भारतीय कम्पनी सचिव संस्थान
THE INSTITUTE OF
Company Secretaries of India
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)

SUPPLEMENT

EXECUTIVE PROGRAMME

(Syllabus 2022)

for

December, 2026 Examination

(Containing updates from 1st December, 2025 to 31st May, 2026)

JURISPRUDENCE, INTERPRETATION & GENERAL LAWS

GROUP 1

PAPER 1

Index

Important Note:

The new criminal laws i.e. Bharatiya Nyaya Sanhita 2023, Bharatiya Nagarik Suraksha Sanhita 2023 and Bharatiya Sakshya Adhiniyam 2023 have repealed Indian Penal Code 1860, Criminal Procedure Code 1973 and Indian Evidence Act 1872 (old criminal laws) respectively.

Therefore, by virtue of Section 8 of General Clauses Act 1897, the references to the old criminal laws, unless a different intention appears, be construed as references to the provision of new criminal laws.

Students appearing in Examination shall note the following:

Students appearing in December, 2026 Examination should also update themselves on all the relevant Notifications, Circulars, Clarifications, Orders etc. issued by MCA, SEBI, RBI & Central Government upto May, 2026.

The students are advised to acquaint themselves with the subject specific updates published in Student Company Secretary Journal by the Institute.

This supplement is to be read with the JIGL study material (Syllabus 2022) updated up to November, 2025.

Lesson 2: Constitution of India

Nandi Infrastructure Corridor Enterprises Ltd. & Anr. v. B. Gurappa Naidu & Ors., Supreme Court, 30.04.2026

Principles for exercise of Jurisdiction under Article 227

Facts of the Case

In this case, the Honourable Supreme Court has summarized the Principles for exercising jurisdiction by the High Courts under Article 227 of the Constitution of India.

Decision

The principle summarized by the Apex Court are as follows:

1. The power of superintendence under Article 227 is not to be exercised unless there has been an:

(a) unwarranted assumption of jurisdiction, not vested in Court or tribunal, or
(b) gross abuse of jurisdiction or
(c) an unjustifiable refusal to exercise jurisdiction vested in Courts or tribunals.

2. It is also well settled that the High Court while acting under this Article cannot exercise its power as an appellate court or substitute its own judgment in place of that of the subordinate court to correct an error, which is not apparent on the face of the record.

3. The High Court exercising supervisory jurisdiction does not act as a court of first appeal to reappreciate, reweigh the evidence or facts upon which the determination under challenge is based. Supervisory jurisdiction is not to correct every error of fact or even a legal flaw when the final finding is justified or can be supported. The High Court is not to substitute its own decision on facts and conclusion, for that of the inferior court or tribunal.

For details:
https://api.sci.gov.in/supremecourt/2012/33644/33644_2012_14_1502_70700_Judgement_30-Apr-2026.pdf

Lesson 6: Law relating to Civil Procedure

B.S. Lalitha and Others versus Bhuvanesh and Others, Supreme Court, 15.05.2026

The principle of Res Judicata applies not only between two separate suits but also between two stages of the same litigation.

Issue

In this case, the Hon'ble Supreme Court *inter alia* considered that whether the second application under Order VII Rule 11 of CPC is barred by the principle of res judicata?

Decision

Under, order VII Rule 11(d) of the CPC, the plaint shall be rejected where the suit appears from the statement in the plaint to be barred by any law. The provision is designed to weed out, at the threshold, suits which are ex facie unsustainable.

Further, the Apex Court explained that the provision of section 11 of CPC embodies a rule of conclusiveness that is founded in considerations of public policy. It rests upon the salutary doctrine that there must be a finality to litigation, and that a party which has once succeeded or failed on an issue should not be permitted to re-agitate the same at a subsequent stage. The principle applies not only between two separate suits but also between two stages of the same litigation what is referred to as 'interlocutory res judicata.'

