



TODAY'S PAPER

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SUPREME COURT

Supreme Court Bars Unilateral Recovery of Disputed Contract Damages

BY EDITORIAL TEAM

COURT PDF

The Supreme Court has set aside Chhattisgarh authorities' recovery of ₹84,17,003 from a contractor's bills under three separate road projects, holding that an alleged overpayment under earlier contracts could not be treated as an established debt.

In *M/s Awadhesh Singh Gautam v. State of Chhattisgarh & Ors.* (2026 INSC 1072), decided on September 30, 2026, Justices Pamidighantam Sri Narasimha and Alok Aradhe found that the contractual clauses relied on did not authorise the deductions in the circumstances.

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DELHI HIGH COURT

Article 226 Cannot Resolve Private Personal Grievances

BY EDITORIAL TEAM

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The Delhi High Court has dismissed a writ petition seeking official action on representations arising from a former employee's dispute with a private company.

Pushpendra Singh Parmar alleged that his former employer had improperly obtained confidential emails and used them against him. He asked the court to direct office-bearers of the Institute of Company Secretaries of India to act on his representations.

Justice Amit Mahajan found that the controversy substantially concerned the petitioner's longstanding grievances against the private company. The relief sought would effectively require the writ

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DELHI HIGH COURT

School De-Recognition Does Not Authorise Closure

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The Delhi High Court has partly allowed an appeal by teachers of Ring Midways Senior Secondary Public School, ruling that withdrawal of recognition does not itself amount to lawful closure.

The school had been de-recognised after years of financial and management disputes. A single judge later directed its management to return the school land to the lessor. The Division Bench found that direction incompatible with the Delhi School Education Act and Rules.

Chief Justice Devendra Kumar Upadhyaya and Justice Tejas Karia said Rule 46 requires the managing committee to justify closure and obtain the Director of Education's prior approval after

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GUJARAT HIGH COURT

Gujarat lawyers to stay away from courts for two days over Rent Bill dispute

BY SHEIKH RAYEES

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The Gujarat High Court Advocates' Association (GHCAA) has decided to abstain from court proceedings for two days in protest against provisions of the Gujarat Rent Bill, 2026. The association resolved to stay away from court work on October 5 and 6 after an Extraordinary General Body meeting held at the Gujarat High Court on Monday. The meeting was chaired by GHCAA President and Senior Advocate Yatin Oza. The move comes in support of advocates practising before the City Civil Court and Small Causes Court, who have been opposing the proposed changes under the Bill. The decision also follows a resolution adopted by the Bar Council of Gujarat (BCG) backing the lawyers' protest. At the centre of the

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The technical-audit clause required an opportunity for the contractor to respond and approval from the agency's chief executive. Those safeguards had not been followed. The Court held that a disputed, unadjudicated damages claim cannot be appropriated as though it were a debt presently payable.

Allowing the appeals, it directed release of the withheld amount with 6% annual interest from September 27, 2025 until payment. It left lawful recovery proceedings open and expressly preserved the independence of pending criminal proceedings and the alleged overpayment dispute.

DELHI HIGH COURT

Article 226 Cannot Resolve Private Personal Grievances

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court to adjudicate an individual dispute involving a private party.

The court said jurisdiction under Article 226 is extraordinary and cannot be invoked simply because a representation has not produced the action a litigant wants. It is not designed to provide a forum for personal disputes or collateral objectives against an adversary.

The petition was dismissed, while leaving Parmar free to pursue appropriate remedies against the company in accordance with law.

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consultation with the Advisory Board. Those requirements cannot be bypassed merely because recognition has been withdrawn.

The court also noted that management remained vested in the Lieutenant Governor when the challenged handover direction was issued. It therefore set aside that direction and clarified that any closure proposal must follow the statutory process.

Directions concerning distribution of available funds and sale of movable assets toward staff salary arrears remain operative.

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dispute is the Bill's proposal to move the adjudication of rent-related disputes away from courts and place it in the hands of revenue authorities. The legislation, which has cleared the Gujarat Legislative Assembly, is awaiting the Governor's approval. Under the proposed framework, officials including Deputy Collectors and Additional Collectors would be empowered to hear and decide rent disputes. Lawyers in Ahmedabad had already begun demonstrations against the proposal. Advocates at the City Civil and Small Causes Courts had earlier abstained from work and restricted access to the Bhadra court complex as part of their protest. The Bar Council of Gujarat subsequently held an extraordinary general body meeting on October 3 and extended its support to the agitation. It called for lawyers across the State to abstain from proceedings before courts, tribunals, judicial and quasi-judicial bodies and revenue authorities from October 5 until the dispute is resolved. The Council has raised concerns over the proposed transfer of adjudicatory powers from judicial forums to administrative officials. It has argued that the move could affect lawyers and litigants while also placing an additional burden on an already stretched administrative machinery. Questions have also been raised about how evidence would be recorded and assessed in rent disputes once the matters are shifted to revenue authorities. The Bar Council has sought a meeting with Chief Minister Bhupendra Patel and the State Law Minister, seeking amendments to the legislation and restoration of rent-dispute adjudication to judicial authorities. The GHCAA's two-day abstention is intended to reinforce the demand and demonstrate solidarity with advocates appearing before the City Civil and Small Causes Courts.