

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO:2487 OF 2025

ORDER:

Heard Sri M.Venkata Siva Teja, learned counsel for the petitioners and perused the material on record.

2. The present Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioners (defendants 1 and 2), challenging the order dated 19.08.2025 passed in O.S.No.773 of 2019 in the Court of the V Additional Junior Civil Judge, Vijayawada, on the petitioners' application in I.A.No.457 of 2025 under Section 151 of the Code of Civil Procedure (in short 'C.P.C') to struck down the advocate commissioner's report dated 08.07.2025 filed in I.A.No.178 of 2023 in the said suit.

I. Facts :-

3. The suit was filed by the plaintiffs/respondents for permanent injunction along with the other reliefs.

4. The plaintiffs filed I.A.No.178 of 2024 to issue the advocate commissioner, which was dismissed. The petitioners filed C.R.P.No.1658 of 2023, which was disposed of by order dated 12.12.2024, setting aside the order of rejection dated 02.05.2023 with direction to appoint the advocate commissioner to identify the property purchased by the 1st

defendant under Document No.6404 of 1989 and submit the report, whether the plaint schedule property fell within the same or not. It was further provided that the advocate commissioner shall take the help of the Town/Mandal Surveyor for conducting the survey. Thereafter, the advocate commissioner conducted the inspection and submitted the report dated 07.07.2025.

5. The defendants/petitioners filed I.A.No.457 of 2025 to set aside the advocate commissioner's report, *inter alia* on the grounds that the advocate commissioner colluded with the plaintiffs and did not act in accordance with the directions issued in C.R.P.No.1658 of 2023. The advocate commissioner did not take the assistance of Town/Mandal Surveyor.

6. The plaintiffs/respondents filed the counter in I.A.No.457 of 2025. They denied the averments of the application that the advocate commissioner conducted the commission without following the directions of the High Court. They contended that the defendants suppressed the material facts, that the 1st defendant had divided the entire property, and she had also executed the sale deed. There was no collusion between the advocate commissioner and the plaintiffs.

7. The learned Trial Court framed the following points for consideration :-

1. *“Whether the petition filed u/s 151 CPC to strike down the advocate commissioner’s report is maintainable?*
2. *Whether the advocate commissioner has acted outside the scope of the directions of the Honourable High Court in C.R.P.No.1658/2023?*
3. *Whether the petitioners have substantiated their allegations of collusion and misconduct by the advocate commissioner?”*

8. The learned Trial Court decided the aforesaid points against the petitioners. It held that the commissioner’s report is an aid to the Court. It is to be weighed like any other piece of evidence and could not be shown to be vitiated by bias or misconduct. It is a valuable piece of evidence to be considered at trial. The allegation that the advocate commissioner went beyond the scope of his duties and collusion with the plaintiffs should be examined closely at the stage of trial and cross-examination. At the present stage, there was no concrete evidence showing any intentional violation of the directions of this Court or of collusion with the plaintiffs. The allegations of collusion, misconduct, etc. must be proved by clear and cogent evidence and mere assertion would not be sufficient to strike down

the report. With the aforesaid reasons, the learned Trial Court dismissed the I.A.No.178 of 2023.

9. The learned Trial Court in its judgment referred to the following judgments vide order dated 19.08.2025 and accepted the report as a part of the record to be considered during the trial/hearing of the suit.

i) Subramani v. M.Natarajan((2013) 14 SCC 95,

ii) Chidambaram Pillai v. SAL Ramasamy(1071 (2) SCC 68,

iii) Lakshmi Devi v. K.Prabha((2006) 5 SCC 551 and

iv) Gajanan v. Ramdas((2015) 6 SCC 223).

II. Submissions of the learned counsel for the petitioners :-

10. Sri M.Venkata Siva Teja, learned counsel for the petitioners submitted that the order of the learned Trial Court cannot be sustained. The citations/rulings relied upon by the learned Trial Court are not available neither by citation nor by the parties names. Those are non-existent rulings. So order passed basing on the non-existence ruling for the preposition of law, the impugned order is liable to be set aside.

