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Adityasinh Ranjitsinh Ghatge
Law Student,
2nd Year, BBA.LL.B.,
Bharati Vidyapeeth New Law College, Pune

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When Fabricated Authority Enters the Judgment, Rethinking Adjudicatory Integrity after Pooja Ramesh Singh

Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd and Another, 2026 INSC 668

INTRODUCTION

Artificial intelligence entered Indian adjudication not through an abstract debate on judicial technology but through a more immediate institutional problem. Courts and tribunals began encountering authorities that looked authentic, carried plausible citations and sometimes even contained convincing propositions yet did not exist. *Pooja Ramesh Singh v Jammu and Kashmir Bank Ltd* confronted that problem at the level of judicial validity itself. The Supreme Court set aside orders of the National Company Law Tribunal and the National Company Law Appellate Tribunal after finding that the adjudicatory record contained non-existent cases, false citations and propositions attributed to judgments that did not support them.[1]

The significance of the decision lies in the remedy chosen by the Court. It did not treat fabricated authority as a correctable research error. It treated the contamination of adjudicatory reasoning as destructive of the integrity of the process and held that material generated or presented as precedent cannot be accepted without verification.[2] The judgment therefore moves beyond professional caution about AI. It raises a harder doctrinal question. When fabricated legal authority enters a decision, must the decision always fall even if independent and legally sufficient reasons remain available

This analysis argues that Pooja is persuasive in making authenticity of legal authority a condition of adjudicatory integrity. Its difficulty lies in converting that uncompromising duty of verification into an equally uncompromising rule of invalidity. The judgment does not sufficiently explain why lawful reasons cannot be severed from fabricated authorities where the result is independently supportable. That gap becomes especially important when read with earlier Indian doctrine on severability and with the Supreme Court's own emerging, risk sensitive

[1] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, [2026] 7 S.C.R. 571, paras. 1, 15–18.

[2] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, para. 7.

approach to judicial AI governance.[3]

FACTS OF THE CASE

The dispute arose from insolvency proceedings initiated by Jammu and Kashmir Bank against Essel Infraprojects Ltd as a corporate guarantor. The guarantee had been furnished in connection with financial facilities extended to another entity within the Essel group. Subsequent restructuring including demerger and merger arrangements led to a dispute over whether the guarantee continued to bind the corporate debtor.[4]

The NCLT admitted the application under Section 7 of the Insolvency and Bankruptcy Code. In reaching its conclusion, it referred to several supposed precedents. When the matter later reached the Supreme Court, verification revealed that some of those authorities did not exist, some citations belonged to different cases and some propositions attributed to genuine judgments could not be found in them. The Bank stated that its advocates had not supplied the impugned authorities to the Tribunal.[5]

The NCLAT nevertheless affirmed the admission order. Its decision did not rest only on the precedents appearing in the NCLT order. It relied on Clause 8 of the guarantee deed, the continuation of existing terms under the revised sanction of 2017, the absence of evidence showing discharge of the guarantee and a letter dated 12 December 2017 seeking release of the guarantee.[6] The appeal before the Supreme Court therefore presented both an AI integrity problem and a remedial question concerning the effect of contaminated reasoning on an otherwise reasoned appellate determination.

ISSUES BEFORE THE COURT

The principal issue was whether an adjudicatory decision could survive when non -existent authorities, false citations or fabricated propositions had entered its reasoning. This mattered because the Court had to determine whether such material constituted a mere research error or a defect affecting the validity of adjudication.[7]

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[3] *State of Maharashtra v. B.K. Takkamore*, AIR 1967 SC 1353, 1357–58. See also Supreme Court of India, *Draft Regulations for Use of Artificial Intelligence (AI) in Courts, 2026*, reg. 12.

[4] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 10–12.

[5] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 12, 15–16.

[6] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, Comp. App. (AT) (Ins.) No. 1808 of 2024, decided on Sept. 11, 2025 (NCLAT), paras. 17–19.

[7] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 6–7.

