Cassie

MONDAY, 27 JULY 2026

DAILY

Court Digest

The day's most significant judgments from India's courts.

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- Section 56 Companies Act | Share Transfer Without Deed Is Non-Est : NCLAT
- Section 528 BNS | Non-Bailable Warrant Issued Without Alternatives Is Illegal : Bombay HC

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Supreme Court

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KEEP SWIPING >>>

Work & Employment Issues · Workplace Rights & Unions

SUPREME COURT

State Cannot Dilute Mandatory Qualification

Why it matters. Practitioners must scrutinize recruitment rules for compliance with central executive directions. Arbitrary cut-off marks policies are liable to be struck down. Delayed cases may still secure moulded relief including prospective appointments.

> *Once the rule-making authority has consciously provided only one mode of shortlisting, namely limiting the candidates to be called for interview to four times the number of vacancies where applications are received in large numbers, it was not open to the Selection Committee/SoUP to superimpose an additional eligibility threshold.*
>
> FROM THE JUDGMENT

The Court held. Supreme Court allowed appeals, set aside High Court judgment dated 04.01.2023. Directed appellants to approach appointing authority within two weeks. Appointments to be offered within four months with prospective effect. Vacancies available: 2,241 posts out of 7,768 sanctioned posts as of May 2026. Appointed appellants entitled to all benefits except back wages, seniority, promotion, and eligible for pension/gratuity if qualified.

§ **Executive directions dated 24th July, 1996 issued by Directorate General of Employment & Training under Ministry of Labour**

Arvind Kumar vs State Of U.P

COURT
Supreme Court of India

DECIDED
24.07.2026

CASE NO.
Civil Appeal Nos. 8257-8259 of 2026 [Arising out of SLP (Civil) Nos. 4012-4014 of 2023] with Civil Appeal No. 8260 of 2026 [Arising out of SLP (Civil) No. 9685 of 2023] and connected matters

CITATION
2026 INSC 741

BENCH
Justice Dipankar Datta

High Courts

5 judgments in this edition

KEEP SWIPING >>>

Constitutional & Fundamental Rights

BOMBAY HC

State Cannot Impose Blanket Ban on Pharmacy Colleges

Why it matters. Lawyers advising educational institutions must now argue that State-imposed bans on new colleges are ultra vires without statutory authority, relying on PCI as the sole regulatory body for approvals.

> *a blanket prohibition on the establishment of the Pharmacy Colleges cannot be imposed by an executive resolution*
>
> FROM THE JUDGMENT

The Court held. The Court granted ad-interim relief permitting the petitioner to participate in the 2026-27 admission, affiliation, and approval process based on PCI approval dated 13.05.2026. State directed to file reply by 07.08.2026, rejoinder by 14.08.2026, with final hearing on 17.08.2026.

§ Article 19(1)(g), Constitution of India, 1950

Dhumane Patil Foundation And Anr vs The State Maharashtra Thr Its Principal Secretary

COURT	DECIDED	CASE NO.
Bombay High Court	24.07.2026	Writ Petition No. 9468 of 2026

CITATION	BENCH
2026 SCC OnLine Bom 9468	Bench:R. I. Chagla



Banking Law, Debt & Money Matters · SARFAESI, Mortgage Suits, Lien, Attac... BOMBAY HC

Secured Creditor Priority Over Tax Dues Without CERSAI Registration

Why it matters. Tax authorities must now register charges with CERSAI post-24.01.2020 or prove MLRC proclamation compliance for pre-amendment attachments to enforce priority over secured creditors. Non-compliance renders their claims subordinate.

> *Priority means precedence or going before (Black's Law Dictionary). In the present context, it would mean the right to enforce a claim in preference to others.*
>
> FROM THE JUDGMENT

The Court held. The Court quashed impugned orders dated 09.12.2013, 26.08.2017, and 14.10.2020, directed removal of mutation entries Nos. 187, 211, and 232 from the 7/12 extract, and ordered compliance within six weeks. Secured creditor's priority under SARFAESI Act upheld.

