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PLAY GAMES 24X7 PRIVATE LIMITED V. STATE OF TAMIL NADU & ORS.

In the case of Play Games 24x7 Private Limited v. State of Tamil Nadu, the Madras High Court examined the constitutional validity of the Tamil Nadu Prohibition of Online Gambling and Regulation of Online Games Act, 2022, and the Tamil Nadu Online Gaming Authority (Real Money Games) Regulations, 2025. The petitioners, prominent online gaming platforms, argued that the law infringed their fundamental right to carry on business under Article 19(1)(g) of the Constitution.

The State justified the restrictions under Article 47 (Directive Principles of State Policy), asserting a duty to protect public health and curb addiction. The Court upheld the State's regulatory power under Article 19(6), noting that reasonable restrictions are permissible when aimed at public welfare.

However, the Court also read down the law — making it clear that its prohibitions apply only to games of chance, not games of skill such as online rummy and poker. The Court found no compelling evidence from the State to differentiate the online version of these games from their offline counterparts.

Key constitutional observations included:

- Right to Privacy (Article 21): The Court upheld Aadhaar-based verification, balancing privacy concerns with the need for accountability and fraud prevention.

- Reasonable Restrictions: The time-based ban on gameplay between midnight and 5 a.m. was upheld as a proportionate response to safeguard public health.

The judgment maintains a constitutional balance — reinforcing that while States can regulate harmful activities, they must respect the boundaries of individual rights and lawful trade, particularly when it involves skill-based games.

Read full guidelines:
https://www.verdictum.in/pdf_upload/play-games-24x7-private-limited-v-state-of-tamil-naduwatermark-1717443.pdf

UPHOLDING JUDICIAL AUTHORITY UNDER ARTICLE 129 — SUPREME COURT ORDERS ENVIRONMENTAL RESTORATION FOR UNAUTHORISED TREE FELLING IN DELHI RIDGE

BINDU KAPUREA VS. SUBHASHISH PANDA & ORS.

In the case of Bindu Kapurea Vs. Subhashish Panda & Ors., the Supreme Court examined whether senior officials of the Delhi Development Authority (DDA) were liable for contempt after more than 1,600 trees were felled in Delhi's protected Ridge area without the Court's prior permission — in clear violation of its earlier directions issued in the M.C. Mehta line of cases.

The petitioner filed a contempt petition alleging that the tree felling had taken place in breach of binding Supreme Court orders and that the officials failed to disclose this while later seeking post-facto clearance for the work connected to a government hospital project. The Court had previously made it mandatory to obtain permission before taking up any developmental activity in the ecologically sensitive Ridge area.

The officials claimed that the tree removal was necessary for a public purpose — the construction of infrastructure for the Central Armed Police Forces Institute of Medical Sciences (CAPFIMS). However, the Supreme Court firmly rejected this justification, holding that no public interest can override judicial directions, and deliberate non-compliance with the Court's orders amounts to contempt.

Invoking Article 129 of the Constitution, which empowers the Supreme Court to punish for contempt of itself, the Court found that the conduct of the DDA officials amounted to:

- Violation of binding judicial orders,
- Suppression of material facts, and
- Lack of institutional transparency.

Instead of awarding imprisonment or imposing harsh penalties, the Court issued a corrective and reparative set of directions to address the environmental harm caused and ensure accountability:

- Mandatory Plantation Drive: A compensatory afforestation program to be carried out, under proper monitoring, to mitigate ecological damage.

- Personal Liability: Each of the responsible officials was directed to deposit ₹25,000 as a symbolic cost for the violation.

- Administrative Reform: All future government notifications affecting environmentally sensitive areas must disclose any pending litigation or court-imposed restrictions.

Though the judgment did not specifically cite Articles 21 or 48A, the Court's approach reflected a deep concern for constitutional values related to environmental protection, governance accountability, and the rule of law.

The Court emphasised that judicial orders are not optional, and bureaucratic convenience cannot justify non-compliance.

This ruling sends a strong message that all branches of government are bound by judicial oversight, especially in matters where public trust and environmental integrity are at stake. It reinforces the idea that constitutional courts are guardians not just of legal processes, but of public and ecological welfare as well.

Read full guidelines:
https://www.advocatekhoj.com/library/judgments/announcement.php?WID=19086

HP HIGH COURT: CCS PENSION RULES ALLOW WITHDRAWAL OF PREMATURE RETIREMENT NOTICE PRIOR TO EFFECTIVE DATE

INDIRA DAROCH V/S STATE OF H.P. & ORS.