III. Point for consideration :-

11. The following point arises for consideration and determination :-

“Whether the impugned order dated 19.08.2025 deserves to be set aside as it refers to the non-existent

***citations/rulings generated by Artificial Intelligence Tool
?”***

IV. Consideration / Analysis :-

12. I have considered the submissions advanced and perused the material on record.

a) Order dated 26.09.2025 and the Report :

13. Considering the said submission, initially, by order dated 26.09.2025, this Court called for the report from the learned Trial Court with respect to the citations/rulings. The report was submitted. As per the report, the citations were referred in good faith, which were Artificial Intelligence (AI) generated. The Judicial Officer reported that she had for the first time, made use of an Artificial Intelligence Tool, which displayed those references and believing those to be genuine and relevant she incorporated those citations in the order. After the order of this Court calling for the report, she verified but was unable to trace those judgments or their authentic reporting either in the law journals or on the official databases. Her search for those judgments failed. She realized that those citations were generated by the AI Tool and were not the real rulings. The learned Judicial Officer expressed that there was no intention to misquote or misrepresent those rulings in the judicial pronouncement and the

mistake occurred solely due to the reliance on an automatic source. She expressed that in future, she shall exercise greater caution in verifying citations from the authoritative sources.

14. Report is accepted.

b). Use of Artificial Intelligence (AI)

15. This Court considers it appropriate in the context of the present case, to address, briefly, the issue of the use of AI in judgments.

16. The use of Artificial Intelligence (AI), in its present stage of development, may function only as a tool capable of assisting in tasks such as organising information and summarizing records. It does not possess consciousness, moral reasoning, or the capacity to weigh evidence, or appreciate the nuances of human conduct.

17. In ***Venkateshwarlu Bandla Vs. Solicitors Regulation Authority***, Case No. AC-2024-LON-003457, ENGLAND AND WALES HIGH COURT (ADMINISTRATIVE COURT), Decided On: 13.05.2025,¹ the appellant cited a large number of judgments before the court and out of those many were non-existent. It was held that the Court needs to take decisive action to protect the integrity of its processes against any citation of fake

¹ MANU/UKAD/0272/2025

authority. Paragraph Nos. 50 to 52 of the judgment are reproduced as under:

“Citing Fake Authority

50. *The final topic is one I foreshadowed when referring to Case-Law near the start of this judgment. It relates to the citation of authority to the Court. I have described the many documents put before the Court by the Appellant, in support of his application for an extension of time and his appeal. He has even provided a witness statement which describes the "utility" of "cited cases" as "illuminating the manner in which legal principles have been applied by courts", and as "serving as persuasive tools". He describes himself as endeavoring to identify and present cases bearing the closest resemblance to this appeal. A large number of cases are cited in his documents.*

51. *Within the SRA's skeleton argument (dated 6 May 2025), and addressed in detail in an Annex to that skeleton argument, there is a description of the inability of the SRA and its solicitors in locating cases that have been cited in the Appellant's grounds of appeal and also in his own skeleton argument (21 April 2025). During his oral submissions the Appellant told me that he had written a synopsis of a judgment in a case which he was citing; and that he had done so having read the judgment himself. I put to him, as an illustration, the first of the many cases which he had cited, but which the SRA having undertaken legal research say does not exist. This is just the first of some 27 such authorities listed in the SRA's Annex. In fairness to the Appellant, I ought to record that two of the 27 are, I think, wrongly criticised. What the Appellant called Osborne was Osborn and was MANU/UKSC/0110/2013 : [2013] UKSC 61. Ghosh in 2000 was a Privy Council case; not as the Appellant cited it a House of Lords case. I return to the first of many examples of a non-existent case, being cited in support of this appeal. This is from the Grounds of Appeal:*

R (on the application of Smith) v Parole Board [2005] EWCA Civ 188. This case involved an appellant who suffered from a mental disorder and sought to challenge a decision made by the Parole Board out of time. The Court of Appeal ruled that tribunals and courts must consider the mental health of the appellant and how it impaired their ability to act within time. The court emphasized that justice requires a flexible approach, especially when mental illness is a factor.

52. *The SRA's Annex records that the SRA was unable to locate this case; that the citation was incorrect and was for a case with different parties; that cases with this name do exist; but that they do not appear to stand for the proposition given. (I interpose that I have myself looked at [2003] EWCA Civ 1269 and at MANU/UKHL/0054/2005 : [2005] UKHL 1.) The Appellant's response was as follows. He told me that he did not write this summary himself. He told me he had not read this judgment himself. He denied using AI or any source identifiable as AI. He claimed to have simply used a Google search for "case law in support of mental health problems". He accepts that this case, and many other cases which he cited to this Court, do not in fact exist. He told me that he never "double-verified" them. He later accepted that he never checked them at all."*

18. In ***Frederick Ayinde and Ors. vs The London Borough of Haringey and Ors.***, Case Nos. AC-2024-LON-003062 and CL-2024-000435, ENGLAND AND WALES HIGH COURT (ADMINISTRATIVE COURT), Decided On: 06.06.2025² wherein reliance was placed on numerous authorities, many of which appeared to be either completely fictitious or which, if they exist at all, did not contain the passages

