A backlog of referrals

This data on 35 pending larger bench references was collected by Adv. Sarthak Gupta on 10 October 2026 through legal news media coverage and a *Boolean* search with the following keywords: “larger bench”, “Chief Justice of India”, “refer” and “Registry is directed to place”. While it aims to be as thorough as possible, it does not claim to be a comprehensive list.

#	Case details	Issue
1	*Ashwini Thanappan v Director of Education* **Instituted**: 13 March 2013 **Referred**: 4 July 2014 and again on 9 Jan 2018 by different benches.	Does the Right to Education Act, 2009 apply to Minority Educational Institutions or would it infringe on their rights of administration under Article 30(1)? Correctness of 5-j and 7-j decisions in: *Pramati Educational and Cultural Trust v Union of India*, (2014) and *P. A. Inamdar v State of Maharashtra*, (2005)
2	*Manju Surana v Sunil Arora* **Instituted**: 4 July 2017 **Referred**: 27 March 2018, by Justices Jasti Chelameswar and S.K. Kaul.	Section 19(1) of the Prevention of Corruption Act, 1988 mandates government sanction before judicial cognizance can be taken of certain offences committed by a public servant. Does this extend to a Magistrate’s powers to direct investigation under Section 156(3) of the Code of Criminal Procedure, 1973? Correctness of: *R.R. Chari v. State of U.P.*, (1951); *Devarapally Lakshminarayana Reddy v V. Narayana Reddy*, (1976); *Anil Kumar v M.K. Aiyappa*, (2013); *L. Narayana Swamy v State of Karnataka*, (2016)
3	*Bhasin Infotech & Infrastructure v Neema Agarwal* **Instituted**: 6 Jan 2021 **Referred**: 6 Dec 2022, by Justices Aniruddha Bose and Vineet Saran.	On 4 March 2020, a five-judge Bench directed prospective application of its interpretation of the time period for filing of responses to complaints under the Consumer Protection Act, 1986. Does this include matters in which an application for condonation of delay was filed before 4 March but remained undecided on that date? Correctness of: *Daddy’s Builders v Manisha Bhargava*, (2021); *Dr. A. Suresh Kumar v Amit Agarwal*, (2021);

		New India Assurance v Hilli Multipurpose Cold Storage, (2020)
4	*Gangadhar Narayan Nayak v State of Karnataka* **Instituted**: 27 Oct 2021 **Referred**: 21 March 2022, by Justices Indira Banerjee and J.K. Maheshwari (Split verdict)	The Protection of Children from Sexual Offences Act, 2012 does not expressly distinguish between cognizable and non-cognizable offences. It also contains a non-obstanate clause. The First Schedule of the CrPC provides that offences punishable with imprisonment for less than 3 years are non-cognizable. Does the POCSO Act override the CrPC and are all offences under the Act cognizable? Correctness of: *H.N. Rishbud & Inder Singh v State of Delhi*, (1955); *Keshav Lal Thakur v State of Bihar*, (1996); *State of Punjab v Davinder Pal Singh Bhullar*, (2011); *Fertico Marketing and Investment v CBI*, (2021)
5	*Aishat Shifa v State of Karnataka* **Instituted**: 16 March 2022 **Referred**: 13 Oct 2022, by Justices Hemant Gupta and Sudhanshu Dulia (split verdict).	Is the wearing of the hijab an 'essential religious practice' for Muslims? Does a ban on the hijab in educational institutions violate Muslim students' right to privacy and freedom of speech and expression? [No precedents in question.]
6	*Rajkumar Agarwal v Vehicle Tata Venture No. Up 70 Bm-1600 Commercial Auto Sales* **Instituted**: 30 June 2021 **Referred**: 19 Jan 2023, by Justices A.S. Bopanna and Dhulia.	Sections 53 and 61 of the Employees' State Insurance Act, 1948 bars insured employees from claiming "similar" compensation under both the ESI Act and other laws. If an insured employee is injured in a motor accident while travelling in their employer's vehicle, can they claim compensation under Section 163A or 166 of the Motor Vehicles Act, 1988? Correctness of: *Regional Director, E.S.I. Corporation v Francis De Costa*, (1993); *Western India Plywood v P. Ashokan*, (1997); *National Insurance Company v Hamida Khatoon*, (2009)
7	*Bhasker v Ayodhya Jewellers*	Order XXI Rule 95 of the Code of Civil Procedure, 1908, provides that once a sale certificate is granted, an