The Himachal Pradesh High Court recently affirmed that an employee can withdraw a notice of premature retirement before its effective date, provided they secure specific approval from the competent authority and present valid reasons, as stipulated under Rule 43(6) of the Central Civil Services (Pension) Rules, 1972. This rule specifies that a government servant who has opted for voluntary retirement cannot retract their notice without the appointing authority's explicit consent.

The ruling came from Justice Sandeep Sharma, who addressed a situation where state-specific rules were cited as a barrier. He noted, “Though a plea has been taken by the respondents that the premature retirement of the petitioner is governed by the Himachal Pradesh Civil Services (Premature Retirement) Rules, 2022, which do not provide for withdrawal of a notice for retirement, but same also do not bar the appointing authority from reconsidering the matter on an application of employee for withdrawal of notice for premature retirement. Otherwise, this Court is of the view that rule 43(6) of CCS (Pension) Rules, 1972 is applicable here.”

The case involved Ms. Indira Daroch, Principal of Government Degree College, Kandaghat. On August 8, 2024, she submitted a notice for premature retirement effective in three months, citing

health issues. The department accepted her request, setting her retirement date for November 5, 2024. However, on October 14, 2024, well before the effective date, Ms. Daroch requested to withdraw her notice, stating her health had improved sufficiently to continue working. This request was denied by the authorities.

Feeling aggrieved, Ms. Daroch filed a writ petition, seeking to nullify the retirement notice and be reinstated. She argued that there was no legitimate basis for rejecting her withdrawal request, as it was made before her retirement was to take effect, and highlighted Rule 43(6) of the CCS (Pension) Rules (referred to as 2021 in one instance in the original text, but contextually 1972) which permits such withdrawals with approval.

The State countered that once a premature retirement request was accepted, the Himachal Pradesh Civil Services (Premature Retirement) Rules, 2022, offered no provision for its withdrawal.

The Court observed that Rule 43(6) of the CCS (Pension) Rules, while requiring specific approval for withdrawing a premature retirement notice, does not prevent the authority from granting such a request if made before the retirement becomes operative. The Court emphasized that Ms. Daroch's withdrawal application on October 14, 2024, preceded her scheduled retirement on November 5, 2024, and thus, the rejection lacked valid justification. Crucially, the Court stated that the actual date of retirement is the determining factor, not the date the retirement notice was accepted.

The High Court referenced the Supreme Court's decision in Balram Gupta v. Union of India (1987), which held that an appointing authority has no discretion to refuse a withdrawal request if it is made before the notice period expires and before the retirement has actually commenced. Furthermore, citing Kranti Asso. Pvt. Ltd. & Anr v. Masood Ahmed Khan & Ors, the Court reiterated that authorities exercising discretionary powers must record their reasons, ensuring decisions are based on relevant grounds and devoid of extraneous considerations.

In Ms. Daroch's case, the Court noted that the college authorities failed to provide any rationale for their rejection, despite her offering a reasonable ground—improved health—for seeking withdrawal.

Finally, the Court clarified that while the Himachal Pradesh Civil Services (Premature Retirement) Rules, 2022, do not explicitly mention the withdrawal of a retirement notice, they also do not prohibit the appointing authority from reconsidering such requests. Consequently, Rule 43(6) of the CCS (Pension) Rules, 1972, was deemed applicable. The writ petition was allowed, and the college authorities were directed to permit Ms. Daroch to rejoin her service.

Read full guidelines:
https://www.livelaw.in/pdf_upload/indira-daroch-602702.pdf

ALLAHABAD HIGH COURT CLARIFIES: UNDER EMPLOYEES PROVIDENT FUND ACT, NO APPEAL FOR REJECTED REVIEW PLEA, BUT WRIT PETITION CAN BE FILED

M/S METRO AMUSEMENT PVT. LTD. ABU PLAZA, ABULANE V. UNION OF INDIA AND ANOTHER

The Allahabad High Court, reaffirming its stance from the earlier case of Chandra Shekhar Azad University of Agriculture and Technology Vs. Regional Provident Fund Commissioner-II and Another, has reiterated that a writ petition is a valid legal remedy against an order rejecting a review application under Section 7-B of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (EPF Act). This is because the Act does not provide for a statutory appeal against such a rejection.