The statutory issue concerned the continuation of the corporate guarantee and the maintainability of proceedings under Section 7 of the Insolvency and Bankruptcy Code, 2016.[8]

The procedural issue concerned the duty of advocates and adjudicatory bodies to verify authorities relied upon during legal research and decision making.[9]

The broader policy issue concerned the permissible use of artificial intelligence in legal research and adjudication. Although no direct constitutional challenge arose, the controversy also implicated rule of law values of fairness, transparency, accountability, and reasoned decision making.[10]

ARGUMENTS OF THE PARTIES

The appellant challenged the continuation of the corporate guarantee and attacked the insolvency admission.[11] Once the false authorities were exposed, the challenge acquired an additional institutional dimension. The appeal therefore also raised the question whether a judicial decision could safely stand when part of its legal foundation consisted of authorities that were not real.[12]

The Bank defended the subsistence of the guarantee on the contractual record. It relied on the guarantee deed, the revised sanction, the absence of any express discharge and the later request seeking release of the guarantee. Significantly, it also placed on record that the fabricated cases had not been supplied by its advocates.[13] This shifted the problem away from adversarial misconduct alone and towards the adjudicatory system's own duty of verification.

JUDICIAL REASONING

The Supreme Court treated the use of fabricated material as an attack on the integrity of adjudication. The problem was not that AI had been used as such. The Court expressly left space for legitimate technological

[8] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 10–14.
[9] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, para. 7.
[10] *Kranti Associates (P) Ltd. v. Masood Ahmed Khan*, (2010) 9 SCC 496, para. 47.
[11] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, Comp. App. (AT) (Ins.) No. 1808 of 2024, decided on Sept. 11, 2025 (NCLAT), para. 14.
[12] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 14, 17–18.
[13] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, Comp. App. (AT) (Ins.) No. 1808 of 2024, decided on Sept. 11, 2025 (NCLAT), para. 15. See also *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, para. 16.

assistance. The defect arose because material that was false, non-existent or falsely attributed had been presented and relied upon as legal authority.[14]

The Court emphasised that adjudication depends on authentic sources. A precedent carries institutional weight because it represents an identifiable judicial decision whose reasoning, context and authority can be tested. A fabricated case imitates that authority without possessing any of its legal foundations. Once such material enters a judgment, it distorts the very process through which law is identified and applied.[15]

On that basis, the Court rejected any suggestion that the error could be ignored merely because the false material may not have been decisive. Its approach was categorical. Even indirect reliance on fabricated authority was treated as sufficient to undermine the adjudicatory process. The NCLT order and the NCLAT judgment were therefore set aside and the Section 7 proceedings were restored for fresh decision.[16]

Advocates were expected to verify authorities before presenting them while adjudicators could not disclaim responsibility merely because an AI tool had generated the material.[17] The judgment called for institutional safeguards and placed the problem within the wider concern of maintaining confidence in judicial reasoning.

The remedial formulation was deliberately absolute. The Court declared that even an iota of fake or hallucinated material entering the decision making process would violate the sanctity of adjudication. It also directed the Bar Council of India to constitute a committee, formulate guiding principles against submission of such material and consider disciplinary consequences for violations.[18] The judgment therefore combined invalidity, professional responsibility and institutional regulation in one coherent integrated response.

CRITICAL ANALYSIS

The judgement is strongest when it refuses to reduce fabricated authority to an ordinary citation defect. A wrong citation may misidentify a source. A fabricated precedent creates a source that never existed. The difference is constitutional in character because reasoned adjudication presupposes that the legal materials invoked by the decision maker can be

[14] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 1, 5–7.
[15] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 6–7.
[16] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 7, 17–19.
[17] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, para. 7.
[18] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, paras. 7–9.

independently verified. A party must be able to locate the authority, examine its context, distinguish its ratio and challenge its application. Hallucinated precedent defeats each of those possibilities. The Court was therefore right to connect source authenticity with institutional legitimacy.[19]

The harder question concerns remedy. The judgment appears to move from a sound premise, that fabricated authority is intolerable to a broader conclusion that any decision touched by it must be set aside irrespective of materiality.[20] Those propositions are not identical. Zero tolerance can operate as a rule of professional conduct and institutional verification without necessarily becoming a rule of automatic nullity.

