

OM PRAKASH & ORS. VS POONAM JAIN [RC.REV.-343/2024] ☑

Judges: Justice Tara Vitasta Ganju

The trial court's order granting the landlord's eviction petition under Section 14(1)(e) of the Delhi Rent Control Act was upheld. The landlord demonstrated a bona fide need for the property, and the sale of other properties did not disprove this need. The landlord's involvement in a dairy business, attributed to their son, was considered plausible. The challenge by the tenants was dismissed due to the limited scope of judicial review, which does not permit substituting views unless a clear error is present.



KUNDAN LAL (SINCE DECEASED) THROUGH LRS. VS POONAM JAIN [RC.REV.-345/2024] Judges: Justice Tara Vitasta Ganju

The order of the Additional Rent Controller dismissing the tenants' application for leave to defend the eviction petition under Section 14(1)(e) of the Delhi Rent Control Act, 1958 was upheld. The landlord demonstrated a bona fide need for the premises to start a separate business for their livelihood, despite having sold other properties. The landlord is not obligated to detail the exact nature of the proposed business. The claim that the landlord already runs a successful business was rejected, as it was found that this business belongs to their son. No issues were identified in the lower court's decision.

MADAN LAL BHATIA (SINCE DECEASED) THROUGH LRS AND ANR VS POONAM JAIN [RC.REV.-346/2024] Judges: Justice Tara Vitasta Ganju

The landlord demonstrated a bona fide need to occupy the premises for a new business, despite having sold other properties before filing the eviction petition. There is no requirement to specify the precise nature of the intended business. Claims that the landlord operates a successful dairy business were rejected, as evidence indicated the business belongs to the landlord's son. The revisionary jurisdiction under the Delhi Rent Control Act is limited to examining apparent errors or lack of adjudication by the trial court, not substituting its own view. The petition was dismissed, upholding the trial court's order.

KANTA RANI & ANR. VS POONAM JAIN [RC.REV.-347/2024]

Judges: Justice Tara Vitasta Ganju

The trial court's order dismissing the tenant's application for leave to defend the eviction petition was upheld. The landlord's need for the premises was deemed bona fide, despite prior property sales. The requirement to specify the exact nature of the intended business was negated based on precedents. The landlord's explanation regarding their existing business, owned by their son, was considered plausible and did not affect the bona fide claim. The scope for interference in the trial court's decision was limited, and no errors were identified, leading to the dismissal of the tenant's petition.

MAL CHAND AJIT KUMAR VS POONAM JAIN [RC.REV.-348/2024]

Judges: Justice Tara Vitasta Ganju

The order of the Additional Rent Controller dismissing the tenant's application for leave to defend against the landlord's eviction petition was upheld. The landlord's need to open a separate business in the premises was deemed bona fide despite having sold other properties and the husband's existing dairy farm business. The disclosure of the precise nature of the intended business was not required, and tenant hardship was not the only factor considered. Provisions under the Delhi Rent Control Act allow remedies for tenants if premises are not used for the stated purpose. The lower court's order was found to have no infirmity.

RANVIR SINGH (NOW DECEASED) THROUGH HIS LEGAL REPRESENTATIVE & ORS. VS UNION OF INDIA & ANR. [LA.APP.-85/2022]

Judges: Justice Tara Vitasta Ganju

The appeal regarding land acquisition was allowed, with a delay of 3416 days in filing the appeal being condoned due to adequate reasons provided by the appellants. However, no interest was awarded for this delay. The compensation for the acquired land was confirmed to be governed by the Supreme Court's judgment in Impulse India v. Union of India, which had set enhanced compensation rates for Pochanpur. The respondents were directed to deposit the increased compensation amount according to this judgment.



DEVENDER KUMAR GAUTAM VS UOI [W.P.(C)-4823/1994]

Judges: Justice Tara Vitasta Ganju

The petitioner's grievances regarding the non-allotment of a petrol pump and the selection board have become irrelevant due to the dismantling of the Administered Pricing Mechanism in 2002, which transferred the allotment of retail outlet dealerships to Oil Marketing Companies, removing any discretion from the Ministry of Petroleum and Natural Gas. The dissolution of the Dealer Selection Boards in 2002 further impacted the ability to grant the reliefs sought by the petitioner.

SHAUKAT ALI VS THE CHIEF WILD LIFE WARDEN AND ANR [W.P.(C)-1034/2018]

Judges: Justice Tara Vitasta Ganju

The revision petition filed by tenant Sh Ashok Gupta was dismissed. The landlady, Smt Krishna Wanti, had the right to file the eviction petition as a co-owner without involving other co-owners. The argument regarding the landlady's age preventing her from conducting business was rejected. The limited scope of revisionary jurisdiction under the Delhi Rent Control Act focused on errors apparent in the record or lack of adjudication, and no such issues were identified in the trial court's order.

UNION OF INDIA VS SH. CHANDRU DEC THR. LRS. & ANR. [LA.APP.-3/2024]

Judges: Justice Tara Vitasta Ganju

The appeal by the Union of India against the enhanced compensation of Rs. 16,750 per bigha for land acquired in Mamurpur, Delhi was dismissed. This compensation amount was previously upheld in earlier judgments, and the appellant's counsel conceded that the challenge could not be maintained. All pending applications were closed.