The case involved a petitioner who operated a Sagar Ratna franchise in Meerut. The Employees Provident Fund Organization initiated proceedings under Section 7A of the EPF Act against the petitioner to determine outstanding provident fund dues. Consequently, a demand for Rs. 23,05,278 was issued. An order under Section 7A was subsequently passed, directing the petitioner to deposit this amount based on an assessment by the Area Enforcement Officer. Following this order, the petitioner filed a review application under Section 7B of the EPF Act.

However, this review application was dismissed, reportedly due to a delay in its filing. Aggrieved by the rejection of the review application, the petitioner then approached the Allahabad High Court by filing a writ petition under Article 226 of the Constitution of India.

During the proceedings, counsel for the respondent (EPFO) raised an objection concerning the maintainability of the writ petition against an order passed in a review application. In response, the petitioner's counsel cited the precedent set in the Chandra Shekhar Azad University case. In that judgment, the Allahabad High Court had previously held that: "A reading of the provisions of Section 7-B of the Act makes it clear that an Application for Review that is rejected, leads to an order from which no appeal lies. If an order rejecting an Application for Review were to be challenged, certainly a writ petition would be competent from that order alone. In that challenge, the Court would be required to see whether the Authority was right in rejecting the Application for Review.

In a petition of that kind, the order passed under Section 7-A of the Act, that has not been reopened by granting the Review, would not be under scrutiny of this Court. This would be so because an application under Section 7-B of the Act rejecting an Application for Review would leave the order under Section 7-A not only intact, but there would be no merger with the order passed under Section 7-B, in such a case."

Relying on this established precedent, Justice Prakash Padia ruled that the writ petition challenging the order that rejected the review application was indeed maintainable. The court would examine the correctness of the rejection of the review, not the original Section 7A order itself at this stage, as the rejection of the review meant the original order was not reopened and did not merge with the review rejection order.

With the issue of maintainability settled, the Court directed the parties involved in the case to exchange affidavits to proceed with the matter on its merits.

Read full guidelines:
https://www.livelaw.in/pdf_upload/employees-provident-fund-act-602044.pdf

NOTICE DOES NOT NECESSARILY HAVE TO BE EXPLICITLY LABELED AS "LEGAL" TO BE CONSIDERED VALID.

KAMLA NEHRU MEMORIAL TRUST & ANR VERSUS U.P. STATE INDUSTRIAL DEVELOPMENT CORPORATION LIMITED & ORS.

The Supreme Court outlined the essential components of a valid legal notice, ruling that a notice does not necessarily have to be explicitly labeled as "legal" to be considered valid. The court held that if a communication sent to the recipient (noticee) effectively conveys the details of the default, potential consequences, and the sender's intent, it will qualify as a legal notice.

"Illustratively, the essential elements of a legal notice would include:

a. It should contain a clear and concise set of facts which convey the information leading to the relevant circumstances. This element is also fulfilled when reference is made to any earlier communications issued between the concerned parties;

b. It should convey the intimation of any impending legal obligation or breach committed by any party;

c. It should convey the intention of the party issuing the communication to hold the other party liable to appropriate legal action or charge; and

d. The communication in toto must be unambiguous and should not mislead or suppress material information. If issued under a Statute, it must comply with the relevant requirements prescribed therein as well.", the court observed.

A bench of Justices Surya Kant and N Kotiswar Singh list out the aforementioned elements of a legal notice while hearing the case where the previous communication made by the Respondent to the Appellant were not considered as legal notice because it was not formally labelled as legal notice.

It was the case where the Appellant's land allotment was cancelled by the Respondent- Uttar Pradesh State Industrial Development Corporation ("UPSIDC") due to default in payment. The Appellant argued that, as per the Respondent's manual, "three consecutive legal notices" were mandated before cancelling an allotment for default. It argued only the notice dated 13.11.2006 qualified as a "legal notice," while Respondent-UPSIDC contended earlier communications (14.12.2004, 14.12.2005) also satisfied this requirement as they explicitly stated (a) facts of default, (b) breach of obligation, (c) intent to take legal action, and (d) clear consequences.

Upholding the High Court's decision, the judgment authored by Justice Kant found that the previous two communications sent by the Respondent align with the later legal notice sent on 13.11.2006, qualifying them as valid legal notice despite those communications were not labeled as legal notice.

"It may be recapitulated that the notice dated 13.11.2006 has been understood as a 'legal notice' by both sides. Upon comparative analysis of the communications, particularly those dated 14.12.2004 and 14.12.2005, we find that these bear substantial similarity with the notice dated 13.11.2006. It is beyond our comprehension as to

what prejudice has really been caused to KNMT merely because these notices are not captioned as legal notices.", the court said.

