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info@knallp.com
www.knallp.com

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Weekly Round Up

A curated weekly review for legal developments and insights

EDITOR'S PICK (STORY OF THE WEEK)

Welcome to this week's round-up.

Can a marriage end in one country and still legally exist in another? For many NRI couples, this is a real legal complication. A divorce granted abroad may not be recognised under Indian law, particularly when it relies on grounds that Indian matrimonial statutes do not permit. This week's lead piece, "The Marriage That Survived a Divorce: Understanding the Gap Between Foreign Divorce Decrees and Indian Law," examines the recognition of foreign matrimonial decrees under Section 13 of the Code of Civil Procedure, 1908, and the principles laid down in Y. Narasimha Rao v. Y. Venkata Lakshmi.

The issue has gained renewed attention following the Supreme Court's decision in N. Sridhar Reddy v. State of Andhra Pradesh, bringing the limits of matrimonial forum shopping into focus.
[Read it here]

That is only the start. This week's round-up also brings you fresh developments from the Supreme Court, the High Courts and the regulatory authorities.. Scroll on.

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CASE DOCKET

- *Raju Shantaram Koli v. State of Maharashtra*
- *MMTC Ltd. v. PAMP Holding Mauritius Ltd.*
- *Rishabh Maheshwari & Ms. Anisha Mangleek v. Inter Globe Aviation Ltd.*
- *Arjun Flour Mills v. State of Orissa & Ors.*
- *J. Rajesh (Minor) v. M. Kumaran*

CASE DOCKET

The Single-Life Rule: The Supreme Court analyses the scope of Section 31 CrPC in Raju Shantaram Koli v. State of Maharashtra



Can multiple life sentences be served one after another, or does imprisonment for the remainder of a person's natural life set an absolute limit? In Raju Shantaram Koli v. State of Maharashtra, the Supreme Court examined this question while interpreting Section 31 of the Code of Criminal Procedure, 1973.

Koli had been convicted for the rape and murder of a minor and sentenced to separate terms of life imprisonment under Sections 302 and 376 read with Section 342 of the IPC. The Trial Court directed the sentences to run consecutively, a direction the Bombay High Court declined to interfere with. The matter reached the Supreme Court, which had to determine whether multiple life sentences imposed in a single trial could legally operate one after another. Relying on Muthuramalingam v. State, the Court explained that life imprisonment ordinarily extends to the remainder of a convict's natural life, unless remitted or commuted. It held that Section 31 permits consecutive sentencing for fixed-term imprisonment, but not for multiple life sentences. Reading this provision alongside Section 427(2) CrPC, the Court concluded that such life terms must instead be superimposed and run concurrently.

Importantly, superimposition does not mean that the sentences merge into one. Each retains its independent legal identity, meaning remission or commutation granted for one sentence does not automatically extend to the other. This preserves the consequences of each conviction while avoiding the legal and practical impossibility of serving multiple life terms consecutively.

The Supreme Court therefore partially set aside the lower courts' orders, only to the extent that they directed consecutive operation of the sentences, and ordered both life terms to run concurrently through superimposition.

[Read the full article here]

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Section 34 and the Undecided Good-Faith Plea: Delhi High Court Sets Aside Part of the MMTC v. PAMP Award



Can an arbitration award be set aside because the tribunal failed to decide a material argument raised by a party? In MMTC Ltd. v. PAMP Holding Mauritius Ltd., the Delhi High Court examined this question under Section 34 of the Arbitration and Conciliation Act, 1996, setting aside part of an international commercial arbitration award

The dispute arose from agreements between MMTC-PAMP India Pvt. Ltd. and companies belonging to the PAMP group for gold sourcing and process know-how services. MMTC alleged that the agreements were entered into without its consultation and resulted in payments for services that PAMP was already obligated to provide.

Although the tribunal found the transactions to be at arm's length, it failed to separately determine whether they satisfied the contractual requirement of good faith.

The High Court held that a complete failure to decide a material issue, causing prejudice to a party, may justify judicial intervention even in an international commercial arbitration. It consequently set aside the award insofar as it dismissed MMTC's surviving claims and related costs, without deciding whether the agreements actually breached the good-faith obligation.

[Read the full article here]

Last-Minute Flight Cancellation Lands IndiGo with ₹2.5 Lakh Compensation



Can an airline escape liability for a last-minute flight cancellation simply by citing operational reasons? In Rishabh Maheshwari & Anisha Mangleek v. Inter Globe Aviation Ltd. (IndiGo Airlines), the District Consumer Disputes Redressal Commission-VI, New Delhi, examined this question after a couple's honeymoon journey to Geneva was disrupted just hours before departure.

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The complainants were forced to arrange replacement international tickets at an additional cost of ₹69,774 after IndiGo cancelled their connecting flight and failed to provide a suitable alternative. The airline relied on operational reasons and force majeure to defend the cancellation. However, the Commission found that IndiGo had failed to produce sufficient evidence to establish the circumstances behind it.

Awarding ₹2 lakh for mental agony, harassment and inconvenience, along with ₹50,000 towards litigation expenses, the Commission partly allowed the complaint. It nevertheless rejected the claim for reimbursement of the additional airfare, distinguishing compensation for inconvenience from recovery of specific financial losses.