INTERNATIONAL RESEARCH PARK LABORATORIES LTD VS DIRECTORATE GENERAL OF FOREIGN TRADE [W.P.(C)-7863/2017]☑

Judges: Justice Tara Vitasta Ganju

The penalty and debarment orders against International Research Park Laboratories Ltd. have been set aside. The Directorate General of Foreign Trade must re-examine the case, allowing the petitioner to present additional evidence and ensuring a reasoned decision is made within a specific timeframe. All rights and contentions of the parties are preserved, allowing the petitioner to pursue further legal actions if dissatisfied with the final outcome.

NAFIS-UL-AFIIN VS UNION OF INDIA AND ANR. [W.P.(C)-4517/2018]♂

Judges: Justice Tara Vitasta Ganju

The Impugned Notice dated 18.05.2017 and the Impugned Certificate dated 12.12.2016 issued under the Enemy Property Act, 1968 are invalid due to non-compliance with mandatory procedures outlined in Rules 3 and 4 of the Enemy Property Rules, 2015. A previous judgment in the Naima Khatoon case supported this conclusion. The Impugned Notice and Certificate were set aside, but the Respondents were not precluded from taking appropriate legal action against the Petitioner, and the rights and contentions of the parties remain open.

S HARCHARAN SINGH VS NARESH KUMAR BHARDWAJ [RC.REV.-165/2022] ☑

Judges: Justice Tara Vitasta Ganju

The petitioner-tenant received an additional year to vacate the premises, conditioned on the payment of monthly user charges of Rs. 8,000. The petitioner must submit an undertaking within two weeks to ensure vacant possession by the end of the extended period. Execution of the previous eviction order is stayed until this period concludes, but any default will terminate the interim protection, allowing the landlord to initiate recovery proceedings.



QAYAMUDDIN & ANR. VS NISAR AHMED ALIAS NADEEM AND ORS. [RC.REV.-2/2025]

Judges: Justice Tara Vitasta Ganju

An extension until November 10, 2025, was granted for tenants to vacate the premises, contingent on filing an undertaking to pay rent arrears, utility bills, and not causing damage or creating third-party rights. The execution of the previous eviction order was stayed, with the understanding that any default on the undertaking would automatically terminate interim protection.

SH ASHOK GUPTA VS SMT KRISHNA WANTI [RC.REV.-143/2024]

Judges: Justice Tara Vitasta Ganju

The lower court's dismissal of the tenant's application for leave to defend in eviction proceedings was upheld. A co-owner can initiate eviction without the consent of other co-owners, and the petitioner did not present any objections from them. The argument that an 88-year-old landlady cannot operate a business was rejected, affirming that old age does not strip one's right to livelihood and dignity. It was stated that landlords are best suited to determine their property needs, and courts do not interfere in such decisions.

INDIAN HOCKEY FEDERATION VS UOI AND ORS [W.P.(C)-885/2011]

Judges: Justice Tara Vitasta Ganju

The writ petition filed by the Indian Hockey Federation regarding the participation of teams and the technical conduct of hockey in the 34th National Games was dismissed due to non-prosecution. The games had already taken place, rendering the subject matter of the petition moot. The petitioner failed to appear at the last hearing and the current date.

INDIAN HOCKEY FEDERATION VS UOI & ORS. [W.P.(C)-5626/2010]

Judges: Justice Tara Vitasta Ganju

The writ petition by the Indian Hockey Federation (IHF) was dismissed as infructuous. Hockey India is recognized as the national hockey federation by the Indian Olympic Association, the Asian Hockey Federation, the International Hockey Federation, and the Government of India. The Court of Arbitration for Sports previously dismissed IHF's appeal regarding this recognition. A recent Supreme Court order appointed a retired judge to address voting rights in the IOA elections, and the administrator confirmed Hockey India's status as the national sports federation for hockey.

MANOHAR LAL BHATIA VS HARPAL SINGH LAMBA [CM APPL.-781/2025]

Judges: Justice Tara Vitasta Ganju

The petitioner's application to recall a previous order allowing the landlord to recover possession and occupation charges was dismissed. The petitioner had repeatedly failed to comply with orders to pay outstanding charges or vacate the premises. This conduct led to the decision to dismiss the application, and the landlord was permitted to take legal action to recover possession and charges.

DINESH SINGH VS POOJA [RC.REV.-99/2024]

Judges: Justice Tara Vitasta Ganju

The petitioner tenant's request for early hearing was accepted, allowing an extension until 31.12.2025 to vacate the premises, contingent on monthly payments of Rs. 20,000 as user and occupation charges. The petitioner must file an undertaking agreeing to vacate by the deadline, make required payments, and not create third-party rights or damage the property. Execution of the previous eviction order is stayed, with the understanding that any default on the terms will enable the landlord to seek recovery of possession and mesne profits.



SHARMA SALES CORPORATION AND ORS. VS DELHI STATE INDUSTRIAL AND INFRASTRUCTURE DEV. CORP.

LTD. (DSIIDC) [W.P.(C)-308/2020]

Judges: Justice Tara Vitasta Ganju

The petitioners must submit the reconstituted partnership deed and necessary documents within 4 weeks due to the death of a partner. The respondent DSIIDC is to examine the documents and issue an order within 12 weeks, allowing the petitioners the opportunity to be heard. The petitioners can take further legal steps if they are aggrieved by the respondent's order.

SMT. NEELAM GAUR VS THE GOVERNMENT OF N.C.T. OF DELHI AND ORS. [W.P.(C)-13745/2019] Judges: Justice Tara Vitasta Ganju

The cancellation of the petitioner's fair price shop license was set aside due to the lack of an opportunity for the petitioner to be heard. Authorities are instructed to re-examine the matter, allowing the petitioner to submit relevant documents and present her case in person or through counsel. The merits of the case remain unexamined, and all rights and contentions of the parties are left open.