"If the communications dated 14.12.2004, 14.12.2005, and 13.11.2006 are juxtaposed to the abovementioned ingredients, we have no reason to doubt that these constitute valid 'legal notices' and thus, UPSIDC has duly complied with the process envisaged under Clause 3.04(vii) of the Manual.", the court added.

In terms of the aforesaid, the Court dismissed the appeal, noting that a notice need not be labeled "legal" to qualify, as what matters is whether it substantively conveys default, consequences, and intent.

GREY AREA IN THE FIELD OF BITCOIN/CRYPTOCURRENCY REGULATION AND THE EXISTING LAWS ARE COMPLETELY OBSOLETE

SHAILESH BABULAL BHATT Versus THE STATE OF GUJARAT AND ANR.

There exists a grey area in the field of bitcoin/cryptocurrency regulation and the existing laws are completely obsolete. They cannot address this issue," said the Supreme Court today while dealing with a case involving allegations of bitcoin extortion.

A bench of Justices Surya Kant, Dipankar Datta and Vijay Bishnoi was dealing with the plea of Gujarat-based Shailesh Babulal Bhatt, who is accused of cryptocurrency fraud across multiple states.

During the hearing, Senior Advocate Siddharth Dave, appearing with Senior Advocate Mukul Rohatgi, for petitioner-accused, highlighted that the Court had earlier asked the Attorney General for India about the regulatory framework for cryptocurrencies.

Recalling the exchange, Justice Kant commented, "When we were asking them that have some regulatory mechanism, a very, very sweeping statement was made - 'no, no, we are watching, we are looking at the international economic conditions'...".

Turning to Additional Solicitor General Aishwarya Bhati (for Union), Justice Kant said, "Different jurisdictions are saying different things about it. Some grey area is there and the existing laws are completely obsolete...".

When ASG Bhati flagged that the issue in the present case is not that the petitioner was dealing in Bitcoins, but what he was doing with

the Bitcoins, the judge said, "our problem is not that...this case we will resolve either way...our problem is (regarding regulatory framework) ...do something about that".

It may be mentioned that during earlier hearings of the case as well, the Court underlined the importance of regulating cryptocurrencies, while commenting that it would be unwise to impose a blanket ban. It in fact equated unregulated bitcoin trading to hawala transactions and expressed that lack of clear regulatory mechanism has enhanced possibility of misuse.

On facts of the case, Rohatgi was today heard contending that the petitioner appeared before the agencies 15 times prior to his arrest and that he is in custody since August, 2024. The senior counsel further urged the Court to grant the petitioner interim bail.

He submitted that the petitioner got two FIRs lodged for extortion of bitcoins and kidnapping and the trial is proceeding in those cases against local police officers. After these FIRs, the senior counsel alleged, two FIRs against the petitioner were registered, but he was not chargesheeted. "I am not chargesheeted in any either (predicate offense), it's very strange! This is a gross case, what's going on?" Rohatgi argued.

On a specific Court query, he clarified that chargesheet has been filed in one of the two cases, but not in the other. In the first case where chargesheet is filed, co-accused persons have been chargesheet but not the petitioner. He also informed that though the petitioner was named as an accused by ED in the ECIR, he was not named in the first prosecution complaint.

ASG Bhati, on the other hand, beseeched the Court to let the petitioner remain in custody for some more time as the investigation is at a crucial stage. She asserted that the petitioner is being non-cooperative. "He initially said he was one of the investors, but he has not shown us any document that he had invested...his is a case purely of extortion!", the ASG exclaimed.

She further highlighted that KYC compliance is now necessary for Bitcoin wallets and KYC-compliant wallets can be frozen at the request of investigating agencies. But the agencies are facing difficulties as regards KYC non-complaint wallets.

After hearing the parties, Justice Kant said, "We will not comment that there is nothing against you (petitioner) or something...we will take up the matter in July. (To respondent-authorities) You complete meanwhile, whatever investigation...".

Notably, the Supreme Court has time and again been dealing with pleas for cryptocurrency regulation. In November, 2023, a bench of former CJI DY Chandrachud and Justices JB Pardiwala, Manoj Misra dismissed a PIL seeking guidelines for trading and mining of cryptocurrency, noting that same appeared to be aimed at securing bail in a related case. "Parliament will do it, we will not issue any directions", said the bench.