	Instituted: 12 May 2017 **Referred**: 10 May 2023, by Justices A.S. Oka and Rajesh Bindal.	application may be filed for possession. Article 134 of the Limitation Act, 1963 mandates filing within one year from the date of order confirming sale. There is no time limit for issuance of sale certificates. Does limitation start from the confirmation order, or from the date the sale certificate is actually issued to the purchaser? Correctness of: *Pattam Khader Khan v Pattam Sardar Khan*, (1996).
8	*S. Narahari v S.R. Kumar* **Instituted**: 2 Aug 2022 **Referred**: 5 July 2023, by Justices Krishna Murari and Sanjay Karol.	Order XLVII Rule 7 of the Civil Procedure Code, 1908 bars appeals against review orders. If a Special Leave Petition has been dismissed as withdrawn without express liberty to file afresh, and the party is later granted liberty to approach the High Court by way of review, and if the High Court then dismisses the review, can a subsequent SLP be filed? Correctness of: *Kunhayammed v State of Kerala*, (2000); *Vinod Kapoor v State of Goa*, (2012); *Sandhya Educational Society v Union of India*, (2014); *Khoday Distilleries v Sri Mahadeshwara Sahakara Sakkare Karkhane*, (2019).
9	*Mohd. Arbaz v State (NCT of Delhi)* **Instituted**: 4 Oct 2021 **Referred**: 12 July 2023, by Justices Bopanna and M.M. Sunderesh.	If the prosecution fails to file an FSL report on seized contraband along with the charge-sheet (within the period prescribed by Section 167(2), CrPC and Section 36-A, Narcotic Drugs and Psychotropic Substances Act, 1985) is the charge-sheet rendered incomplete? If yes, does this consequently entitle the accused to default bail u/S.167(2)? [No precedents in question.]
10	*Union of India v Sanjiv Chaturvedi* **Instituted**: 13 Dec 2021 **Referred**: 3 March 2023, by Justices M.R. Shah and B.V. Nagarathna.	Can a High Court, under Article 226, entertain a challenge to an order of the Central Administrative Tribunal when the cause of action arose from within the territorial jurisdiction of a different High Court? Correctness of: *L. Chandra Kumar v Union of India* (1997) and *UoI v Alapan Bandyopadhyay* (2022).

11	*Kewal Court v State of West Bengal* **Instituted**: 11 Oct 2011 **Referred**: 9 Oct 2023, by Justices Surya Kant and Dipankar Datta.	What is the true meaning and scope of "vacant land" under Section 2(q), particularly Section 2(q)(i), of the Urban Land (Ceiling and Regulation) Act, 1976? Correctness of: *State of U.P. v L.J. Johnson*, (1983); *Meera Gupta v State of W.B.*, (1992); *Angoori Devi v State of U.P.*, (1997); *State of Maharashtra v B.E. Billimoria*, (2003)
12	*Hanif Ansari v State (NCT of Delhi)* **Instituted**: 20 Nov 2023 **Referred**: 19 March 2024, by Justices Bose and P.V. Sanjay Kumar.	Identical reference made in *Mohd. Arbaz* (2023).
13	*State of Kerala v Union of India* **Instituted**: 8 Dec 2023 **Referred**: 1 April 2024, by Justices Surya Kant and K.V. Viswanathan.	Article 293 of the Constitution governs borrowing by States. The Union imposed a "Net Borrowing Ceiling" on Kerala for 2023-24, covering all sources of borrowing. Does Article 293 give a State an enforceable right to borrow, and how far can that right be regulated by the Union and reviewed by the Court? [No precedents in question.]
14	*Shamim Khan v Debashish Chakrabarty* **Instituted**: 24 March 2017 **Referred**: 16 April 2024, by Justices C.T. Ravikumar and Bindal.	Identical reference made in *Manju Surana*.
15	*Arvind Kejriwal v Directorate of Enforcement* **Instituted**: 10 April 2024	The Prevention of Money Laundering Act, permits arrest of a person without a warrant. Section 19 lays down certain conditions for such arrests as a safeguard against arbitrary action. On what grounds can an arrest be challenged under this provision and by what parameters must "need and necessity" of arrest be measured?