KISHORE KUMAR ARORA VS MAYANK RASTOGI [RC.REV.-314/2024]

Judges: Justice Tara Vitasta Ganju

The trial court's dismissal of the tenant's challenge regarding the landlord's bona fide need for the premises was upheld. The landlord detailed the necessity for space to operate a crockery business, highlighting his mother's involvement. Suggested alternative accommodation by the tenant was deemed unsuitable. The interpretation of "suitable alternate accommodation" under the Delhi Rent Control Act was referenced.

ANURADHA PRASAD VS MIRA KULKARNI [RFA-150/2021]

Judges: Justice Tara Vitasta Ganju

The family settlement executed between the parties and the consent order from 16.11.2007 constituted a valid compromise decree under Order XXIII Rule 3 of the Code of Civil Procedure. The challenge to the validity of the family settlement and consent order through a separate suit is barred by Order XXIII Rule 3A CPC, which prohibits such actions on the grounds of unlawful compromise. The application to amend the plaint for partition of the Uttarakhand property was dismissed, as it would alter the nature of the suit and jurisdiction over the property was lacking.

DELHI TRANSPORT CORPORATION VS MAHENDER SINGH [W.P.(C)-10360/2016] ☑

Judges: Justice Tara Vitasta Ganju

The disciplinary inquiry against Mahender Singh by the Delhi Transport Corporation was determined to be fair. The removal from service was justified due to the employee's repeated unauthorized absences and previous disciplinary actions. The decision emphasized that punishment could only be altered if deemed highly disproportionate to the misconduct, and compassionate grounds would not suffice for modification. The labor court's ruling to change the removal order to compulsory retirement was set aside.

REHAU POLYMERS PVT LTD VS MANTRALAYA IMPEX PVT LTD & ORS [RFA-30/2020] ☑

Judges: Justice Tara Vitasta Ganju

The order rejecting the plaint under Order VII Rule 11 of the CPC was set aside. The appellant was allowed to file a fresh suit in Delhi after withdrawing the earlier suit in Pune. The addition of new parties did not alter the subject matter of the suit. The plaint was not barred under Order XXIII Rule 1(3) or Order II Rule 2(2) of the CPC, and the trial court's dismissal at the threshold was erroneous. Parties are to appear before the district judge for further proceedings, including assessment for potential placement before the Commercial Division.



ADITYA KUMAR MALLICK VS UNION OF INDIA AND ANR. [W.P.(C)-17764/2024]

Judges: Justice Tara Vitasta Ganju

The petitioner did not demonstrate that the expert panel's answer key for the CAT 2024 examination was incorrect. The burden of proof rests heavily on candidates in such challenges. The Indian Institutes of Management have a rigorous process involving qualified experts to review objections to the answer key. Courts should refrain from interfering in academic matters unless there is a clear and obvious error. The petitioner's challenge lacked a clear showing of error and was based on inferential reasoning, resulting in the dismissal of the petition.

HOOR ANISBHAI JINWALA VS NATIONAL TESTING AGENCY (NTA) AND ORS [CM APPL.-74915/2024] 27 Judges: Justice Tara Vitasta Ganju

The petitioner's request for screen reader software during the UGC-NET examination was deemed reasonable, but the National Testing Agency (NTA) could not integrate the software into its Linux-based platform in the available time. Acknowledging the importance of accessibility for persons with disabilities, it was decided that the NTA would provide a scribe for the petitioner as requested, but interim relief for the use of the screen reader was not granted. No opinion on the merits of the case was expressed.

NEXT GENERATION BUSINESS POWERS SYSTEMS LTD VS TELECOMMUNICATION CONSULTANTS INDIA LTD [FAO(OS) (COMM)-61/2019]☑

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tara Vitasta Ganju

The Appellant is entitled to "guaranteed revenue" payments according to the Agreement, regardless of the Respondent's payment status from the Government of Gujarat (GoG). The Sole Arbitrator's interpretation of the Agreement was deemed reasonable and should not have been interfered with. The Appellant is not required to provide annual technical support for the "e-health suite" software, as this obligation was not included in the Agreement and cannot be imposed by GoG. The Appellant is also entitled to payment for the 32nd quarter since the payment clause in the Agreement is not contingent on the Respondent receiving payments from GoG. The previous ruling was set aside, affirming the Arbitral Award without grounds for interference.

RAM BALRAM BUILDHOME PVT LTD VS INCOME TAX OFFICER & ANR. [W.P.(C)-16232/2024] Judges: Justice Tushar Rao Gedela

The notice dated 30.07.2022 under Section 148 of the Income Tax Act exceeded the limitation period set by Section 149(1). The notice dated 01.06.2021 was considered a deemed notice under Section 148A(b), with the limitation period adjusted by excluding the time until relevant material was provided by the Assessing Officer. Despite this exclusion, the 30.07.2022 notice was still issued after the limitation period had expired. Consequently, the notice, the order under Section 148A(d), and the subsequent assessment order were set aside.

UNION OF INDIA AND ANR VS SANGEETA WAHI & ORS [LPA-129/2024] Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The late husband of Sangeeta Wahi, a security guard at a designated COVID-19 hospital, is eligible for benefits under the "Pradhan Mantri Garib Kalyan Package: Insurance Scheme for Health Workers Fighting COVID-19." The government's restrictive interpretation of the scheme is rejected in favor of a broader interpretation. A payout of Rs. 50 lakhs must be made to the respondent within 4 weeks, with a 9% interest penalty for any delays.