[Read the full article here]

A 27-Year Wait for Nothing: How a Landmark Sales Tax Reference Became Infructuous



Can a State impose a surcharge calculated as a percentage of sales tax payable and still treat it as a tax on the sale of goods?

In a reference that first arose in 1998 and eventually reached a Seven-Judge Constitution Bench in November 2026, the Supreme Court examined the validity of such levies under the erstwhile Entry 54 of List II.

The dispute involved surcharge provisions under the Orissa and Punjab sales tax laws. The dealers argued that calculating a surcharge on the sales tax payable effectively amounted to imposing a tax on another tax. The Court rejected this reasoning, reiterating the distinction between the subject and measure of a tax. It held that the method used to calculate a levy does not, by itself, change its character.

The Bench found that the apparent conflict between S. Kodar v. State of Kerala, Hoechst Pharmaceuticals Ltd. v. State of Bihar and India Cement Ltd. v. State of Tamil Nadu no longer survived, particularly after the decisions in State of West Bengal v. Kesoram Industries Ltd. and Mineral Area Development Authority v. Steel Authority of India.

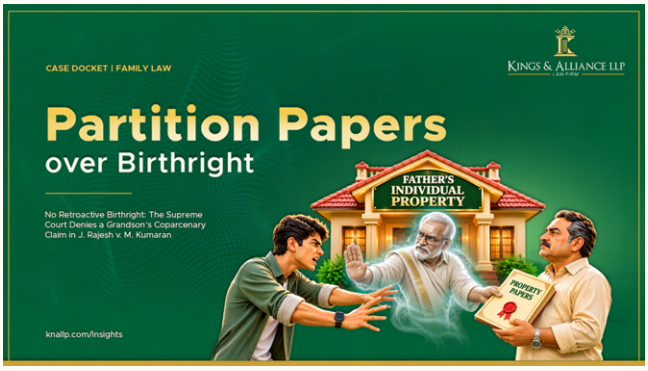
It also noted that the constitutional taxing power under the former Entry 54 had since been substantially altered by the introduction of GST. The reference was therefore answered as infructuous, with the individual appeals returned to regular Benches for consideration of the remaining issues.

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After 27 years, the Court did not lay down a new rule. It found that the existing law had already answered the question.

[Read the full article here]

No Retroactive Birthright: The Supreme Court Denies a Grandson's Coparcenary Claim in J. Rajesh v. M. Kumaran



Can a grandson claim a coparcenary share in property inherited by his living father under Section 8 of the Hindu Succession Act, 1956? In J. Rajesh (Minor) v. M. Kumaran, the Supreme Court answered in the negative, reaffirming that property devolving upon a Class I heir under Section 8 is held in that heir's individual capacity, not as joint family property.

The dispute arose after N. Ramakrishnan's property devolved upon his children following his death. A 1994 compromise decree allotted a defined share to his son, R. Jayagopal, who subsequently sold it to the respondents. Rajesh, Jayagopal's son, sought a partition of the property, claiming a share by birth. However, the succession and partition proceedings had commenced before his birth.

Relying on C.W.T. v. Chander Sen and Section 19 of the HSA, the Court held that the property had devolved upon the heirs as tenants-in-common, bringing the coparcenary to an end. Neither Section 6 of the HSA nor Section 29-A of the Tamil Nadu Amendment Act could confer a birthright in property that had already devolved and been partitioned before Rajesh was born. The Supreme Court accordingly upheld the Madras High Court's decision and dismissed the appeal.

Can a claim by birth survive when succession and partition have already concluded before the claimant is born?

[Read the full article here]

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LEADERSHIP



MOHIT CHAUDHARY
FOUNDER AND MANAGING PARTNER

Former AAG for State of J&K at
Supreme Court of India
Advocate on Record

+91 98106 63997
mohit@knallp.com
mohitchaudhary2020@gmail.com



KUNAL SACHDEVA
PARTNER

+91 99536 55270
kunal@knallp.com
kunalsachdeva826@gmail.com



PUJA CHAUDHARY
PARTNER

+91 98106 22198
puja@knallp.com
pujabhaskar1@rediffmail.com

EXPOSITORS



Adv. Pratistha Dahiya
Head of Publication and Senior Law researcher and Writer
pratisthadahiya@knallp.com



Adv. Siddharath Shrivastava
Law Researcher and Writer



Adv. Stephin Sinu Oommen
Law Researcher and Writer



Adv. Gaurangi Tandon
Law Researcher and Writer

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LOCATIONS

CORPORATE OFFICE
13 Ring Road, Lajpat Nagar IV,New Delhi - 110024

CHAMBER
511, Ad. Complex, Supreme Court
of India, New Delhi - 110001

IPR OFFICE
T 518, Sector 99, Supreme Tower, Noida,
Uttar Pradesh - 201303

INSIGHT DIVISION
62/6, Channi Himmat(Green Belt), Jammu - 180015

MUMBAI
Chamber No.3, Block No.23, 02nd Floor,
Bell Building, Sir Phirozshah, Mehta Road, Fort,
Mumbai - 400 001

GET IN TOUCH

+91 98106 63997

info@knallp.com

www.knallp.com

KNALLP.COM/INSIGHTS

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