	Referred: 12 July 2024, by CJI Sanjiv Khanna and Justice Datta.	Correctness of: *Vijay Madanlal Choudhary v Union of India*, (2022); Pankaj Bansal v UoI, (2023); *V. Senthil Balaji v State*, (2024); *Prabir Purkayastha v State (NCT of Delhi)*, (2024)
16	*Tej Bhan v Ram Kishan* **Instituted**: 11 Nov 2023 **Referred**: 9 Dec 2024, by Justices P.S. Narasimha and Sandeep Mehta.	Section 14(1) of the Hindu Succession Act, 1956 confers absolute ownership of property for Hindu women. Section 14(2) makes an exception for property received by way of a gift/will. When a woman receives property by a will with restrictions, does it become absolute under clause (1) or remain restricted under clause (2)? Correctness of: *V. Tulasamma v Sesha Reddy*, (1977); *Karmi v Amru*, (1972); *Bhura v. Kashi Ram*, (1994); *Gumpha v Jaibai*, (1994); *Sadhu Singh v Gurdwara Sahib Narike*, (2006); *Thota Sesharathamma v. Thota Manikyamma*, (1991); *C. Masilamani Mudaliar v Idol of Sri Swaminathaswami Thirukoil*, (1996); *Jagan Singh v Dhanwanti*, (2012); *Shivdev Kaur v R.S. Grewal*, (2013); *Ranvir Dewan v Rashmi Khanna*, (2018); *Jogi Ram v Suresh Kumar*, (2022)
17	*NBCC (India) v State of West Bengal* **Instituted**: 8 Aug 2022 **Referred**: 10 Jan 2025, by Justices Narasimha and Pankaj Mithal.	Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 enables "any party to a dispute" over delayed payment to refer the matter for conciliation and arbitration. Section 8 permits an enterprise to register as an MSME at its own discretion. Can an enterprise use Section 18 if it registered after signing the contract with the buyer? Correctness of: *Silpi Industries v Kerala State Road Transport Corporation*, (2021); *Vaishno Enterprises v Hamilton Medical AG*, (2022); *Nitesh Estates v Micro and Small Enterprises Facilitation Council of Haryana*, (2022), and *Gujarat State Civil Supplies Corporation v Mahakali Foods*, (2023).
18	*B.S. Yediyurappa v A. Alam Pasha*	Identical reference made in *Manju Surana* and *Shamim Khan*.

	Instituted: 13 Jan 2021 **Referred**: 21 April 2025, by Justices J.B. Pardiwala and Manoj Misra.	
19	*G. Kalawathi Bai v G. Shashikala* **Instituted**: 7 Dec 2022 **Referred**: 15 July 2025, by Justices Kumar and Viswanathan	Section 32(a) of the Registration Act, 1908 mandates that documents for registration be presented by the person who executed it or their agent (with due authorisation). When a PoA signs a document on behalf of another, are they now the executant or the agent? Correctness of: *Rajni Tandon v Dulal Ranjan Ghosh Dastidar*, (2009)
20	*Wakia Afrin v National Insurance* **Instituted**: 8 May 2024 **Referred**: 1 Aug 2025, by Justices Dhulia and K.V. Chandran.	Under Section 163A, Motor Vehicles Act, 1988, when an accident results in death or permanent disability, the owner/insurer is liable to pay a fixed compensation whether or not their fault is proved. Does this extend to cases wherein the deceased/injured person is the owner and hence not a "third party"? Correctness of two-judge bench decisions in: *Dhanraj v New India Assurance*, (2004); *Oriental Insurance v Jhuma Saha*, (2007); *Oriental Insurance v Rajni Devi*, (2008); *New India Assurance v Sadanand Mukhi*, (2009); *Ningamma v United India Insurance*, (2009); and *Ramkhiladi v UII*, (2020).
21	*Asst. Comm. of Income Tax (International Taxation) v Shelf Drilling Ron Tappmeyer* **Instituted**: 26 Aug 2023 **Referred**: 8 Aug 2025, by Justices Nagarathna and S.C. Sharma (split verdict).	Section 153 of the Income Tax Act, 1961 prescribes a time limit for completion of company income assessments by the IT Department. Section 144(c) applies to foreign companies and prescribes a period for completion of dispute resolution. How do these provisions intersect? [No precedents in question.]