M/S HEMOGENOMICS PVT. LTD. VS UNION OF INDIA & ANR. [W.P.(C)-17140/2024]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

Hemogenomics Pvt. Ltd. was disqualified from the tender process for failing to comply with Clause 5 of the tender document and Rule 144(xi) of the General Financial Rules, 2017. The Manufacturer's Authorization Form (MAF) from Grifols (HK) Ltd. indicated that Hemogenomics was considered an agent, necessitating registration under Clause 2 of the relevant order, which Hemogenomics did not fulfill. A clarificatory letter from Hemogenomics was deemed self-serving and insufficient to override the MAF's contents. The writ petition was dismissed.

MANISH DABAS VS DELHI DEVELOPMENT AUTHORITY AND ORS. [LPA-1247/2024]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The Delhi Development Authority (DDA) rescheduled an e-auction for a residential plot due to technical issues affecting multiple participants. All registered bidders, including the highest bidder on 19.04.2022, were allowed to participate in the new auction date of 22.04.2022. The highest bid on the rescheduled date exceeded the previous one, and the DDA's actions were deemed reasonable and consistent with the DDA Rules, 1981. The appellant chose not to participate further and the writ petition was dismissed.

SANJEEV GUPTA VS REGISTRAR GENERAL, DELHI HIGH COURT [W.P.(C)-785/2025]

Judges: Chief Justice Devendra Kumar Upadhyaya, Justice Tushar Rao Gedela

A public interest litigation filed by Sanjeev Gupta regarding the processing of fresh matters for listing, including time limits for curing defects and transferring matters with uncured defects, did not proceed after it was deemed more appropriate for administrative consideration. The PIL was closed without further orders.

RAJEEV ELECTRICALS VS GOVT OF NCT OF DELHI AND ORS [W.P.(C)-786/2025] Judges: Chief Justice Devendra Kumar Upadhyaya, Justice Tushar Rao Gedela

Rajeev Electricals' writ petition was dismissed, supporting the government's decision to cancel the tender for RMO Electrical & Mechanical Services at Vikas Bhawan-II, Delhi. The cancellation was permitted under Condition 14 of the NIT, allowing rejection of bids without reason. No contract had been executed, which allowed the government to exercise its rights despite Rajeev Electricals being the lowest bidder and submitting necessary documents. The Supreme Court judgments cited by the petitioner were found to be inapplicable to this case.

SADBHAV ENGINEERING LTD VS MICRO AND SMALL ENTERPRISES FACILITATION COUNCIL WEST & ORS. [LPA-50/2025]

Judges: Chief Justice Devendra Kumar Upadhyaya, Justice Tushar Rao Gedela

The letters patent appeal by Sadbhav Engineering Ltd. against the order upholding arbitration proceedings initiated by the Micro and Small Enterprises Facilitation Council was dismissed. Once arbitration had commenced under the Arbitration Act, the appellant should have waited for the final award to challenge it, rather than filing a writ petition. Questions concerning the validity of the invoice or the rendering of services were deemed unsuitable for writ proceedings and should be resolved by the arbitrator. Observations on factual matters were limited to assessing legal issues and did not constitute a final decision on the case merits.



RAJE SINGH RAWAT & ANR. VS GNCT OF DELHI & ORS. [LPA-845/2024]

Judges: Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The order for the eviction of the appellants from the disputed property was upheld based on evidence indicating the respondent was ill-treated and assaulted. The monthly maintenance payment was modified to Rs. 10,000 due to the respondent already receiving maintenance from her husband under a separate order. Additionally, the appellants were directed not to dispose of the property until the pending civil suit regarding ownership was resolved.

SUMIT KUMAR SINGH & ANR. VS UNIVERSITY OF DELHI [LPA-1062/2024]

Judges: Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The appellants were deemed ineligible for admission to the L.L.B. course at the University of Delhi despite scoring 176 marks in the CUET (PG) 2024 exam, as the university applied the "tie breaker rule," favoring candidates with higher marks in the qualifying examination. The appellants scored lower than the last admitted candidates. Additionally, it was stated that the university could not be compelled to make midsession admissions even if seats were available, as this would lead to complications. The appeal was dismissed.

CHANDER BHALLA VS RAJEEV BHATNAGAR [FAO(OS)-84/2024]

Judges: Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The respondent raised plausible yet improbable defenses regarding territorial jurisdiction and interest rate discrepancies. The respondent was directed to deposit the full claimed amount of Rs. 10,31,34,247/- within 4 weeks, with a failure to do so resulting in a denial of the right to defend. No conclusive findings on the case merits were made, leaving the matter open for trial.

VINAY KUMAR UPADHYAY VS LIFE INSURANCE CORPORATION OF INDIA AND ORS [LPA-227/2024] Judges: Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The appeal was dismissed, confirming the dismissal of the writ petition. The Life Insurance Corporation of India (Agents) Regulations, 2017 were deemed valid and applicable, despite the appellant's lack of awareness. The argument for a choice between the 1972 and 2017 regulations was rejected. The appellant failed to demonstrate compliance with Regulation 19, which prohibits soliciting life insurance business for two years after cessation as an agent.

