



Supreme Court Daily Digest

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Disclaimer: We have made these notes (shared below) based on our understanding of the above Supreme Court judgments. You are requested to read original judgments before using our notes for any purpose. You can click on the case names below to access original judgment. The cases highlighted above, according to us, are comparatively more important than others. A few more judgments delivered today will be covered in our next digest.

State Bank of India vs Ramadhar Sao 2025 INSC 1010 - Disciplinary Proceedings - Reasoning

Disciplinary Proceedings - Disciplinary authority is not required to record reason in detail if report of inquiry officer, is accepted. (Para 13.1)

Constitution of India - Article 32,226 -Disciplinary Proceedings - The power of judicial review in the matters of disciplinary inquiries, exercised by the departmental/appellate authorities discharged by constitutional courts under Article 226 or Article 32 or Article 136 of the Constitution of India is circumscribed by limits of correcting errors of law or procedural errors leading to manifest injustice or violation of principles of natural justice. (Para 13)

Devendra Kumar v. State (NCT of Delhi) 2025 INSC 1009 - S.186 IPC - S.195 CrPC

Code of Criminal Procedure 1973 - Section 195 - If in truth and substance, an offence falls in the category of Section 195(1)(a)(i), it is not open to the court to undertake the exercise of splitting them up and proceeding further against the accused for the other distinct offences disclosed in the same set of facts. However, it also cannot be laid down as a straitjacket formula that the Court, under all circumstances, cannot undertake the exercise of splitting up. It would depend upon the facts of each case, the nature of allegations and the materials on record. -Severance of distinct offences is not permissible when it would effectively circumvent the protection afforded by Section 195(1)(a)(i) of the Cr.P.C., which requires a complaint by a public servant for certain offences against public justice. This means that if the core of the offence falls under the purview of Section 195(1)(a)(i), it cannot be prosecuted by

simply filing a general complaint for a different, but related, offence. The focus should be on whether the facts, in substance, constitute an offence requiring a public servant's complaint - **Twin tests:** First, the courts must ascertain having regard to the nature of the allegations made in the complaint/FIR and other materials on record whether the other distinct offences not covered by Section 195(1)(a)(i) have been invoked only with a view to evade the mandatory bar of Section 195 of the I.P.C. and secondly, whether the facts primarily and essentially disclose an offence for which a complaint of the court or a public servant is required- Where an accused is alleged to have committed some offences which are separate and distinct from those contained in Section 195, Section 195 will affect only the offences mentioned therein. However, the courts should ascertain whether such offences form an integral part and are so intrinsically connected so as to amount to offences committed as a part of the same transaction, in which case the other offences also would fall within the ambit of Section 195 of the Cr.P.C. This would all depend on the facts of each case. (Para 52) There must be a complaint by the public servant who was voluntarily obstructed in the discharge of his public functions. The complaint must be in writing. The provisions of Section 195 Cr.P.C. are mandatory. Non-compliance of it would vitiate the prosecution and all other consequential orders. The Court cannot assume the cognizance of the case without such complaint. In the absence of such a complaint, the trial and conviction will be void ab initio being without jurisdiction. (Para 48)

Code of Criminal Procedure 1973 - Section 195, 340- Sections 195(1)(b)(i)(ii) & (iii) and 340 of the Cr.P.C. respectively do not control or circumscribe the power of the police to investigate, under the Criminal Procedure Code. Once investigation is completed then the embargo in Section 195 would come into play and the Court would not be competent

to take cognizance. However, that Court could then file a complaint for the offence on the basis of the FIR and the material collected during investigation, provided the procedure laid down in Section 340 of the Cr.P.C. is followed. (Para 52) The bar created by the provisions is against taking of cognizance by the Court. There is no bar against the registration of a criminal case or investigation by the police agency or submission of a report by the police on completion of the investigation, as contemplated by Section 173 of the Cr.P.C (Para 51)

Indian Penal Code 1860 - Section 186 - The expression 'obstruction' used in Section 186 of the I.P.C. is not confined to physical obstruction. It need not necessarily be an act of use of criminal force. The act need not be a violent one. It is enough if the act complained of results in preventing a public servant in discharge of his lawful duties. Any act of causing impediment by unlawfully preventing public servant in discharge of his functions would be enough to attract Section 186 of the I.P.C. (Para 29)

Edcons (MKS) Castings Pvt. Ltd. v. West Bengal State Electricity Board 2025 INSC 1006

Note: No legal aspects discussed in this judgment.

Mahesh Chand (D) v. Brijesh Kumar 2025 INSC 1005 - UPZALR Act

Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 - Section 145 does not cast any duty on the land owner to get it

registered. As per Section 145 of the UPZALR Act, it is the duty of the Assistant Collector-in-charge of the Sub-Division to forward a copy of the declaration made under Section 143 of the UPZALR Act to the Sub Registrar to do the needful. Such registration is to be made free of cost notwithstanding anything contained in the Indian Registration Act, 1908- No fee has to be paid as the relevant registration was free of cost. Merely on account of deficiency by the officers, the land owner cannot be deprived of the benefits of the declaration so made. (Para 17)

Practice and Procedure - Appeal is continuance of proceedings and any developments which may take place during pendency of the appeal or suit, going to the root of the case, can always be taken notice of to avoid multiplicity of litigation. (Para 15)