In September 2023, while dealing with the case of a person accused in a cryptocurrency fraud across states, AG Venkataramani apprised the Court that the matter required in depth consideration keeping in view of the domestic and international perspectives. He submitted that due deliberations would be made within 2-3 months and the Court informed of the outcome at the earliest. In January, 2024,

while passing an order for interim protection from arrest, a bench led by Justice Kant asked the Union to file its stance with reference to matters of cryptocurrency arising in different states. Time was given to do the needful on two more subsequent dated and eventually, the case came to be disposed of by a larger bench.

In April, 2025, a bench of Justice BR Gavai (now CJI) and AG Masih dismissed a petition seeking guidelines from the Court in exercise of its jurisdiction under Article 142 of the Constitution to prevent and penalize fraudulent transactions involving cryptocurrencies. The bench was of the view that the issue was in policy domain and gave liberty to the petitioner to make a representation before the appropriate authority, to be decided in accordance with law

Read full guidelines:
https://www.livelaw.in/pdf_upload/5816720244661523judgement06-may-2025-602060.pdf

COMPENSATION BASED SOLELY ON THE INSURED VEHICLE'S INVOLVEMENT, WITHOUT PROOF OF NEGLIGENCE

H. GIRISH & H. YATISH VS. TATA AIG GENERAL INSURANCE CO. LTD. CASE

On April 1, 2012, H. Girish and H. Yatish lost both parents—Huchcha Hanumaiah and Gayathri—when their Mahindra Scorpio collided with a Maruti Alto near Dodderi village, Karnataka. The sons filed claims under Section 163A of the Motor Vehicles Act, seeking ₹15 lakh each, arguing that their parents were the family's primary earners. The Motor Accident Claims Tribunal dismissed their application, holding that the sons were financially independent and that there was no conclusive evidence of negligence by the Alto driver.

On May 24, 2025, Justice Lalitha Kanneganti of the Karnataka High Court overturned the Tribunal's order. Emphasizing the "no-fault" principle of Section 163A—which entitles claimants to compensation based solely on the insured vehicle's involvement, without proof of negligence—the Court held that neither financial independence nor fault need be established. Accordingly, Tata AIG General Insurance was directed to pay ₹5 lakh each to H. Girish and H. Yatish. This ruling reaffirms that Section 163A claims bypass the negligence-based standard of Section 166, ensuring faster relief to victims' dependents when an insured vehicle is involved.

SUPREME COURT DISMISSED THE DELHI WAQF BOARD'S CLAIM OVER A PROPERTY OBSERVING THAT A GURUDWARA CURRENTLY EXISTS ON THE DISPUTED LAND

DELHI WAQF BOARD V. HIRA SINGH (C.A. 2985/2012)

The Supreme Court recently dismissed the Delhi Waqf Board's claim over a property in Oldanpur, Shahdara, observing that a Gurudwara currently exists on the disputed land. A Bench comprising Justices Sanjay Karol and Satish Chandra Sharma refused to entertain the Waqf Board's appeal challenging a 2010 Delhi High Court judgment.

Issue: Dispute over claim of waqf property in Shahdara, Delhi

The case concerns a long-standing property dispute between the Delhi Waqf Board and Hira Singh, over a piece of land located in Village Oldanpur, Shahdara, Delhi, claimed by the Waqf Board to be a mosque and Waqf property. The Board asserted that the property had been used as a masjid since time immemorial and had been notified as Waqf property in government gazettes dated 3.12.1970 and 29.4.1978. The Waqf Board sought possession of the property from Hira Singh, who allegedly took over the site in 1947-48, where a Gurdwara was subsequently built. High Court overruled the judgment on the following grounds:

- The suit was time-barred.
- He had purchased the property in 1953 from one Mohd. Ahsaan, the lawful owner.

- The property had since been used as a Gurudwara, managed by a Gurudwara Managing Committee.

Notably, the defendant highlighted that two earlier suits filed by the Waqf Board regarding the same property had been withdrawn in 1970 and 1978.

History of the case:

- Trial Court: Ruled in favour of the Waqf Board, declaring the property as waqf land.
- First Appellate Court (1989): Upheld the trial court's judgment.
- Delhi High Court (2010): Reversed the lower courts' decisions.

Held that the Waqf Board failed to establish permanent dedication or uninterrupted religious use of the property as a mosque.

Cited the fact that the defendant had been in possession since 1947-48, and documentary evidence did not support the Waqf claim.

Supreme Court's Observation (2024):

- Refused to interfere with the High Court's findings.
- Took note of the existence of a Gurudwara at the site.
- Effectively closed the matter, upholding the High Court's conclusion that the Board could not prove the property's waqf status.

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