§ **Section 26E, Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002**

Central Bank Of India vs Assistant Commissioner Of State Tax

COURT
Bombay High Court

DECIDED
24.07.2026

CASE NO.
Writ Petition (L) No. 5750 of 2026 and Writ Petition (L) No. 5830 of 2026

CITATION
2026 SCC OnLine Bom [Awaiting Official Citation]

BENCH
Justice Manish Pitale



Banking Law, Debt & Money Matters · Loan Rescheduling, Moratorium & EMI ... BOMBAY HC

Auction Purchaser Liable for Property Tax Only From Sale Certificate Date

Why it matters. Practitioners must now ensure that liquidators clarify property tax liabilities upfront in e-auction documents to protect auction purchasers from unexpected claims and streamline insolvency processes.

> *We are of the opinion that the petitioner cannot be foisted with the liability for property tax dues prior to 24.04.2024 i.e. the date of sale certificate. To that extent, the demand letter dated 07.08.2024 deserves to be quashed.*
>
> FROM THE JUDGMENT

The Court held. The High Court allowed the writ petition in part, quashed the demand letter dated 07.08.2024 to the extent it sought to recover property tax dues prior to 24.04.2024, and directed MCGM to issue a fresh demand letter/notice for the period from 24.04.2024 within two weeks. The petitioner must make payment within two weeks of service, with credit for any prior payments made.

§ Insolvency and Bankruptcy Code, 2016

Macrotech Developers Limited vs Municipal Corporation

COURT	DECIDED	CASE NO.	CITATION
Bombay High Court	23.07.2026	Writ Petition No. 4121 of 2025	2026 SCC OnLine Bom 1234

BENCH
Justice Manish Pitale

Insurance Law & Claims · Health/Life Insurance Claim Denial, Partial Approval ... BOMBAY HC

Insurer Must Pay Compensation Despite Invalid License

Why it matters. Insurers must now satisfy awards even for unlicensed drivers but can recover from owners. Multipliers must use the deceased's age, and future prospects must be added for victims under 40.

> *It is beyond any doubt or dispute that only in the event an application for renewal of licence is filed within a period 30 days from the date of expiry thereof, the same would be renewed automatically*
>
> FROM THE JUDGMENT

The Court held. Compensation enhanced to Rs. 3,17,400 with 6% interest p.a. Insurer, driver, and owner held jointly and severally liable. Insurer directed to deposit amount within 10 weeks and recover from owner. Costs imposed on insurer.

§ Section 149, Motor Vehicles Act, 1988

The New India Assurance Co Ltd v. Nk. Hyder Mohiuddin (Deceased) through L.Rs. and Ors.

COURT	DECIDED	CASE NO.	CITATION
Bombay High Court	24.07.2026	FA/1344/2003	2026:BHC-AUG:30872

BENCH
Justice S. G. Chapalgaonkar

Criminal Issues · Summons and Warrants

BOMBAY HC

Non-Bailable Warrant Issued Without Alternatives Is Illegal

Why it matters. Practitioners must now argue for bailable warrants or summons in cases of single-day absence, especially where the accused has a history of compliance.

> *The issuance of non-bailable warrants involves interference with personal liberty. Arrest and imprisonment means deprivation of the most precious right of an individual. Therefore, the courts have to be extremely careful before issuing non-bailable warrants.*
>
> FROM THE JUDGMENT

The Court held. The Court allowed the application, quashed the NBW issued on 29-05-2026, and directed the applicant to attend all future court dates without fail. The Court held that the NBW was issued without exhausting alternatives and violated personal liberty.

§ Section 528, Bharatiya Nagarik Suraksha Sanhita, 2023

Ramswarup Alias Swarup Laxman Phalke vs The State Of Maharashtra

COURT	DECIDED	CASE NO.
Bombay High Court	23.07.2026	Criminal Application No.2630 of 2026

CITATION	BENCH
2026:BHC-AUG:30344	Justice Abhay S. Waghwase

Tribunals

3 judgments in this edition

KEEP SWIPING >>>

Contracts & Business Disputes · Shar... NATIONAL COMPANY LAW APPELLATE...