SONU BHATI & ANR. VS ARCHANA JAIN & ORS. [LPA-23/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Girish Kathpalia

The sale deeds executed by respondent no.2 in favor of the appellants were deemed void ab initio due to violations of previous court orders that required maintaining status quo on property title and possession. Transactions conducted in defiance of court orders are treated as non-existent and do not confer rights to transferees, regardless of claims to being bona fide purchasers. The appeal by the appellants was dismissed, affirming the declaration that the sale deeds were void.

VINEET KUMAR SHARMA VS NORTHERN RAILWAYS AND ORS [LPA-20/2025] ☑

Judges: Acting Chief Justice Vibhu Bakhru, Justice Girish Kathpalia

Vineet Kumar Sharma's appeal for the restoration of his Amul Milk Stall at Shakur Basti Railway Station was dismissed. The rejection of his representation was based on disputed questions of fact that required evidence, which is not suitable for writ proceedings. The license granted to Sharma's licensor had expired, and he had previously surrendered the site. For compensation, Sharma needed to prove a breach of obligations by the Railways and quantify his losses, which cannot be addressed in writ proceedings. The decision of the Single Judge was upheld.



QUARTZ COMMECIAL PVT LTD VS INCOME TAX OFFICER WARD 20(3) [ITA-10/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The appeal by Quartz Commercial Pvt Ltd against the addition of ₹7,87,000 for the Assessment Year 2007-08 was dismissed. The findings confirmed that the Assessee was involved in providing accommodation entries, justifying the addition. It was clarified that the issue had not been remanded to the Assessing Officer and was concluded with a prior dismissal of the Assessee's appeal.

PROPERTY PLUS REALTORS VS UNION OF INDIA & ORS. [W.P.(C)-17371/2024]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The period of limitation for initiating penalty proceedings under Section 271DA of the Income Tax Act, 1961 starts from the date the Assessing Officer refers the matter to the Additional Commissioner, not from the date of the assessment order. The Act specifies that the time limit is based on when penalty action is initiated. A delay of 11 days between the assessment order and the penalty referral is not considered unreasonable, despite concerns about inordinate delays.

JANTA PARTY THROUGH ITS PRESIDENT VS ELECTION COMMISSION OF INDIA [W.P.(C)-633/2025] Z Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The petition by the Janta Party was dismissed, affirming the constitutional validity of the Election Symbol (Reservation & Allotment) Order, 1968. Issues raised were previously addressed in Subramanian Swamy v. Election Commission of India, which established that political parties do not have exclusive ownership over symbols and can lose the right to use a reserved symbol due to poor electoral performance. The question of the petitioner's locus standi was not addressed, given the resolution of the challenge by earlier decisions.

ABHINAV JINDAL VS ASSISTANT COMMISSIONER OF INCOME TAX CIRCLE 521 [W.P.(C)-7405/2024] Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The writ petition filed by Abhinav Jindal resulted in the cancellation of the notice dated 31.03.2024 under Section 148A(b) of the Income Tax Act, as well as the orders issued on 23.04.2024 under Section 148A(d) and on 24.04.2024 under Section 148 for the assessment year 2016-17. The notice under Section 148 was deemed invalid as it exceeded the six-year limit from the end of the relevant assessment year, which expired on 31.03.2023. The argument that the limitation period should be extended due to an earlier pending petition was rejected, emphasizing that success in challenging prior notices does not warrant an extension of the limitation period.

PANKAJ JAIN VS ASSISTANT COMMISSIONER OF INCOME TAX, CENTRAL CIRCLE 3, DELHI & ANR. [W.P.(C)-317/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The notice issued under Section 148 of the Income Tax Act for the assessment year 2015-16 was deemed barred by limitation. It was established that for searches conducted after March 31, 2021, the limitation period under Section 153C should be calculated from the date the Assessing Officer initiates action against the non-searched person. There was no evidence that the necessary satisfaction note was prepared by the Assessing Officer of the searched person, nor that relevant material was transferred to the Assessing Officer of the petitioner. The petition was allowed, and the notice along with the proceedings was set aside.



KAMLESH JAIN VS ASSISTANT COMMISSIONER OF INCOME TAX, CENTRAL CIRCLE 3, DELHI & ANR. [W.P.(C)-313/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

Reassessment proceedings initiated for AY 2015–16 under Section 148 of the Income Tax Act, 1961 are barred by limitation, as the limitation period should be computed from the date the Assessing Officer decides to initiate action against the non-searched person, not from the date of the search. There was no satisfaction note prepared by the Assessing Officer of the searched person, nor was any material handed over to the Assessing Officer of the petitioner, making the limitation period applicable. The impugned notice and related proceedings have been set aside.

MAHENDER KUMAR JAIN VS ASSISTANT COMMISSIONER OF INCOME TAX, CENTRAL CIRCLE 3, DELHI & ANR. [W.P.(C)-312/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The reassessment notice issued under Section 148 of the Income Tax Act for the assessment year 2015-16 was barred by limitation. No satisfaction note was prepared by the Assessing Officer of the searched person, which is required under Section 153C. The date of the notice is relevant for computing the period of limitation, leading to the conclusion that the reassessment proceedings were time-barred.

SHWETA JAIN VS ASSISTANT COMMISSIONER OF INCOME TAX, CENTRAL CIRCLE 3, DELHI & ANR. [W.P.(C)-310/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The reassessment notice issued under Section 148 of the Income Tax Act for the assessment year 2015–16 was found to be barred by limitation. The limitation period under Section 153C should be calculated from when the Assessing Officer initiates action against a non-searched person, rather than from the date of the search. In this case, there was no required satisfaction note from the Assessing Officer of the searched person. Even considering a satisfaction note from 29.08.2024, the 10-year limitation period for the assessment year 2015–16 had expired. The impugned notice and subsequent proceedings were set aside.

