

Key CPC Judgments

March 2026

Case Name & Citation	Case Brief
<p>Lease Expired, Suit Dies: Bombay HC Says No Relief Survives After 99-Year Term Ends</p> <p>Union of India and Ors. vs. Maheshkumar Gordhandas Garodia</p> <p>(MANU/MH/2564/2026; 2026: BHC-AS:13185)</p>	<p>The High Court of Bombay addressed whether the suit filed by Maheshkumar Gordhandas Garodia against the Union of India and others, challenging the termination of a 99-year lease, had become infructuous after the lease expired. The court reasoned that since the lease term ended on October 14, 2016, the suit's primary cause of action no longer existed, and the suit could not be retained merely to maintain interim orders. Citing the Supreme Court's decision in Shipping Corporation of India Ltd. v. Machado Brothers, the court held that it was appropriate to dismiss the suit under Section 151 of the Civil Procedure Code. Consequently, the court set aside the City Civil Court's order and dismissed Civil Suit No. 6256 of 2005.</p>
<p>Plaint Cannot Be Rejected by Going Beyond Its Contents: Delhi HC Restores Trademark Suit</p> <p>Coromandel Indag Products India Ltd. vs. Sumitomo Chemical Company Ltd. and Ors.</p> <p>(MANU/DE/1894/2026; 2026: DHC:2260-DB)</p>	<p>The High Court of Delhi addressed the appeal by Coromandel Indag Products India Ltd. against Sumitomo Chemical Company Ltd. and others, challenging the rejection of its plaint by a Single Judge under Order VII Rule 11(a) of the CPC for failing to disclose a cause of action. The court found that the plaint sufficiently alleged facts that, if proven, could entitle the plaintiff to relief, including claims of trademark use and goodwill. The court held that the Single Judge erred by considering documents not part of the plaint and engaging in an evaluative exercise beyond the scope of Order VII Rule 11(a). Consequently, the appeal was allowed; the plaint was restored, and the case was remanded for further proceedings.</p>

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<p>'Subject to Jurisdiction' Clause Not Absolute: Bombay HC Upholds Pune Court's Jurisdiction</p> <p>NCM Shoava Engineers (Pvt.) Ltd. and Ors. vs. Hydrotek Engineers and Ors.</p> <p>(MANU/MH/2597/2026; 2026: BHC-AS:13191)</p>	<p>The High Court of Bombay addressed a dispute between NCM Shoava Engineers (Pvt.) Ltd. and Hydrotek Engineers regarding the rejection of a plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908. The core issue was whether the Pune court had jurisdiction, given a clause in the purchase order stating, "subject to Indore jurisdiction." The court reasoned that the cause of action partly arose in Pune, and the clause did not exclusively confer jurisdiction to Indore. The court dismissed the revision application, affirming the trial court's decision to retain the plaint, referencing precedents like Swastik Gases Pvt. Ltd. vs. Indian Oil Corporation Ltd.</p>
<p>No Anti-Arbitration Relief Without Strong Grounds: Delhi HC Refuses to Stall London Arbitration</p> <p>Sarr Freights Corporation and Ors. vs. Argo Coral Maritime Ltd.</p> <p>(MANU/DE/1726/2026; 2026: DHC:2097)</p>	<p>The High Court of Delhi addressed whether Sarr Freights Corporation and others could obtain an injunction to stop Argo Coral Maritime Ltd. from continuing arbitration proceedings in London. The court examined whether it had jurisdiction, whether a valid contract and arbitration clause existed, and if the arbitration was oppressive or vexatious. It found that the court had jurisdiction; a valid contract and arbitration clause existed, and the arbitration was not oppressive. The court dismissed the application for an injunction, allowing the arbitration to proceed.</p>
<p>Probate Cannot Be Dismissed Due to Parallel Suit: Allahabad HC Orders Joint Trial</p> <p>Amit Gupta and Ors. vs. Dinesh Chandra Gupta and Ors.</p> <p>(MANU/UP/0220/2026; 2026: AHC:4929)</p>	<p>The High Court of Allahabad addressed the appeal by Amit Gupta and others against the rejection of their probate petition for a Will executed by Indra Prakash Gupta, which was contested by Dinesh Chandra Gupta and others on grounds of the testator's mental incapacity. The court found that the probate petition was improperly dismissed due to a pending civil suit challenging the Will's validity. Citing precedents, the court ordered the consolidation of the probate petition and the civil suit for joint adjudication by the District Judge, Firozabad, within six months, thus allowing the appeal and restoring the probate petition.</p>