For details:
https://api.sci.gov.in/supremecourt/2024/44819/44819_2024_11_1502_71181_Judgement_15-May-2026.pdf

Lesson 9: Law relating to Limitation

Shankar Khandelwal v. Omkara Asset Reconstruction Pvt. Ltd., Supreme Court, 29.04.2026

IRP's admission of secured financial creditors debt in CIRP not an acknowledgement under Section 18 of Limitation Act, 1963

Facts of the Case

The question that arose for determination of the Supreme Court in these appeals were whether the application filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 (Code) by the secured financial creditor was within the period of limitation.

One of the major issue in this case was whether an admission of debt by an Interim Resolution Professional (IRP) amounts to acknowledgment of liability under Section 18 of the Limitation Act, 1963.

Decision

The admission of a claim by Resolution Professional (RP) is merely an administrative/clerical task performed as part of its statutory duties under Section 18 of the Code and, therefore, admission of claim by RP only means induction/entry of a claim. An admission of a claim by RP is akin to mere recital/reference of debt, which does not amount to an acknowledgment under Section 18 of Limitation Act, 1963. Therefore, IRP's admission of secured financial creditors debt in first Corporate Insolvency Resolution Process (CIRP) was not an acknowledgement under Section 18 of Limitation Act, 1963.

For details:
https://api.sci.gov.in/supremecourt/2025/61442/61442_2025_6_1501_70614_Judgement_29-Apr-2026.pdf

Lesson 10 - Law relating to Arbitration, Mediation and Conciliation

Home Care Retail Marts Pvt. Ltd. V. Haresh N. Sanghavi, Supreme Court, 24.04.2026

An unsuccessful party in arbitration, may invoke Section 9 of the Arbitration and Conciliation Act, 1996 at the post-award stage

Facts of the Case

The substantial question of law that arises for consideration in the present batch of appeals was whether a petition under Section 9 of the Arbitration and Conciliation Act, 1996 at the post-award stage, by a party that has lost in the arbitral proceedings and has no enforceable award in its favour, is maintainable in law.

Decision

The Apex Court was of the considered view that the object and purpose of Section 9 of the Act is to ensure that parties retain the right to approach the Court for interim measures until the judicial process has reached its culmination.

The Honourable Supreme Court has held that any party to an arbitration agreement, including an unsuccessful party in arbitration, may invoke Section 9 of the Act at the post-award stage. However, the Courts would be well advised to exercise care, caution and circumspection while dealing with a Section 9 application filed by an unsuccessful party in arbitration.

For details:
https://api.sci.gov.in/supremecourt/2015/34891/34891_2015_14_1501_70498_Judgement_24-Apr-2026.pdf

Lesson 14 - Law relating to Negotiable Instruments

Parsharvanath Weld Wires Pvt Ltd & Anr v. State of Chhattisgarh & Anr., Supreme Court, 27.05.2026

Conviction and Sentence under Section 138 of Negotiable Instruments Act, 1881 can be quashed on compromise between the parties

Facts

Appellant in this case was an accused in Criminal Complaint initiated by the second respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. After trial, appellant was convicted and sentence to one year simple imprisonment and directed to pay a sum of Rs. 28,00,000/-.

This judgment was affirmed by the Sessions Judge. A revision preferred against the same by the accused before the High Court of Chhattisgarh was also dismissed and appellant No.2 namely, the Director of the Company was taken into custody to undergo the sentence.

However, within two days thereafter, a settlement was entered.

In the light of the said settlement, an application was filed before the JMFC, which was rejected and affirmed by the High Court on the ground that judgment cannot be reviewed.

Hence, the appeal was made to the Hon'ble Supreme Court.

Decision

In view of the law laid down by the Apex Court in the case of *Gian Chand Garg vs. Harpal Singh and Another*, the Supreme Court decided that we have no hesitation to accept the compromise entered into and compound the offence, particularly in the light of settlement arrived at between the parties**.**

For details:
https://api.sci.gov.in/supremecourt/2026/31588/31588_2026_15_34_71630_Order_27-May-2026.pdf

***