MS NOKIA SOLUTIONS AND NETWORKS INDIA PRIVATE LIMITED SUCCESSOR OF NOKIA SIEMENS NETWORKS INDIA PRIVATE LIMITED VS DEPUTY COMMISSIONER OF INCOME TAX CIRCLE 16 1 & ANR. [W.P.(C)-234/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

M/S NOKIA Solutions and Networks India Private Limited's petition against a notice issued under Section 148 of the Income Tax Act for the assessment year 2014-15 was dismissed. The original notice was addressed to a non-existent company, Nokia Siemens Networks India Private Limited. However, this did not invalidate the proceedings as a new notice was later issued to the petitioner in compliance with Supreme Court directives, allowing such notices to be treated under the updated Section 148A(b).

M/S VIMLA STORE VS THE COMMISSIONER & ANR. [LPA-7/2025]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The appeal challenging the rejection of the request to withdraw a resignation from operating a Fair Price Shop after a delay of about six years was dismissed. The orders rejecting the requests were consistent, well-reasoned, and free from arbitrariness or procedural unfairness. The case was distinguished from others where withdrawals were allowed, as the facts were materially different. No shortcomings were found in the dismissal of the writ petition.



DIVINE INFRACON PVT LTD VS PR COMMISSIONER OF INCOME TAX 3 [ITA-426/2024]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The ITAT erred in addressing the merits of a ₹4,30,00,000/- addition under Section 68 of the Income Tax Act, as this issue was not considered in the earlier CIT(A) order. The decision on this matter was set aside, and it was remanded to CIT(A) to resolve the remaining grounds from the Assessee. The applicability of Section 153A was concluded in favor of the Revenue.

CAPITAL PROPERTY CONSULTANTS THROUGH AUTHORIZED REPRESENTATIVE MR. LALIT POPLI VS ASSISTANT COMMISSIONER OF INCOME TAX CENTRAL CIRCLE 31, DELHI [W.P.(C)-16238/2024]

Judges: Acting Chief Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The Assessing Officer's notices and order against Capital Property Consultants were deemed invalid. The first notice, based on an agreement to sell properties that was not acted upon, and the second notice, alleging undisclosed commission income of Rs. 29.87 lakhs from different information, were unrelated. The second notice was found to be beyond the permitted time period under Section 149(1)(a), rendering it unsustainable. The impugned order and both notices were set aside along with the related proceedings.

SHRI RAMCHANDER SINGH & ORS. VS UNION OF INDIA & ORS. [W.P.(C)-14172/2023] Judges: Justice Vibhu Bakhru, Justice Anoop Kumar Mendiratta

The petitioners' claim that the land acquisition had lapsed under Section 24(2) of the 2013 Act is no longer valid due to a Supreme Court decision overturning a previous ruling. The petitioners demonstrated their interest in the land through prior court orders and revenue records. Authorities are to disburse compensation and statutory benefits to the petitioners, contingent upon verifying their extent of interest in the land.

THE GOVT. OF NCT OF DELHI & ANR. VS AJAY BAJPAI & ORS. [LPA-56/2025]

Judges: Justice Vibhu Bakhru, Justice Anoop Kumar Mendiratta

The appeal by the Government of NCT of Delhi against an order for allotting an alternate plot to Ajay Bajpai was dismissed. Bajpai's wife's ownership of a flat in Gurgaon does not affect his eligibility under the government scheme, which pertains only to property within Delhi. Bajpai has sought judicial intervention due to delays in processing his application, prompting a directive for the authorities to allocate an alternate plot to him.

SARIKA KANSAL VS ASSISTANT COMMISSIONER OF INCOME TAX [W.P.(C)-7940/2024]

Judges: Justice Vibhu Bakhru, Justice Tushar Rao Gedela

The AO could not reopen the petitioner's assessment for AY 2017-18 based on the same grounds examined in a previous reassessment. The information triggering the current notice was identical to that of the earlier assessment, where the petitioner's explanation regarding the valuation of shares was accepted. The AO did not present credible evidence to dispute the petitioner's claim that the company owned only two floors of the property, rather than the entire property as asserted in the current proceedings. The impugned notice and order were deemed invalid as the AO cannot revisit an assessment for reasons already considered.

TEK TRAVELS PRIVATE LIMITED VS GURSAHIB SINGH SETHI & ORS. [CS(COMM)-440/2021] Judges: Justice Vikas Mahajan

The defendants demonstrated 'good cause' for their previous non-appearance due to the negligence of their former counsel, who failed to file necessary documents and sought multiple adjournments. It was stated that a party should not suffer due to their advocate's default. The order from 04.11.2022, which proceeded against the defendants ex parte, was recalled, although the opportunity to file the written statement, previously closed, was not reinstated.



AAONE DEVELOPERS PVT LTD VS SABITA JHA AND ANR [CS(COMM)-286/2024] ☑

Judges: Justice Vikas Mahajan

The plaintiff's suit for specific performance of two contracts did not require mandatory pre-institution mediation under Section 12A of the Commercial Courts Act. The request for urgent interim relief was not a means to evade mediation. Although the suit started as an ordinary suit, the parties had previously engaged in mediation at their request before its conversion to a commercial suit, thereby meeting the intent of Section 12A. The defendants' request to reject the plaint for non-compliance with Section 12A was denied.

