



# **Supreme Court Daily Digest**

**25 August 2025**

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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.

## **Ravindra Pratap Shahi v. State of U.P. 2025 INSC 1039 - Delay In Judgment Pronouncement**

**Practice and Procedure** - Practice of pronouncing the final order without reasoned judgment, which is not delivered for substantial length of time depriving the aggrieved party of the opportunity to seek further judicial redressal - Proceedings are kept pending in the High Court for more than three months, in some cases for more than six months or years wherein judgments are not delivered after hearing the matter- Directions issued in Anil Rai vs. State of Bihar reiterated - Registrar General of each High Court directed to furnish to the Chief Justice of the High Court a list of cases where the judgment reserved is not pronounced within the remaining period of that month and keep on repeating the same for three months. If the judgment is not delivered within three months, the Registrar General shall place the matters before the Chief Justice for orders and the Chief Justice shall bring it to the notice of the concerned Bench for pronouncing the order within two weeks thereafter, failing which the matter be assigned to another Bench. [Context: In this case, judgment was not delivered by High Court for almost a year from the date when the appeal was heard]

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## **Chowdamma (D) Vs Venkatappa (D) 2025 INSC 1038 - Ss.50,114 Evidence Act - Presumption In Favour Of A Marriage**

**Indian Evidence Act 1872 - Section 50** - Opinion on relationship, when relevant- Quoted from Dolgobinda Paricha v. Charan - The essential requirements of the section are — (1) there must be a case

where the court has to form an opinion as to the relationship of one person to another; (2) in such a case, the opinion expressed by conduct as to the existence of such relationship is a relevant fact; (3) but the person whose opinion expressed by conduct is relevant must be a person who as a member of the family or otherwise has special means of knowledge on the particular subject of relationship; in other words, the person must fulfil the condition laid down in the latter part of the section. If the person fulfils that condition, then what is relevant is his opinion expressed by conduct. Opinion means something more than mere retailing of gossip or of hearsay; it means judgment or belief, that is, a belief or a conviction resulting from what one thinks on a particular question. Now, the “belief” or conviction may manifest itself in conduct or behaviour which indicates the existence of the belief or opinion. (Para 22)

**Indian Evidence Act 1872 -Section 114(g)** -Where a party to the suit does not appear in the witness box and states his own case on oath and does not offer himself to be cross-examined by the other side, a presumption would arise that the case set up by him is not correct - In civil proceedings, particularly where the facts lie exclusively within the personal knowledge of the party, the refusal to enter the witness box carries grave evidentiary consequences -The failure of the defendants to substantiate their claims through documentary evidence is eclipsed by a more consequential omission. In a case where the principal controversy turns on matters lying within her exclusive personal knowledge, the silence of defendant, her absence from the witness box, is not a procedural lapse but a calculated withdrawal from scrutiny. (Para 50) In a dispute where the foundational facts lie squarely within her exclusive knowledge, such omission assumes critical significance (Para 58)- A

Court of law cannot offer refuge to studied silence where a duty to disclose exists. (Para 59)

**Law of Evidence** - A presumption in favour of a marriage where a man and woman have engaged in prolonged and continuous cohabitation. Such a presumption, though rebuttable in nature, can only be displaced by unimpeachable evidence. Any circumstance that weakens this presumption ought not to be ignored by the Court. The burden lies heavily on the party seeking to question the cohabitation and to deprive the relationship of legal sanctity. (Para 38) The burden of proof lies upon the party who asserts a fact. (Para 41)

**Revenue Records** - Revenue records only hold presumptive value and don't confer title. (Para 49)

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### **Nilima Das Gupta (D) v. On the Death of Abdur Rouf His Legal Heirs 2025 INSC 1037 - Ss. 118,120 Evidence Act**

**Indian Evidence Act 1872 - Section 118,120** - All persons are competent to testify, unless the court considers that by reason of tender years, extreme old age, disease, or infirmity, they are incapable of understanding the questions put to them and of giving rational answers. Competency of a person to testify as a witness is a condition precedent to the admissibility and credibility of his evidence. - Competency is the rule and incompetency the exception. (Para 18-21) [**Context:-** In this case, HC held that son could not have entered the witness box and deposed on behalf of his mother - While disagreeing with this view, SC observed - by virtue of Section 120 alone, the son cannot be termed as an incompetent witness. The line of reasoning assigned by the High Court gives us an

impression that since son and mother do not figure in Section 120 of the Indian Evidence Act and only husband and wife figures, the son cannot depose on behalf of his mother. That understanding is not correct. (Para 26)

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**Glencore International AG vs Shree Ganesh Metals 2025 INSC 1036 - Ss.44,45 Arbitration Act - Unsigned Arbitration Agreement**

**Arbitration and Conciliation Act 1996- Section 44,45** - An arbitration agreement needs to be in writing though it need not be signed- This legal principle would hold good equally for an arbitration agreement covered by Sections 44 and 45. (Para 28) A commercial document having an arbitration clause has to be interpreted in such a manner as to give effect to the agreement rather than invalidate it. (Para 27)

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**C.L. Gupta Export Ltd. vs Adil Ansari 2025 INSC 1035 - NGT Act - PMLA**

**National Green Tribunal Act 2019 - Section 15** - On NGT's direction to invoke the provisions of the PMLA - The NGT should act within the contours of the powers conferred on it which is Section 15 - Though such power would be available to a Court constituted under the PMLA or to constitutional courts, it would not be available for exercise by the NGT, constituted to ensure effective and expeditious consideration of cases relating to environmental protection and conservation of forests and other natural resources including

enforcement of any legal right and giving relief and compensation for damages to persons and properties. (Para 12)

**Quotes** - The rule of law does not permit State or its agencies to extract a 'pound of flesh', even in environmental matters. (Para 11)

**Practice and Procedure** - Application of mind is not proportionate to the number of pages- Judicious consideration is the sum and substance of adjudication and the Courts/Tribunals should restrain themselves from engaging in mere rhetoric by stating the law in general without particular reference to the facts. (Para 13)

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### **Chamundeshwari Electricity Supply Company Ltd. (CESC) v. Saisudhir Energy (Chitradurga) Pvt. Ltd. 2025 INSC 1034 - Electricity Act - Regulatory Fora - Contractual Framework**

**Electricity Act, 2003**- Regulatory or adjudicatory fora cannot, under the guise of equity or fairness, rewrite the contractual framework or superimpose obligations alien to the agreement - The jurisdiction of the regulatory bodies is to ensure compliance with law and to adjudicate disputes within the four corners of the contract. It does not extend to recasting the contractual framework by directing restitution of amount lawfully realised under the PPA, or by mandating alterations to tariff and timelines in a manner inconsistent with the agreement. (Para 42-43)

**Contract** - The omission to pursue contractual relief under the correct clause is fatal; it cannot be remedied by recourse to a provision inapplicable on its terms- the explicit terms of a contract are always the final word with regard to the intention of the parties. (Para 40-42)