² MANU/UKAD/0304/2025

supposedly quoted from them, or did not support the propositions for which they were cited. It was concluded that it is the lawyer's professional responsibility to ensure the accuracy of the material put forth before the court. Paras 73 and 74 of the judgment are reproduced as under:

"73. The claimant, Mr Al-Haroun, seeks damages of £89.4 million for alleged breaches of a financing agreement. His solicitor is Abid Hussain of Primus Solicitors. The defendants are the Qatar National Bank and QNB Capital. The defendants filed applications to dispute the court's jurisdiction and to strike out the claim or to enter summary judgment. Directions were given for the hearing of those applications. In April 2025, Dias J extended the time for the defendants to file and serve evidence in relation to the applications. The claimant applied to set aside that order. He provided a witness statement, and he also relied on a witness statement from his solicitor, Abid Hussain. The parties agreed that the application did not require a hearing. On 9 May 2025, Dias J dismissed the application. She referred to the papers for consideration by the Hamid judge. She gave the following reasons:

"The court is deeply troubled and concerned by the fact that in the course of correspondence with the court and in the witness statements of both Mr Al Haroun and Mr Hussain, reliance is placed on numerous authorities, many of which appear to be either completely fictitious or which, if they exist at all, do not contain the passages supposedly quoted from them, or do not support the propositions for which they are cited: see the attached schedule of references prepared by one of the court's judicial assistants.

It goes without saying that this is a matter of the utmost seriousness. Primus Solicitors are regulated by the SRA and Mr Hussain is accordingly an officer of the court. As such, both he and they are under a duty not to mislead or attempt to mislead the court, either by their own acts or omissions or by allow-

ing or being complicit in the act or omissions of their client. The administration of justice depends upon the court being able to rely without question on the integrity of those who appear before it and on their professionalism in only making submissions which can properly be supported.

Putting before the court supposed "authorities" which do not in fact exist, or which are not authority for the propositions relied upon is prima facie only explicable as either a conscious attempt to mislead or an unacceptable failure to exercise reasonable diligence to verify the material relied upon.

For these reasons, the court considers it appropriate to refer the case for further consideration under the Hamid jurisdiction, pending which all questions of costs are reserved."

74. The schedule of references referred to by Dias J lists forty five citations that had been put before the court. In eighteen instances, the case cited does not exist. In respect of those cases that did exist, in many instances they did not contain the quotations that were attributed to them, did not support the propositions for which they were cited, and did not have any relevance to the subject matter of the application. In the judicial assistant's pithy conclusion "The vast majority of the authorities are made up or misunderstood."

19. Similarly, in **Mr. Deepak vs Heart & Soul Entertainment Ltd**,³ the respondent had filed written submissions which contained few give-away features, such as green-box tick-marks, bullet-point-marks, repetitive submissions etc., where in the Court strongly felt that the submissions were prepared using an AI tool such as Chat GPT or alike. It also referred to one alleged case law "Jyoti w/o Dinesh Tulsiani Vs. Elegant Associ-

³ 2026: BHC-AS:828, Writ Petition No. 8390 of 2009, Decided on 07.01.2026.

ates". Neither the citation was given nor a copy of judgment was supplied by the Respondent. The Bombay High Court held that use of AI tools in aid of research is welcome but there is a great responsibility upon the party, even an advocate using such tools, to cross verify the references and make sure that the material generated by the machine/computer is really relevant, genuine and in existence.

20. This highlights the risks involved in relying on AI tools without meaningful human oversight to verify the accuracy of the assertions they generate. The people who employ AI for legal research should rigorously scrutinize its outputs, including the authorities cited. Such tools may lack access to the complete body of relevant law, may not fully comprehend the query posed, or may overlook material authorities. In such circumstances, AI systems can produce responses that appear persuasive yet are factually or legally incorrect. More concerningly, they may fabricate authorities or cite existing cases that are irrelevant to the issue under consideration.

21. The submission of fictitious opinions gives rise to multiple harms: the opposing party is compelled to expend time and resources in exposing the falsity; valuable judicial time is diverted from legitimate adjudicatory functions; and litigants may be deprived of arguments grounded in genuine judicial precedents. There is also the serious risk of damage to the

reputation of the judges and the courts whose names are falsely attributed to fictitious opinions, as well as to parties associated with fictional conduct. Such practices foster mistrust toward the legal profession and the Justice delivery system.