SH. VIJENDER SINGH & ORS VS SH. NARINDER SINGH & ORS [CS(OS)-1546/2009] Judges: Justice Vikas Mahajan

The application to summon Sh. Ajay Gopal, the attesting witness of the Will dated 24.05.2022 executed by Late Sh. Ram Chander, lacks merit and is dismissed. The defendants chose to close their evidence after Ajay Gopal refused to appear for cross-examination and instead examined Deepak Sharma, the scribe of the Will. The defendants did not seek assistance to compel Ajay Gopal's attendance and their renewed request for his testimony at this late stage, with the matter fixed for final arguments, lacks bona fides. The suit, dating back to 2009, would be delayed by any further indulgence.

GURMIT SINGH VS STATE GOVT OF NCT OF DELHI & ANR. [CRL.M.C.-5176/2024] Judges: Justice Vikas Mahajan

The petition to cancel anticipatory bail for the respondent accused was dismissed. The chargesheet was filed without the accused being arrested, negating the need for a bail application. Bail should not be canceled without supervening circumstances, and no such circumstances were found to warrant cancellation in this case.

PR. COMMISSIONER OF INCOME TAX-7, DELHI VS VEDANTA LTD. [ITA-88/2022]

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

A fundamental error occurred in the Transfer Pricing Officer's order, which named Cairn India Ltd. instead of the successor entity Vedanta Ltd. This mistake could not be rectified under Section 154 or Section 292B of the Income Tax Act, 1961. The Assessing Officer's draft assessment order, referencing Cairn India Ltd. as "formerly known as," indicated a lack of intent to assess Vedanta Ltd., making the error irreparable. The appeal by the Principal Commissioner of Income Tax was dismissed.

CENTRAL ELECTRICITY REGULATORY COMMISSION VS THE ADDITIONAL DIRECTOR DIRECTORATE GENERAL OF GST INTELLIGENCE (DGGI) & ANR. [W.P.(C)-10680/2024]

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

Fees collected by the CERC and DERC for regulatory functions under the Electricity Act, 2003 are not subject to Goods and Services Tax (GST) under the CGST and IGST Acts. The regulatory functions of the commissions are not classified as "business" activities under the CGST Act, and the collected fees do not constitute "consideration" for any supply of goods or services. Additionally, the commissions' regulatory functions resemble those of a tribunal, which is excluded from GST under Schedule III of the CGST Act. Consequently, show cause notices issued by tax authorities and the order imposing GST on the commissions are quashed.



ROHIT KUMAR VS INCOME TAX OFFICER WARD 54 (1), DELHI [W.P.(C)-2830/2022]

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

The notice issued under Section 148 of the Income Tax Act, 1961 was declared invalid as the income alleged to have escaped assessment, amounting to INR 46.17 lakhs, fell below the INR 50 lakhs threshold specified in the amended Section 149(1)(b). Approval for the notice was granted by the Joint Commissioner, who lacked competence under Section 151 after the Finance Act, 2021 changes. The notice and the subsequent assessment order were quashed.

THE COMMISSIONER OF INCOME TAX - INTERNATIONAL TAXATION -1 VS ADOBE SYSTEMS SOFTWARE IRELAND LTD [ITA-480/2023]

Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

The appeals by the Commissioner of Income Tax were dismissed regarding transactions between Adobe Systems Software Ireland Ltd. and Adobe India, which were deemed to be at arm's length according to the Transfer Pricing Officer. No additional profits were to be attributed to Adobe's Permanent Establishment in India following the precedent set in DIT v. Morgan Stanley & Co. Inc. Arguments suggesting Adobe India performed broader functions than analyzed in the transfer pricing assessment were dismissed as mere assumptions. Observations about the "Double Irish" corporate structuring model were also considered irrelevant to income generated in India. Multiple appeals were addressed in this judgment.

M/S SMEC INDIA (P.) LTD. VS PRINCIPAL COMMISSIONER OF INCOME TAX - 8 [W.P.(C)-9969/2019] Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

The Principal Commissioner dismissed the petitioner's application under Section 264 of the Income Tax Act without adequately addressing the argument regarding taxability under Article 12 of the India-Australia Double Taxation Avoidance Agreement, specifically the "make available" condition for royalties. The order was quashed, and the Commissioner was instructed to reevaluate the application while keeping the DTAA issue open. Additionally, the petitioner was not required to amend the original return before filing the Section 264 application, as the Commissioner can rectify mistakes by the assessee under this provision.

GRID SOLUTIONS OY (LTD) VS ASSISTANT COMMISSIONER OF INCOME TAX INTERNATIONAL TAXATION CIRCLE 1(3)(1) & ANR. [W.P.(C)-1639/2022] ☑

Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

Tax authorities cannot extrapolate findings from surveys conducted in 2007 and 2019 to the distinct assessment years 2013-14 to 2017-18. The existence of a permanent establishment requires a separate fact-specific determination for each assessment year. The authorities did not present specific facts or materials justifying the reopening of assessments, leading to the quashing of the reassessment notices for the mentioned years.

M/S ZEON LIFE SCIENCES LTD VS CHIEF SECRETARY, GOVERNMENT OF DELHI & ORS. [W.P.(C)-12402/2022] Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

The demand for tax and penalty against the writ petitioners under Section 129 of the Central Goods & Services Tax Act, 2017 is invalid. Section 129, concerning the detention and seizure of goods in transit, is not a penal provision requiring mandatory tax and penalty for all contraventions. The application of Section 129 must be informed by Section 126, which outlines the principles of moderation, restraint, and reasonableness for imposing penalties. The appellate orders that upheld the demands are quashed, nullifying the tax and penalty levied.