That distinction matters because Indian public law has long recognised that a decision resting on multiple grounds does not invariably collapse when one ground is irrelevant or non-existent. In State of Maharashtra v B K Takkamore, the Supreme Court accepted that an administrative or quasi judicial order may survive where the remaining valid grounds independently support the result and the invalid ground could not have affected the ultimate opinion.[21] The analogy is not perfect. A fabricated judicial precedent is more corrosive than an ordinary irrelevant consideration because it impersonates law itself. Yet the judgement does not sufficiently explain why that difference should eliminate severability in every case.

The facts make the omission especially important. The NCLAT did not merely reproduce the NCLT's defective authorities. It relied independently on Clause 8 of the guarantee, the 2017 sanction preserving existing terms, the absence of discharge and the later request for release.[22] Whether those conclusions were correct is a separate question. Their existence shows that the appellate judgment contained lawful reasons apart from the contaminated precedents.

A more developed analysis was therefore required before treating the NCLAT decision as legally unsustainable. The Court could have asked whether the fabricated authorities were causally significant, whether they supplied an indispensable proposition, whether the valid reasoning was genuinely independent and whether the same result would necessarily have followed without them. Instead, the judgment largely collapses contamination and invalidity into a single inquiry.

[19] *Kranti Associates (P) Ltd. v. Masood Ahmed Khan*, (2010) 9 SCC 496, para. 47.
[20] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, 2026 INSC 668, para. 7.
[21] *State of Maharashtra v. B.K. Takkamore*, (1967) 2 SCR 583, 594–595.
[22] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd. & Anr.*, Comp. App. (AT) (Ins.) No. 1808 of 2024, decided on Sept. 11, 2025 (NCLAT), paras. 17–19.

The competing approach adopted by the Andhra Pradesh High Court in Gummadi Usha Rani v Sure Mallikarjuna Rao makes this tension visible. That Court accepted that the trial judge had referred to AI generated authorities that did not exist yet declined to set aside the order because the governing legal principle and its application were otherwise sound.[23] The Supreme Court in *Pooja Ramesh Singh* is normatively more demanding but it does not fully engage with the logic behind such a materiality based approach. The result is a powerful rule with an underdeveloped remedial theory.

The deeper wrong is not uniquely technological. A lawyer, clerk or judge could invent a precedent without using AI. The judgement is therefore better understood through a principle of adjudicatory authenticity. What matters is whether a decision invokes legal authority that cannot withstand verification. That framing would keep the doctrine technologically neutral as AI tools change.

The Supreme Court's Draft Regulations for Use of Artificial Intelligence in Courts, 2026 reinforce this point. The draft framework insists on human primacy, verification, accountability and proportionality. It permits assistive uses while keeping adjudicatory responsibility with human decision makers.[24] That model is risk sensitive. The judgement, by contrast, adopts a categorical remedial consequence. The difference does not make the judgment inconsistent with the draft framework but it does expose an unanswered question. If AI governance is calibrated according to risk and institutional impact, why should every instance of fabricated authority produce the same consequence for the validity of the final decision

A better rule would preserve the severity of the Court's institutional message while separating three questions. First, was false authority introduced into the adjudicatory process. Second, who failed in the duty of verification. Third, did the false authority materially contribute to the legal conclusion. The first two questions should attract strict standards. The third should determine whether the decision itself must be nullified. Such an approach would protect judicial integrity without treating professional accountability and remedial invalidity as necessarily coextensive.

Such a test would also improve appellate discipline. It would require the reviewing court to identify how the fabricated authority operated within

[23] *Gummadi Usha Rani v. Sure Mallikarjuna Rao*, C.R.P. No. 2487 of 2025, decided on Jan. 21, 2026 (A.P. H.C.), paras. 35–36.
[24] Supreme Court of India, *Draft Regulations for Use of Artificial Intelligence (AI) in Courts, 2026*, regs. 4, 8, 12, 19 and 20, available at https://www.sci.gov.in/notices-and-circulars/ (last visited Sept. 17, 2026).

the reasoning rather than treating its mere presence as self-proving prejudice. That inquiry would make the remedy transparent, reviewable and consistent across adjudicatory settings.