22	*Anjuman Ishaat-e-Taleem Trust v State of Maharashtra* **Instituted**: 26 Sept 2018 **Referred**: 1 Sept 2025, by Justices Datta and Manmohan.	Identical reference made in *Ashwini Thanappan* (2018).
23	*State of Rajasthan v Anisur Rahman* **Instituted**: 7 April 2024 **Referred**: 17 Oct 2025, by CJI B.R. Gavai and Justice Chandran.	Can doctors practicing allopathic medicine and doctors practicing indigenous systems of medicine (AYUSH-Ayurveda, Homeopathy, Unani, etc.) be treated equally for the purpose of service conditions, particularly with respect to retirement age and pay scales? Correctness of: *New Delhi Municipal Council v Dr. Ram Naresh Sharma*, (2021) and *State of Gujarat v Dr. P.A. Bhatt*, (2023).
24	*State of Jharkhand v The Indian Builders Jamshedpur* **Instituted**: 13 Sept 2012 **Referred**: 5 Dec 2025, by Justices Narasimha and A.S. Chandurkar.	When a contract explicitly bars certain claims from being raised, does it bind the arbitral tribunal or only the employer? Correctness of: *Board of Trustees for the Port of Calcutta v Engineers-De-Space-Age*, (1996); *Bharat Drilling & Foundation Treatment v State of Jharkhand*, (2009); *In Re: Interplay Between Arbitration Agreements*, (2023); *Central Organisation for Railway Electrification v Eci Spic Smo Mcml,* (2024); *Pam Developments v State of West Bengal*, (2024); *Cox and Kings v SAP India*, (2024)
25	*A. Jyothi v ICICI Lombard General Insurance* **Instituted**: 11 May 2024 **Referred**: 10 Dec 2025, by Justices Ahsanuddin Amanullah and Chandran.	Identical reference made in *Wakia Afrin v National Insurance* (2025).

26	*Hasina Yasmin v National Insurance* **Instituted**: 5 Sept 2025 **Referred**: 17 Dec 2025, by Justices Amanullah and Chandran.	In 2017, a Constitution Bench fixed standard sums of compensation for loss of estate, loss of consortium and funeral expenses. It directed 10% rise every three years. Does the 10% escalation apply to accidents before 2017 or only after? Correctness of: *Rojalini Nayak v Ajit Sahoo* (2024), and *National Insurance v Pranay Sethi,* (2017)
27	*Bharat Mittal v State of Rajasthan* **Instituted**: 26 July 2025 **Referred**: 18 Dec 2025, By Justices Aravind Kumar and N.V. Anjaria.	Section 148 of the Negotiable Instruments Act, 1881 provides for a convicted "drawer" of a dishonoured cheque to deposit at least 20 per cent of the amount awarded by the trial court while the appeal is pending. When the company cannot be prosecuted because of a legal impediment such as winding-up, can its director/authorised signatory be directed to make the deposit instead? Correctness of: *Shri Gurudatta Sugars Marketing v Prithviraj Sayajirao Deshmukh*, (2024) and *Bijay Agarwal v Medilines*, (2024).
28	*Sudhir Khaitan v State of Rajasthan* **Instituted**: 17 Nov 2025 **Referred**: 10 April 2026, by Justices Narasimha and Alok Aradhe.	Rule 311(3) of the Rajasthan High Court Rules, 1952 stipulates that an appeal or revision petition against a sentence of imprisonment can only be admitted after the accused person has surrendered, unless they have already been granted bail. Can high courts exercise their inherent powers under Section 482 of the CrPC to exempt accused persons from this rule? Correctness of: *Vivek Rai v High Court of Jharkhand*, (2015) and *Daulat Singh v. State of Madhya Pradesh*, (2024)
29	*Dineshchand Surana v UCO Bank* **Instituted**: 17 Aug 2024	Part III of the Insolvency and Bankruptcy Code, 2016 provides for an interim moratorium (a pause on legal obligations related to monetary recovery) for parties undergoing insolvency proceedings. Section 138 of the Negotiable Instruments Act, 1881 enables initiation of criminal proceedings in case of cheque dishonour. Does