Kalpataru Power Transmission Ltd. v. Vinod 2025 INSC 1004 - Telegraph Act - Remedy Of Appeal

Indian Telegraph Act, 1885 - Law Commission of India and the Ministry of Law and Justice, Government of India, so as to determine whether a statutory remedy of appeal should be provided against judgments/orders passed under Sections 16(3) and 16(4) of the 1885 Act, the Petroleum Act or any other similar statute - There is need to bring uniformity in the nomenclature to be assigned to these kinds of proceedings, which may come to the court under the 1885 Act and also the proceedings under the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962. (Para 33-36)

Indian Telegraph Act, 1885 - There cannot be any hard and fast rule to determine compensation in cases of telegraph lines and electrical

lines, certain factors should be looked into - Land pertaining to different villages falling in different districts, which may be the subject matter of consideration for assessment of compensation, would have been assessed differently by the Collector based on their respective locations and characteristics. (Para 17-20)

Nabha Power Limited v. Punjab State Power Corporation Limited 2025 INSC 1002 - Foreign Trade Policy - Deemed Export Benefits

Foreign Trade Policy 2009-2014 - Five essential prerequisites that ought to be satisfied in order to be eligible for the deemed export benefit(s): (i) The claim for Deemed Export Benefits relates exclusively to “goods” and is inapplicable to any other thing which is not “goods”. Such goods, though supplied, do not physically exit the territorial boundaries of the country. (ii) The goods to be supplied must be “manufactured in India”. (iii) There must be an act constituting “supply of goods” to the power projects for the project to claim Deemed Export Benefits. (iv) The act of “supply of goods” is either by the main contractor and/or the sub-contractor to the concerned power project. (v) The supply is undertaken strictly in accordance with the procedural framework prescribed under ICB. (Para 57)

Pawan Kumar Tiwary & Ors. v. Jharkhand State Electricity Board 2025 INSC 1000 - Service - Multiple Appointment Challenge - Doctrine Of Severability

Service Law - Where multiple appointments are challenged on general grounds, authorities and courts must undertake a detailed fact-specific analysis before concluding that all such appointments are void. The doctrine of severability must guide real administrative action and judicial reasoning in service matters (Para 49) When appointments of large numbers of persons are questioned, courts and authorities must: (i) Separate the legally sustainable from the unsustainable (ii) Apply the test of eligibility and sanctioned strength (iii) Assess whether there was fraud or misrepresentation (iv) Provide an opportunity of hearing before cancellation (Para 32)- The validity of an individual appointment must be assessed on the basis of the appointee's own merit, eligibility, and conformity to the applicable rules. Courts must resist the tendency to issue blanket invalidations of entire batches of appointments merely on the basis of procedural infirmities that affect only a portion of the appointments. The principles of fairness, proportionality, and individual justice are foundational to administrative law and demand that a case-by-case analysis be undertaken before issuing sweeping orders of cancellation- when appointments are found to be irregular, the inquiry must focus on whether such irregularity amounts to illegality, and whether the appointee had any role or knowledge of the deviation. If not, and the appointee was otherwise eligible, qualified, and appointed against a sanctioned vacancy, there is no justification for nullifying such appointment. (Para 24-25) An irregular appointment is one where procedure is not strictly followed but the appointee is otherwise qualified and the post is sanctioned. An illegal appointment, on the other hand, is void ab initio, such as where the appointee is ineligible or the post does not exist. When appointments are questioned on grounds of irregularity, the inquiry must not end with detecting the infirmity but must proceed further to distinguish those whose appointments are unimpeachable.

Justice demands separation, not erasure. (Para 31) Referred to State of West Bengal v. Baishakhi Bhattacharyya (Chatterjee): The Baishakhi principle rightly recognizes that where the recruitment process is irredeemably marred by pervasive fraud or institutional malaise, the Court may be compelled albeit reluctantly to nullify the entire selection process in the larger interest of constitutional integrity. In such cases, exception to the principle of natural justice would not lead to potential injustice to untainted candidates and the necessity of maintaining public confidence in institutional processes ought to take precedence. (Para 40-41)

Doctrine of severability - The rule is grounded in equity and legal logic: where bad can be separated from good, the good must not perish with the bad— The doctrine is not merely a tool of constitutional adjudication but a principle of fairness. In service law, it protects deserving employees from the fallout of administrative missteps not attributable to them. (Para 26,27)

Constitution of India - Article 14,16 - The right to employment, though not a fundamental right, is nevertheless protected under Article 14 and 16 of the Constitution insofar as it requires fair, just, and non-arbitrary treatment of similarly situated individuals. (Para 30)

Service Law - Seniority and other service benefits can be protected through notional fixation, even if back wages are not granted- The doctrine of "no work, no pay" does not preclude the grant of notional service benefits, particularly where the fault lies not with the employee but with the administration. (Para 46)

Dharam Singh vs State of U.P. 2025 INSC 998 - Uma Devi Judgment - Ad-Hocism

Service Law - Regularization - Umadevi Judgment [Secretary, State of Karnatak v. Umadevi] cannot be deployed as a shield to justify exploitation through long-term “ad hocism”, the use of outsourcing as a proxy, or the denial of basic parity where identical duties are exacted over extended periods - outsourcing cannot become a convenient shield to perpetuate precariousness and to sidestep fair engagement practices where the work is inherently perennial. (Para 11- 13)