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<p>Decree Cannot Fail on Technical Boundaries: Gauhati HC Allows Correction During Execution</p> <p>On the death of Bangshi Dhar Lahkar his Legal Heir Snigdha Baruah and Ors. Vs. Gobin Haloi</p> <p>(MANU/GH/0213/2026)</p>	<p>The High Court of Gauhati addressed the issue of whether the boundaries of a decreed property could be amended for execution purposes, as the original boundaries were allegedly incorrect. The parties involved were Snigdha Baruah and others, as legal heirs of Bangshi Dhar Lahkar, against Gobin Haloi. The court reasoned that the executing court should have verified the current boundaries using provisions like Section 47 and Section 75 of the CPC, as a decree should not be defeated due to technicalities. The court set aside the lower court's order, allowing the execution proceedings to continue with instructions to determine the current boundaries.</p>
<p>Pre-Institution Mediation Mandatory: Delhi HC Sends Commercial Dispute Back to Mediation</p> <p>Xcept Media Private Limited vs. Ethinos Digital Marketing Pvt. Ltd. and Ors.</p> <p>(MANU/DE/2027/2026; 2026: DHC:2395)</p>	<p>The High Court of Delhi addressed the issue of whether Xcept Media Private Limited could be exempted from pre-institution mediation under Section 12A of the Commercial Courts Act, 2015, in its suit against Ethinos Digital Marketing Pvt. Ltd. for recovery of Rs. 6,09,05,795/-. The court, referencing the Supreme Court's decision in Patil Automation (P) Ltd. v. Rakheja Engineers (P) Ltd., emphasized the mandatory nature of Section 12A, which requires mediation unless urgent interim relief is contemplated. Since no urgent relief was sought, the court directed the parties to undergo mediation and allowed Xcept Media to file a fresh suit if mediation fails, while preserving the limitation period under Section 14 of the Limitation Act, 1963. The suit was disposed of accordingly.</p>
<p>60-Year Delay Not Enough Without Proof: Supreme Court Dismisses Mizo Chiefs' Land Claim</p> <p>Mizo Chief Council Mizoram Thr .President L. Chinzah vs. Union of India (UOI) and Ors.</p> <p>(MANU/SC/0229/2026)</p>	<p>The Supreme Court of India addressed the issue of whether the Mizo Chiefs were unlawfully deprived of their lands without due compensation, violating their fundamental right to property. The parties involved were the Mizo Chief Council, represented by President L. Chinzah, and the Union of India, among others. The Court examined the doctrine of delay and laches, noting the six-decade delay in filing the petition, but ultimately decided to hear the case due to the unique historical and political context. However, the Court found that the petitioner failed to establish clear ownership of the land or a violation of fundamental rights, leading to the dismissal of the writ petition.</p>