	Referred: 27 May 2026, by Justices Pardiwala and Viswanathan.	the IBC moratorium apply to the entire S. 138 proceeding or only to the compensatory aspect of it? Correctness of: *P. Mohanraj v Shah Brothers Ispat*, (2021), *Gurudatta Sugars Marketing v Prithviraj Sayajirao Deshmukh*, (2024) and *Bijay Agarwal v Medilines*, (2024).
30	*Tasleem Ahmed v State Govt. of NCT of Delhi* **Instituted:** 27 Jan 2026 **Referred**: 22 May 2026, by Justices Aravind Kumar and P.B. Varale.	Section 43D(5) of the Unlawful Activities (Prevention) Act, (UAPA) 1967 provides that no person shall be granted bail if the court finds reasonable grounds to believe that there is a prime facie case against them. How is the fundamental right to life and liberty under Article 21 to be applied when Parliament has consciously imposed a restriction on bail in cases related to national security? Correctness of: *Union of India v K.A. Najeeb*, (2021);, *Gurwinder Singh v State of Punjab* (2024); *Gulfisha Fatima v State (NCT of Delhi)* (2026); and *Syed Iftikhar Andrabi v National Investigation Agency* (2026)
31	*Dr. Rakesh Kumar Gupta v State of Uttar Pradesh* **Instituted:** 17 Aug 2024 **Referred**: 9 June 2026, by Justices Datta and Sharma.	When a two-judge bench delivers a split verdict, Section 392 of the Code of Criminal Procedure, 1973 provides that the appeal be heard by a third referee judge. Is the referee judge obliged to agree with one of the two opinions or can they deliver a third opinion, re-opening or overturning findings of fact or guilt which were unanimously reached by the original bench? Correctness of: *Bhagat Ram v State of Rajasthan*, (1972); *State of A.P. v P.T. Appaiah*, (1980); and *Sajjan Singh v State of Madhya Pradesh*, (1999).
32	*Santosh Associate v Haryana State Industrial and Infrastructure Development Corporation* **Instituted**: 12 Oct 2025	Section 18 of the Arbitration Act, 1996 mandates equal treatment of parties at all stages of arbitration. When a contractual clause mandates a deposit from the contractor prior to the reference of disputes, does it discourage Alternative Dispute Resolution and violate Section 18 and the right to sue under Article 14?

	Referred: 17 Aug 2026, by Justices Manoj Misra and Manmohan.	Correctness of: *S.K. Jain v State of Haryana,* (2009); *ICOMM Tele Ltd. vs. Punjab State Water Supply,* (2019) and *Lombardi Engineering v Uttarakhand Jal Vidyut Nigam*, (2024)
33	*Bharat Petroleum Corporation Limited v The District Revenue Officer (Stamps)* **Instituted**: 10 Dec 2025 **Referred**: 7 Sept 2026, by Justices Datta and Sheel Nagu.	Section 47-A of the Indian Stamp Act, 1899 enables authorities to gauge the market value of a property in order to determine whether it has been undervalued for the purpose of calculating stamp duty. Does willful and fraudulent intent need to be established to invoke this provision? Correctness of: *Ramesh Chand Bansal v District Magistrate/Collector,* (1999); *V.N. Devadoss v Chief Revenue Control Officer-cum-Inspector of Stamps,* (2009); *Shanti Bhushan v State of U.P.,* (2023) and *Registrar of Assurances v ASL Vyapar,* (2024).
34	*Kerala Industrial Infrastructure Development Corporation v Central Board of Trustees* **Instituted**: 4 Aug 2023 **Referred:** 9 Sept 2026 by Justices Pardiwala and Chandran.	Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 provides for recovery of damages when an employer defaults on payment of pension fund, insurance fund and other dues. Do authorised officers retain discretion to levy this penalty or is it automatic and mandatory? Correctness of: *Horticulture Experiment Station Gonikoppal, Coord v Regional Provident Fund Organization* (2022)
35	*Jaya Thakur v Union of India* **Instituted:** 2 Jan 2024 **Referred:** 23 Sept 2026, by Justices Datta and Sharma (split verdict).	Is the method of appointment of ECI members under the 2023 Act consistent with Article 324, the constitutional requirement for free and fair elections, and the framework laid down in *Anoop Baranwal v Union of India* (2023)? Correctness of 5-j bench decisions in: *T.N. Seshan v Union of India,* (1995); *Supreme Court Advocates-on-Record Assn. v. Union of India*, (2016) and *Anoop Baranwal*.