



Experience law effortlessly

JUDGEMENTOPEDIA

(Learning Judgements For A Living)

1

Whether the instant Writ Petition is maintainable in view of Article 212(1) of the Constitution of India, and if the proceedings of the Ethics Committee are amenable to judicial review?

2

Whether an interim maintenance order passed under Section 125 of the Code of Criminal Procedure, 1973 is legally valid, and if there is a need for uniform guidelines across matrimonial laws to streamline maintenance proceedings and prevent undue delays?

3

Whether the right guaranteed under Article 22(1) of the Constitution of India is violated when a person is not informed of the grounds for arrest?

4

Is it legally permissible to retire an employee for colour blindness without offering alternative employment, despite binding settlements and the duty of reasonable accommodation?



Aug, 2025
Vol 60



JUDGEMENTOPEDIA

(Learning Judgements For A Living)

1

Dr. Sunil Kumar Singh Vs. Bihar Legislative
Council & Ors.
[2025 INSC 264]

2

Rajnish Vs. Neha and Ors.
[MANU/SC/0833/2020]

3

Vihaan Kumar Vs. State Of Haryana &
Anr.
[2025 INSC 162]

4

CH. Joseph Vs. The Telangana State
Road Transport Corporation & Other
[2025 INSC 920]



Whether the instant Writ Petition is maintainable in view of Article 212 (1) of the Constitution of India and whether the proceedings of the Ethics Committee are amenable to judicial review?

**DR. SUNIL KUMAR
SINGH VS. BIHAR
LEGISLATIVE COUNCIL
AND ORS.
[2025 INSC 264]**

CONTEXT: The petitioner, Dr. Sunil Kumar Singh, a Member of Legislative Council (MLC) from the Rashtriya Janata Dal (RJD), challenged his expulsion from the Bihar Legislative Council (BLC). This expulsion stemmed from allegations of unparliamentary conduct, including hurling indecent slogans against the Chief Minister and mocking him during a BLC session. The BLC Ethics Committee initiated proceedings, but the Petitioner repeatedly sought exemptions and, when he finally appeared, questioned the committee's authority. In contrast, another MLC, Md. Sohaib, involved in similar conduct, expressed regret and received a two-day suspension. The Ethics Committee recommended the Petitioner's expulsion, which was adopted by the BLC, leading to his removal and the declaration of a bye-election for his seat.

1 The Writ Petition was allowed. The Court held the petition maintainable since the Ethics Committee's actions are administrative and open to judicial review under Article 212(1).

2 It affirmed its power to review the proportionality of punishment and found the Petitioner's expulsion excessive compared to Md. Sohaib's two-day suspension. Exercising Article 142, the Court deemed the 7-month expulsion sufficient, converting it into suspension. The Petitioner is reinstated as MLC without remuneration for the disbandment period, and the bye-election is quashed.

3 The Court cautioned the Petitioner to maintain the dignity of the House, warning of strict action for future misconduct.

**ARTICLES 32, 208, AND
212(1) OF THE
CONSTITUTION OF INDIA**

**RULE 10, CHAPTER 36
OF THE BIHAR VIDHAN
PARISHAD**

Whether an interim maintenance order passed under Section 125 of Code of Criminal Procedure, 1973 is legally valid, and if there is a need for uniform guidelines across matrimonial laws to streamline maintenance proceedings and prevent undue delays?

CONTEXT: The legal dispute originated from the Appellant-husband's challenge to an interim maintenance order. This order, dated 24.08.2015, was issued by the Family Court, awarding Rs. 15,000 per month to the Respondent-wife and Rs. 5,000 (later Rs. 10,000) per month to their minor son under Section 125 Code of Criminal Procedure. The Bombay High Court affirmed this decision on 14.08.2018. The appeal to the Supreme Court highlighted the significant delays in disposing of interim maintenance applications, which had been pending for over seven years.

1 The Supreme Court affirmed the Family Court's order, upheld by the Bombay High Court, mandating the husband to pay interim maintenance of Rs. 15,000 per month to the wife and Rs. 10,000 per month to the son.

2 The husband was directed to clear all arrears within twelve weeks and continue ongoing payments. Furthermore, the Court, exercising its powers under Article 142 of the Constitution of India, issued comprehensive General Guidelines and Directions applicable nationwide.