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<p>Decades–Old Land Claim Time–Barred: Delhi HC Rejects Suit Filed Beyond Limitation</p> <p>Veerwati vs. Union of India and Ors.</p> <p>(MANU/DE/1972/2026; 2026: DHC:1965)</p>	<p>The High Court of Delhi addressed the appeal by Veerwati against the Union of India and others, concerning the rejection of her civil suit for declaration, possession, and damages related to land ownership. The court upheld the lower courts' decisions, emphasizing that Veerwati's claim was barred by limitation, as the possession of the land was taken in 1964, and any suit for possession should have been filed within 30 years. The court also noted that a negative declaration regarding non-acquisition was not maintainable, and no substantial question of law was raised. Consequently, the appeal was dismissed.</p>
<p>No Section 80 Notice? Not Fatal If Leave Granted: Orissa HC Restores Title by Adverse Possession</p> <p>Gouri Shankar Behera and Ors. vs. State of Orissa and Ors. (10.03.2026 – ORIHC)</p> <p>(MANU/OR/0368/2026)</p>	<p>The High Court of Orissa addressed the appeal by Gouri Shankar Behera and others against the State of Orissa, focusing on whether the suit was maintainable without notice under Section 80(1) of the CPC and for non-joinder of necessary parties. The court found that the trial court had granted leave to file the suit without notice, thus the appellate court's dismissal on this ground was erroneous. Additionally, the court held that the non-joinder of parties was not a valid reason for dismissal, as the issue was not raised timely, and the conduct of defendant No. 3 indicated waiver. Consequently, the High Court set aside the appellate court's judgment, reinstating the trial court's decision in favor of the plaintiff, confirming his title by adverse possession.</p>
<p>Encroachment on Public Street Cannot Be Justified by Paperwork: Punjab & Haryana HC Orders Removal</p> <p>Jagdish Chander Arora and Ors. vs. Haryana Agro Industries Corporation Ltd., Chandigarh and Ors.</p> <p>(MANU/PH/1134/2026; 2026: PHHC:39223)</p>	<p>The High Court of Punjab and Haryana addressed whether Haryana Agro Industries Corporation Ltd. had illegally encroached upon a public street in Karnal, as claimed by Jagdish Chander Arora and others. The court found that the defendants' registered sale deed limited their ownership to 1028 sq. yards, yet they occupied 1350 sq. yards, encroaching on a public street. The court ruled that administrative correspondence could not legally extend the defendants' title. The appeal was allowed, restoring the trial court's decision to remove the encroachment, with a three-month abeyance for the defendants to rectify their title.</p>

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<p>Unauthorized Use of 'MAHINDRA' Blocked: Delhi HC Grants Permanent Injunction in Trademark Dispute</p> <p>Mahindra and Mahindra Limited and Ors. vs. Diksha Sharma and Ors.</p> <p>(MANU/DE/1843/2026; 2026: DHC:2154)</p>	<p>The High Court of Delhi addressed a trademark infringement dispute between Mahindra and Mahindra Limited and Diksha Sharma, among others, concerning the unauthorized use of the "MAHINDRA" trademark by the defendants, who operated as packers and movers. The court granted a permanent injunction against the defendants, restraining them from using the "MAHINDRA" mark and ordered the blocking of infringing domain names. The court also addressed the issue of extending injunctions to mirror websites post-judgment, ultimately rejecting the plaintiffs' request to empower the Joint Registrar to extend injunctions, citing the court's lack of jurisdiction once a judgment is pronounced. The suit was decreed in favor of Mahindra and Mahindra Limited.</p>
<p>Review Is Not a Second Chance: Patna HC Refuses to Reopen Evidence Closure Order</p> <p>Mahendra Kumar Sinha vs. Kameshwar Prasad Singh and Ors.</p> <p>(MANU/BH/0246/2026; 2026: PATHC:26560)</p>	<p>The High Court of Patna addressed a review application by Mahendra Kumar Sinha seeking reconsideration of a previous order that upheld the trial court's decision to close his evidence in a long-pending suit due to repeated non-appearance of witnesses. The court emphasized the limited scope of review under Section 114 of the C.P.C., which does not allow for re-evaluation of facts or merits unless there is an error apparent on the face of the record. Finding no such error or new evidence, the court dismissed the review of application, maintaining the trial court's decision and the prior dismissal of the civil miscellaneous case.</p>
<p>Delay and New Grounds Not Allowed in Review: Chhattisgarh HC Dismisses Promotion Plea</p> <p>Jaibhan Singh Rathore vs. State of Chhattisgarh and Ors.</p> <p>(MANU/CG/0558/2026; 2026: CGHC:12022)</p>	<p>The High Court of Chhattisgarh addressed a review petition filed by Jaibhan Singh Rathore against the State of Chhattisgarh and others, seeking to recall or modify a previous order dismissing his writ petition for promotion. The court found that the petitioner failed to explain the delay in filing the writ petition and did not raise the issue of qualifying for the departmental examination during the original hearing. Citing precedents, the court emphasized that a review is not an appeal and cannot be used to re-argue the case. Consequently, the review petition was dismissed.</p>