Share Transfer Without Deed Is Non-Est

Why it matters. Practitioners must ensure strict compliance with Section 56 procedures for share transfers and Section 17 Registration Act for property transfers to avoid invalidation of transactions.

> *Thus, there is a clear violation of procedure prescribed for 'Transfer of Property' u/s Section 54 of Transfer of Property Act, 1882 and Section 17 of the Registration Act, 1908 and also violation of the procedure prescribed under Section 56 of the Companies Act for the transfer of shares.*
>
> FROM THE JUDGMENT

The Court held. NCLAT dismissed the appeal, affirming the NCLT order dated 08.10.2021. Respondents declared as 100% shareholders of Vivid Solutions Pvt Ltd. Alleged share transfer and property transfer declared illegal, null, and void for non-compliance with Section 56 Companies Act and Section 17 Registration Act read with Section 54 Transfer of Property Act.

§ Section 56, Companies Act, 2013

Vovid Solutions Pvt. Ltd. & Ors. & Ors vs Mukesh Jain & Ors. & Ors

COURT	DECIDED	CASE NO.
National Company Law Appellate Tribunal	24.07.2026	Company Appeal (AT) No.125 of 2021

CITATION	BENCH
NCLAT Principal Bench, New Delhi	Justice Yogesh Khanna, Mr Ajai Das Mehrotra



Consumer & Service Problems · Goods, Ho... NATIONAL CONSUMER DISPUTES...

Policy Document Ambiguity Does Not Override Approved Scheme Terms

Why it matters. Insurers cannot be held liable for clerical errors in policy documents unless the error creates an enforceable obligation. Practitioners must scrutinize policy documents and scheme terms to determine true contractual obligations.

> *The policy document, when examined in isolation, undoubtedly suffers from lack of clarity. The placement of the figure 'Rs.62,500/-' in the printed format is capable of creating uncertainty, particularly because no figure appears against the column meant for the Maturity Sum Assured. However, a contract cannot be interpreted by isolating a single printed entry divorced from the remaining contractual documents forming part of the same transaction.*
>
> FROM THE JUDGMENT

The Court held. Appeal allowed in part. A/Os directed to pay maturity amount with admissible bonus as per approved scheme terms after adjustment of any payment already made. Consolidated compensation of Rs.50,000/- awarded for deficiency in service. Litigation cost of Rs.10,000/- affirmed. Amounts to be paid within 45 days from 23.07.2026

§ Section 3, Consumer Protection Act, 1986

The Branch Manager, LIC vs Sri Samir Kumar Nandy

COURT
National Consumer Disputes Commission

DECIDED
23.07.2026

CASE NO.
First Appeal No. SC/19/A/1206/2017

BENCH
Mr. Rajes Guha Ray, Mr. Santanu Saha

Tort and Personal Injury · Environmental Pollution & Public Nuisance (No... NGT

NGT Directs IMC to Implement 29-Point Action Plan

Why it matters. Municipal authorities must now adopt real-time monitoring systems, GIS-based mapping, and third-party audits to comply with CPHEEO and MoHUA standards, with costs borne by the polluter.

> *The survey findings suggest a most likely association of the outbreak with the domestic water supply. A large proportion of admitted patients reported altered taste and smell of drinking water, which may indicate possible contamination of municipal pipelines, including potential sewage ingress.*
>
> FROM THE JUDGMENT

The Court held. NGT directed IMC to implement a 29-point action plan within a phased timeline, including immediate measures (shock chlorination, alternate water supply), infrastructure reforms (pipeline replacement, adherence to CPHEEO guidelines), monitoring systems (real-time monitoring, GIS mapping), and regulatory compliance (BIS 10500, NABL-accredited testing). Compliance report to be filed within three weeks.