THE COMMISSIONER OF INCOME TAX - INTERNATIONAL TAXATION -3 VS SAMSUNG ELECTRONICS CO. LTD. [ITA-1099/2018] ☑

Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

The premises of SIEL, a wholly-owned Indian subsidiary of Samsung Korea, did not constitute a Fixed Place Permanent Establishment of Samsung Korea under Article 5 of the India-Korea Double Tax Avoidance Agreement. The secondment of employees from Samsung Korea to SIEL aimed to benefit SIEL rather than advance Samsung Korea's business in India. Activities of the seconded employees, including market information collection and product development, fell within SIEL's business scope and did not indicate Samsung Korea was conducting its own business through a permanent establishment in India.

SMT. SHIVANI MADAN VS PR. COMMISSIONER OF INCOME TAX, DELHI-01 & ANR. [ITA-573/2023] Judges: Justice Yashwant Varma, Justice Harish Vaidyanathan Shankar

The appellant's status as a co-owner of a property does not automatically result in the income from the property being taxable in her hands under 'income from house property'. The focus for taxation is on the individual entitled to receive the income, not just legal ownership. Relevant provisions of the Income Tax Act allow for income apportionment based on definite ownership shares. Previous assessments wrongly assumed the appellant's ownership percentage without proper examination of income entitlement. The matter requires re-examination to determine the rightful owner of the income.

PRINCIPAL COMMISSIONER OF INCOME TAX, DELHI-12 VS M/S REMFRY AND SAGAR [ITA-449/2022] Judges: Justice Yashwant Varma, Justice Ravinder Dudeja

The Income Tax Appellate Tribunal's decision allowed the assessee firm to claim a deduction for the license fee paid for using the goodwill associated with the name "Remfry & Sagar." The expenditure was deemed lawful as it represented consideration for the firm's valuable goodwill, which had been properly gifted by the previous owner to a private company. This situation was distinguished from a prior case involving disallowed expenditures for "freebies" to medical practitioners due to regulatory violations. The rules of the Bar Council of India regarding remuneration sharing were not violated, as the license fee constituted payment for the use of goodwill rather than revenue sharing.

SUN PHARMACEUTICAL INDUSTRIES LTD. VS INCOME TAX OFFICER & ANR. [W.P.(C)-8444/2018] Judges: Justice Yashwant Varma, Justice Ravinder Dudeja

Applications filed by Sun Pharmaceutical Industries Ltd. for a refund of excess tax deducted under Section 195 of the Income Tax Act for the Financial Years 2010-11 to 2012-13 were rejected as barred by time. Paragraph 9 of CBDT Circular No. 07/2007, imposing a 2-year limitation period for refund claims, was found to be ultra vires the Act, which does not specify a limitation period for such applications. Additionally, interest payments for FCCBs and ECBs used for global operations fell within the exception under Section 9(1)(v)(b), as they related to business conducted outside India. The impugned order was quashed, directing the release of the refund along with statutory interest.



ARJUN CHAWLA VS PUNJAB NATIONAL BANK [LPA-476/2013]

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

The appeal by Arjun Chawla was successful, leading to the conclusion that his notice of voluntary retirement dated 15.04.1998 became effective after the 3-month notice period, as the bank did not refuse or defer his request. The reasoning distinguishing J.P. Sharma v. Director General Border Roads was rejected, noting the similarity of provisions. Disciplinary proceedings against Chawla and his removal from service were quashed, confirming his voluntary retirement from the bank effective 13.07.1998, along with all consequential benefits.

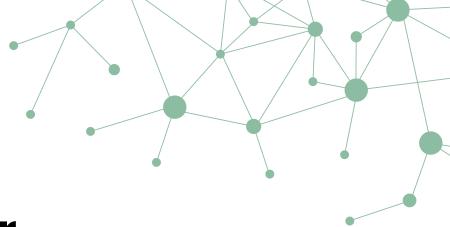
SH. SURESH CHAND SHARMA & ORS. VS NORTH DELHI MUNICIPAL CORPORATION & ORS. [FAO-106/2023] Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

The appeal by street vendors against the lower court's order was allowed. The Street Vendors Act, 2014 does not expressly bar civil court jurisdiction, and the lower court improperly returned the suit under Order VII Rule 10 of the CPC. The matter was remanded for further proceedings in accordance with the law.

CENTER FOR RESEARCH PLANNING AND ACTION VS NATIONAL MEDICINAL PLANTS BOARD MINISTRY OF AYUSH GOVERNMENT OF INDIA [FAO (COMM)-161/2022]

Judges: Justice Yashwant Varma, Justice Dharmesh Sharma

The arbitral award was not found to be vitiated by patent illegality, as the expert arbitrator provided clear reasons for the decision. Judicial review under Section 34 of the Arbitration and Conciliation Act, 1996 is limited, with no scope for reappreciating evidence or substituting views. The order of the Single Judge was set aside, and the arbitral award in favor of the appellant was upheld.



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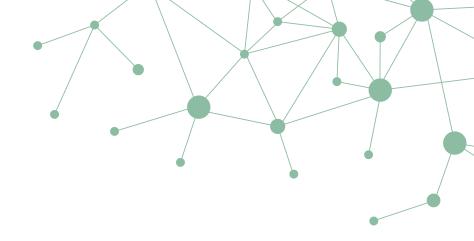
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