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<p>No Grounds to Revoke Probate After Due Process: Bombay HC Upholds Earlier Grant</p> <p>Nandkumar Narsingrao Pupala and Ors. vs. Pratapsingrao Pupala</p> <p>(MANU/MH/2227/2026; 2026: BHC-OS:5743)</p>	<p>The High Court of Bombay addressed the appeal by Nandkumar Narsingrao Pupala and others against Pratapsingrao Pupala, challenging the dismissal of their petition to revoke Letters of Administration and Probate related to Narsingrao Pupala's estate. The core issue was whether the service of citation was mandatory under Sections 258 and 259 of the Indian Succession Act, 1925, and whether the delay in filing the petition was justified. The court reasoned that the service of citation could be dispensed with, as all objections were considered during the original probate grant, and found no merit in the appellants' claims of harassment or lack of knowledge. The appeal was dismissed, upholding the previous orders, with no costs imposed.</p>
<p>Lakhbir Singh and Ors. vs. Hindu Sabha Society and Ors.</p> <p>(MANU/PH/1368/2026)</p>	<p>The High Court of Punjab and Haryana addressed a dispute between Lakhbir Singh and others (appellants) and the Hindu Sabha Society (respondent) regarding possession and ownership of a parcel of land. The core issue was whether the appellants had acquired ownership by adverse possession and whether the suit was barred by res judicata or Order II Rule 2 CPC. The court found that the appellants' possession was permissive due to tenancy and not adverse, and the earlier injunction suit did not confer title. The court upheld the First Appellate Court's decision, affirming the respondent's ownership and dismissing the appeal.</p>
<p>Abdul W. Ismail vs. Municipal Corporation of Greater Mumbai</p> <p>(MANU/MH/2568/2026; 2026: BHC-AS:13117)</p>	<p>The High Court of Bombay addressed the appeal by the legal heirs of Abdul Wahid Ismail against the Municipal Corporation of Greater Mumbai, challenging the dismissal of their suit regarding unauthorized construction notices under Section 351 of the Mumbai Municipal Corporation Act. The court upheld the trial court's decision, emphasizing the lack of a statutory notice under Section 527 of the MMC Act, which is a prerequisite for the suit's maintainability, and the failure to prove the structure's existence before the 1962 datum line. The appeal was dismissed, with no costs awarded, and the interim stay was extended for six weeks.</p>

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<p>Datla Radha Jaya Lakshmi and Ors . vs . Special Deputy Collector Land Acquisition and Ors .</p> <p>(MANU/AP/0421/2026)</p>	<p>The High Court of Andhra Pradesh addressed the dispute between Datla Radha Jaya Lakshmi and others versus the Special Deputy Collector Land Acquisition and others regarding compensation for land acquired under the Land Acquisition Act, 1894. The core issue was whether the compensation awarded by the Referral Court for the acquired land and trees was adequate. The court found that the Referral Court's valuation of the land and gardens was reasonable but enhanced compensation for coconut and palm oil trees. The appeals by the Referral Officer were dismissed, while the claimants' appeals were partly allowed, increasing compensation for specific trees.</p>
<p>Supermint Exports Pvt Ltd vs. New India Assurance Co Ltd. and Ors.</p> <p>(MANU/DE/1783/2026; 2026: DHC:2146)</p>	<p>The High Court of Delhi addressed the dispute between Supermint Exports Pvt Ltd and New India Assurance Co Ltd regarding an insurance claim following a fire. The core issue was whether the claim was discharged by accord and satisfaction due to discharge vouchers signed by Supermint. The court found that Supermint had voluntarily signed the vouchers without evidence of fraud, coercion, or undue influence by the insurer. The arbitrator's decision to dismiss the claim was upheld, and the appeal was dismissed, affirming that the discharge of vouchers constituted a full and final settlement.</p>
<p>Parle Products Private Limited vs. The Registrar of Trademarks and Ors.</p> <p>(MANU/DE/1643/2026;2026: DHC:1967)</p>	<p>The High Court of Delhi addressed the appeal by Parle Products Private Limited against the Registrar of Trade Marks' decision to allow the registration of the trademark "20-20" by another applicant, despite Parle's prior use of the mark. The court considered whether the senior adopter of a trademark, who filed first on a 'proposed to be used' basis, should prevail over a junior adopter who began using the mark first. The court upheld the Registrar's decision, emphasizing that the senior adopter's earlier application date under Section 18 of the Trade Marks Act, 1999, takes precedence over subsequent use by another party. The appeal was dismissed, affirming the registration in favor of the senior adopter.</p>