3 These guidelines cover issues such as overlapping jurisdictions, the process for interim maintenance applications (including mandatory disclosure affidavits), criteria for determining the quantum of maintenance, the effective date for awarding maintenance (from the date of application), and the enforcement of maintenance orders, aiming to ensure uniformity and expedite proceedings. The criminal appeal was disposed of accordingly.

RAJNESH VS. NEHA
AND ORS.
[MANU/SC/0833/2020]

**SECTION 125 CODE OF
CRIMINAL PROCEDURE,
1973**

**SECTIONS 24 AND 25
OF THE HINDU
MARRIAGE ACT, 1955**

**SECTIONS 18 AND 23 OF
THE HINDU ADOPTIONS
& MAINTENANCE ACT,
1956**

Whether the right guaranteed under Article 22(1) of the Constitution of India is violated when a person is not informed of the grounds for arrest?

CONTEXT: The appellant, Vihaan Kumar, was arrested on 10th June 2024, for IPC offences. He challenged his arrest, primarily arguing a violation of his fundamental right under Article 22(1) of the Constitution, as he was not informed of the grounds for his arrest. He also alleged non-production before a magistrate within 24 hours. Disturbingly, he was also found handcuffed and chained to a hospital bed post-arrest. The High Court had previously dismissed his petition.

1 The Supreme Court allowed the appeal, declaring the appellant's arrest illegal and vitiated due to the failure to communicate the grounds of arrest directly to him, as mandated by Article 22(1) of the Constitution.

2 This failure, a violation of a fundamental right, also breaches Article 21 (right to liberty), rendering the arrest and subsequent remands illegal. Citing precedents like ***Pankaj Bansal v. Union of India (2024) 7 SCC 576***, the Court emphasized that effective communication is crucial.

3 The appellant was released and set at liberty. The ruling does not affect the trial's merits. The State of Haryana was also directed to issue guidelines against illegal handcuffing in hospitals and ensure strict adherence to Article 22 safeguards.

VIHAAN KUMAR VS.
STATE OF HARYANA &
ANR.
[2025 INSC 162].

ARTICLES 21 AND 22(1)
OF THE CONSTITUTION
OF INDIA

SECTIONS 50(1), AND
50A OF THE CODE OF
CRIMINAL
PROCEDURE(CRPC),
1973

Is it legally permissible to retire an employee for colour blindness without offering alternative employment, despite binding settlements and the duty of reasonable accommodation?

CH. JOSEPH VS. THE TELANGANA STATE ROAD TRANSPORT CORPORATION & OTHER [2025 INSC 920]

CONTEXT: Ch. Joseph, appointed as a driver in 2014 by APSRTC (predecessor to TSRTC), was declared colour blind and medically unfit for his post during a routine examination. His appeal for alternate employment was rejected, and he was retired, despite requesting reassignment to a non-driving role. He contended this violated the Persons with Disabilities Act, 1995, constitutional rights (Articles 14 and 21), and a 1979 Memorandum of Settlement (MOS) that provided for alternate employment for colour-blind drivers. The Single Judge allowed his petition, but the High Court set aside that decision, prompting this appeal.

1 The appeal was allowed, setting aside the High Court's order. The Court directed TSRTC to appoint the Appellant to a suitable non-driving post at the same pay grade as on 06.01.2016, within eight weeks, with 25% arrears and continuity of service.

2 The Court held that the Appellant's premature retirement violated statutory and constitutional obligations, as no genuine effort was made to find alternate employment. It reaffirmed that Clause 14 of the 1979 Memorandum of Settlement (mandating alternate posts for colour-blind drivers) remained binding, not overridden by later agreements or circulars.

3 The High Court wrongly relied on ***B.S. Reddy v. Managing Director, APSRTC, (2004) 2 SCC 135***, whereas the Appellant's rights flowed from the settlement and principles of reasonable accommodation recognised in ***Kunal Singh v. Union of India, (2003) 4 SCC 524*** and ***Union of India v. Mohamed Ibrahim, (2012) 2 SCC 13***.

**SECTIONS 2 AND 47 OF
THE PERSONS WITH
DISABILITIES (EQUAL
OPPORTUNITIES,
PROTECTION OF RIGHTS
AND FULL
PARTICIPATION) ACT,
1995**

**SECTIONS 12(3) AND
18(3) OF THE
INDUSTRIAL DISPUTES
ACT, 1947**