COMPARATIVE PERSPECTIVE

Foreign courts have confronted the same phenomenon primarily through professional responsibility. In *Mata v Avianca*, a United States federal court sanctioned lawyers who submitted fictitious authorities generated through ChatGPT and failed to verify them.[25] The focus was on counsel's duties to the court and the consequences of presenting false material.

English decisions, including Ayinde v London Borough of Haringey have similarly emphasised verification, supervision and the professional obligations of lawyers placing authorities before a court.[26] These approaches do not diminish the seriousness of hallucinated material. They locate the immediate sanction more directly in responsibility for its introduction.

The Supreme Court in *Pooja Ramesh Singh* goes further. It is not confined to disciplining the actor who introduced or failed to detect false material. It addresses the legal sustainability of the adjudicatory product itself.

POLICY IMPLICATIONS

For governance, it requires courts, tribunals and administrative authorities using AI assisted tools to develop reliable systems for verifying legal authorities before decisions are issued. This is particularly important in tax, customs, insolvency and regulatory adjudication where an invalid order may impose substantial commercial costs and force parties to repeat lengthy proceedings.

The decision also has a procedural rights dimension. A party must be able to identify, examine and challenge the legal authorities on which an adverse decision rests. Fabricated precedent undermines that ability and therefore affects fairness and reasoned adjudication.

Future litigation is likely to concern the point left unresolved by the judgment, namely whether every use of fabricated authority requires nullification or whether materiality should matter. Regulators will also need to determine how verification duties should be allocated among advocates, researchers, adjudicators and institutions.

[25] *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443, 448–449 (S.D.N.Y. 2023).
[26] *R (Ayinde) v. London Borough of Haringey*, [2025] EWHC 1383 (Admin), paras. 6–8.

Immediate legislative amendment may not be necessary. Clear judicial standards, professional conduct rules, institutional verification protocols and finalised AI governance norms may provide a more flexible response while the technology and its risks continue to develop.

RECOMMENDATIONS

Courts should adopt a clear verification protocol for authorities used in judgments and orders particularly where research has been assisted by generative AI. Every cited decision should be traceable to an authentic database or official source before pronouncement.

Professional regulators should treat the submission of unverified fabricated authority as serious misconduct where negligence or deliberate misuse is established. Equivalent accountability should exist within adjudicatory institutions through training, supervisory mechanisms, and documented review procedure.

Fabricated authority should trigger a presumption of serious adjudicatory defect but the validity of the decision should depend on whether the false material supplied a necessary legal proposition, materially influenced the reasoning or infected the independent assessment of the case. Where authentic and severable grounds necessarily sustain the result, disciplinary and institutional consequences may remain severe without requiring automatic nullity.

CONCLUSION

Pooja Ramesh Singh correctly recognises that fabricated authority threatens something deeper than citation accuracy. It compromises the authenticity of legal reasoning and weakens confidence in adjudication itself. The Supreme Court was therefore justified in rejecting any casual accommodation of AI generated fiction within judicial decisions.

Its lasting difficulty lies in remedy. The judgment does not fully explain why zero tolerance in verification must always translate into zero tolerance for the continued validity of a decision supported by independent lawful reasons. That question has become more important as the principle moves beyond insolvency adjudication into administrative decision making.

The more durable legacy of *Pooja Ramesh Singh* should therefore be an adjudicatory authenticity doctrine rather than a technology specific prohibition. Courts should insist on absolute verification of legal authority, attach real responsibility to those who fail that duty and invalidate decisions where fabricated material meaningfully enters the chain of reasoning. Such a framework would preserve the institutional

force of Pooja while giving future courts a more principled method for deciding when contamination must result in nullity.