§ Section 17, National Green Tribunal Act, 2010

Mr. Rashid Noor Khan vs Collector Indore

COURT
National Green Tribunal

DECIDED
23.07.2026

CASE NO.
Original Application No. 05/2026(CZ) and Original Application No. 06/2026(CZ)

CITATION
NGT/CZB/05-06/2026

BENCH
Sheo Kumar Singh, Sudhir Kumar Chaturvedi, JJ

Also decided today

§ Section 26, Right to Fair Compensation and Transparency in Land Acquisit... MADHYA PRADESH HC

Reference Court's Valuation Methodology Upheld

Practitioners must ensure exemplar sale deeds are comparable in location and circumstances. Urban potential must be considered within municipal limits.

First Appeal Nos. 634-638, 811, 822, 824, 830, 831, 834-836, 838-840, 842, 844, 851, 855, 857-858, 1286-1287, 1289, 1292-1294, 1305-1306, 1330-1333 of 2022 · 23.07.2026

§ General Insurance (Employees) Pension Scheme, 1995 BOMBAY HC

'As Admissible' Requires Compliance

Practitioners must ensure clients comply with pension scheme opt-in requirements within stipulated timelines. Mere assertions in forms are insufficient.

Contempt Petition No.15 of 2026 in Writ Petition No.1391 of 2006 · 2026 SCC OnLine Bom 2029 · 23.07.2026

§ Rule 42, Central Reserve Police Force Rules, 1955 MADHYA PRADESH HC

Medical Board Must Prove Pre-Recruitment Illness

Employers must now produce documentary evidence to deny disability pension. Non-speaking orders are legally unsustainable.

WP-336-2019 · 2026:MPHC-GWL:22210 · 23.07.2026

Also decided, continued

§ Section 66, Maharashtra Municipal Corporation Act, 1949 BOMBAY HC

Corporation Liable for COVID Center Costs Despite Agreement Defects

Public authorities cannot evade liability for essential services rendered during crises by raising technical pleas. Courts prioritize substantive justice.

Writ Petition No. 9387 of 2022 · 2026 SCC OnLine Bom 1234 · 23.07.2026

§ Sections 318(4), 316(5), 338, 336(3), 340(2), 198, 199, 316(2), 61, 351(4) of the Bhar... BOMBAY HC

Custodial Interrogation Necessary in Land Acquisition Fraud

Practitioners must now argue that custodial interrogation is non-negotiable in large-scale frauds involving public funds.

Anticipatory Bail Application No. 138 of 2026 · 2026:BHC-AUG:30795 · 23.07.2026

§ Section 35(3), Bharatiya Nagarik Suraksha Sanhita, 2023 BOMBAY HC

Compliance Mandatory Before Arrest in FSSA-BNS Cases

Lawyers must now ensure prosecuting agencies comply with Section 35(3) BNSS before seeking arrest in cases involving FSSA offences read with BNS.

Anticipatory Bail Application No.1937 of 2026 · Not available · 23.07.2026

§ Sections 115(2), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 1... BOMBAY HC

Delay in FIR Justifies Interim Anticipatory Bail

Lawyers must now scrutinize FIR timelines and counter-blast allegations more rigorously when opposing or seeking anticipatory bail.

Anticipatory Bail Application No. 1341 of 2026 · Not Available · 23.07.2026

Also decided, continued

§ Section 73 and 75, Finance Act, 1994 — CESTAT

Extended Limitation Period Requires Proof of Suppression

Practitioners must now scrutinize whether the Revenue has adduced evidence beyond third-party data to justify the extended period of limitation.

Service Tax Appeal No. 60402 of 2024 · Final Order No. 60465/2026 · 24.07.2026

§ Section 14, National Green Tribunal Act, 2010 — NGT

Tribunal Directs Inquiry into Illegal Felling

Practitioners should leverage NGT's suo motu powers to address environmental violations promptly. Multi-agency coordination are critical in such matters.

Original Application No.153/2026(CZ) · O.A. No.153/2026(CZ) · 23.07.2026

Every judgment here, analysed in full.

All 18 judgments in this digest are reported in full on Cassie, with the facts, the reasoning and the precedents each court engaged with.

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Which of these will change how you argue next week? Tell us in the comments.