



Indian Law Reports - Kerala Series

Abridged Index

I.L.R - INDEX OF REPORTED CASES dt. 01.04.2026

Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996)—Section 37—Scope of Appeal—Interference with Arbitral Award—Unless the said Award is manifestly perverse, arbitrary, based on no evidence and passed in violation of the principles of natural justice, the Court will be extremely reluctant to interfere with the Award—The appellate power exercised by the Court under Section 37 of the Act, 1996 is not that of an Appellate Authority—National Highways Act, 1956 (Central Act 48 of 1956) - Project Director, National Highways Authority of India v. Ahammed Ali M.T. and another - I.L.R. 2026 Kerala OnLine 97 : [Neutral Citation No.2026 : KER : 24409.](#)

Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996)—Section 9—Interim measures—Scope—While exercising jurisdiction under Section 9, the Court is not strictly bound by the Code of Civil Procedure and retains wide powers to grant just and convenient interim measures—Proof of actual attempts to defeat execution is not necessary, and a strong likelihood of asset dissipation suffices - E D & F Man Liquid Products Italia SRL. and others v. EMIL Traders Private Limited - I.L.R. 2026 Kerala OnLine 100 : [Neutral Citation No.2026:KER:21531.](#)

Banking Ombudsman Scheme, 2021—Orders should be signed by the Ombudsman himself instead of relegating the signature to an officer of the Reserve Bank of India - Santhosh Kumar R.S. and another v. South Indian Bank Ltd. and

others - I.L.R. 2026 Kerala OnLine 96 : [Neutral Citation No.2026:KER:20503.](#)

Banking Ombudsman Scheme, 2021—Rejection of complaint by Ombudsman—Principles of Natural Justice—Requirement of a reasoned order—As a quasi-judicial authority, Banking Ombudsman must record reasons in support of its conclusions - Santhosh Kumar R.S. and another v. South Indian Bank Ltd. and others - I.L.R. 2026 Kerala OnLine 96 : [Neutral Citation No.2026:KER:20503.](#)

Bharathiya Nagarik Suraksha Sanhitha, 2023 (Central Act 46 of 2023)—Section 47— Person arrested to be informed of grounds of arrest and of right to bail—There is no reference to the quantity of the contraband seized from the possession of the accused in the grounds of arrest communicated to him—The requirement of Article 22(1) of the Constitution and Section 47 of BNSS would not be satisfied in such a case—Constitution of India—Article 22 (1) - Manu S. Nair v. State of Kerala - I.L.R. 2026 Kerala OnLine 102 : [Neutral Citation No.2026:KER:28159](#)

Code of Criminal Procedure, 1973 (Central Act 2 of 1974)—Sections 32, 378, 397 and 401—A person who files a complaint alleging offence under Section 138 of the NI Act has the right to prefer appeal under Section 378 or proviso to Section 372 against an order of acquittal by Sessions court in appeal—Since an appeal lies under the Code or the Sanhitha, no proceeding by way of revision shall be entertained at the instance of the party who could have filed the appeal—Bharatiya Nagarik Suraksha Sanhitha, 2023 (Central Act 46 of 2023)—Sections 413 and 419—Negotiable Instruments Act, 1881 (Central Act 26 of 1881)—Section 138 - Liji v. State of Kerala and another - I.L.R. 2026 Kerala OnLine 92: [Neutral Citation No.2026:KER:12589.](#)

Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (Central Act 19 of 1952)— Sections 2(e), 8B and 11(2)—The bank cannot claim priority on the strength of Section 26-E of the SARFAESI Act, and the EPF Organisation enjoys priority over other debts as provided under Section 11(2) of the Act 1952 since the amount became due towards the EPF arrears much prior to the mortgage created in favour of the bank—EPFO can claim priority towards payment of contribution dues over other debts, though they cannot claim first charge over the subject property since the first charge is provided only against the assets of the establishment—Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Central Act 54 of 2002)—Section 26E - Kallangodan Moosa and another v. Sub Registrar and others - I.L.R. 2026 Kerala OnLine 98 : [Neutral Citation No.2026:KER:13940.](#)

Motor Vehicles Act, 1988 (Central Act 59 of 1988)—Section 166— Proceedings before the Motor Accidents Claims Tribunal under Section 166 of the Motor Vehicles Act are civil in nature and the issue of negligence has to be adjudicated on the basis

of preponderance of probabilities, independent of the outcome of criminal proceedings— Opinion expressed in the final report or the result of the criminal case does not bind the Claims Tribunal and the parties are entitled to adduce evidence before the Tribunal to establish negligence - Menon P.S. v. Registrar General, High Court of Kerala and others -I.L.R. 2026 Kerala OnLine 94 : [Neutral Citation No.2026:KER:12467](#).

Panchayat Raj Act, 1994 (Kerala Act 13 of 1994)—Sections 156 and 191—President of the Panchayat is legally empowered to suspend an employee who is not a Secretary or Gazetted Officer when disciplinary proceedings are contemplated—In exercise of the powers under Section 191, the Government cannot go into the merits of the decision and come to a conclusion of illegality—When disciplinary proceedings are contemplated and suspension order is issued by the President as ratified by the Committee, Government cannot conduct a parallel enquiry and come to a conclusion regarding the guilt of the employee - President, Kizhakkambalam Grama Panchayath v. State of Kerala and others - I.L.R. 2026 Kerala OnLine 95 : [Neutral Citation No.2026:KER:13105](#)

Panchayat Raj Act, 1994 (Kerala Act 13 of 1994)—Sections 33 and 86—Disqualification for failure to submit accounts of election expenses— Mandatory notice is necessary to the person concerned before taking a decision regarding disqualification under Section 33 and the State Election Commission should see that the notice is served and his version is considered before ordering disqualification—Panchayat Raj (Conduct of Election) Rules, 1995 (Kerala)—Rule 59 - Dhanya Devadas v. Kerala State Election Commission and others - I.L.R. 2026 Kerala OnLine 101 : [Neutral Citation No.2026:KER:23472](#).

Petroleum Act, 1934 (Central Act 30 of 1934)—Section 31—Petroleum Act, 1934 and Petroleum Rules, 2002 overrides the Kerala Municipality Building Rules and Kerala Panchayat Building Rules, in view of exemption under Rule 47(1) of KMBR / KPBR— Petroleum Rules, 2002 (Central Rules)—Rule 146—Municipality Building Rules, 2019 (Kerala)—Rule 47—Panchayat Building Rules, 2019 (Kerala)—Rule 47 - Town Planner, Kannur L.S.G.D. Planning v. Biju T.M. and others - I.L.R. 2026 Kerala OnLine 99 : [Neutral Citation No. 2026:KER:10165](#).

Pl. visit our website – www.ilrkerala.gov.in