22. Thus, although AI tools can be beneficial, their unregulated use may give rise to serious concerns, including violations of privacy and damage to the confidence and trust in the judicial decision-making and the judicial verdict.

23. The Hon'ble Apex Court in the case of ***Annaya Kocha Shetty vs Laxmibai Narayan Satose***⁴ noted that the Courts are also confronted with AI-generated or computer-generated statements. It observed that while technology is useful in enhancing efficiency and efficacy, the placid pleadings will disorient the cause in a case.

24. Therefore, in the view of this Court, the exercise of *actual intelligence* over *artificial intelligence* should be preferred and the use of Artificial Intelligence should be done with great care, caution and wisdom. The learned Trial Courts while using the Artificial Intelligence tools in judgments shall remain vigilant cautious and act with judicial application of mind to make just decision ensuring that the judgments/orders are based on correct legal principles.

⁴ 2025 SCC Online SC 758

c). Legality and validity of the impugned order

25. The citations as relied upon by the learned Trial Court do not exist. The submission of the learned counsel for the petitioners is that as those rulings do not exist, the reliance placed thereon is misconceived and so the order passed referring to those citations deserves to be set aside.

26. This Court is not in agreement with the submission advanced by the learned counsel of the petitioners. This Court is of the view that the citations may be non-exist, but if the learned Trial Court has considered the correct principles of law and its application to the facts of the case is also correct, mere mentioning of incorrect or non-existent rulings/citations in the order cannot be a ground to set aside the order. If the principle of law applied is not the law of the land or its application in a given case is faulted because of relying on non-existent rulings generated by AI, then the case for interference would be made out.

27. Order XXVI Rule 10 C.P.C reads as under:

“10. Commissioner to submit report.—

(1) The Commissioner, after such local inspection or inquiry as may be directed, shall submit his report in writing signed by him to the Court, together with such evidence as he may have taken.

(2) The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court or, with the permission of the Court, any of the parties to the suit may examine the Commissioner personally in open Court touching any of the

matters referred to him or mentioned in his report, or as to the manner in which he has made the investigation.

(3) Where the Court is for any reason dissatisfied with the proceedings of the Commissioner, it may direct such further inquiry to be made as it shall think fit.”

28. In ***Bandhua Mukti Morcha vs. Union of India***⁵, the Hon’ble Apex Court held that the report of the commissioner would furnish prima facie evidence of the facts and data gathered by the commissioner. Once the report of the commissioner is received, copies of it would be supplied to the parties so that either party, if it wants to dispute any of the facts or data stated in the report, may do so by filing an affidavit. It was further held that it would be entirely for the Court to consider what weight it should attach to the facts and data stated in the report of the commissioner and to what extent it should upon such facts and data.

29. In ***M.P.Rajya Tilhan Utpadak Sahakari Sangh Maryadit, Pachama, District Sehore and others v. Modi Transport Service***⁶, the Hon’ble Apex Court held that the Commissioner does not strictly perform a "judicial act which is binding" but only a "ministerial act". Nothing is left to the Commissioner's discretion, and there is no occasion to use his judgment or permitting the Commissioner to adjudicate and decide the issue involved; the Commissioner's report is only an opinion or noting, as

⁵ (1984) 3 Supreme Court Cases 161

⁶ (2022) 14 SCC 345

the case may be with the details and/or statement to the court the actual state of affairs. Such a report does not automatically form part of the court's opinion, as the court has the power to confirm, vary or set aside the report or in a given case issue a new commission. The Hon'ble Apex Court further held that sometimes, on examination of the Commissioner, the report forms part of the record and evidence. The parties can contest an expert opinion/Commissioner's report, and the court, after hearing objections, can determine whether or not it should rely upon such an expert opinion/Commissioner's report. Even if the court relies upon the same, it will merely aid and not bind the court. In strict sense, the Commissioners' reports are "non-adjudicatory in nature", and the courts adjudicate upon the rights of the parties.

30. It is apt to reproduce paragraph No.37 of ***M.P.Rajya Tilhan Utpadak Sahakari Sangh Maryadit*** (supra) as follows :

"37. Order 26 Rule 9 of the Code gives wide powers to the court to appoint a Commissioner to make local investigations which may be requisite or proper for elucidating any matter in dispute, ascertaining the market value of any property, account of mesne profit or damages or annual net profits. Under Order 26 Rule 11, the court has the power to issue a commission in a suit, in which examination of adjustment of accounts is necessary, to a person as it thinks fit directing him to make such examination or adjustment. When a court issues such a commission to such a person, it can direct the Commissioner to make such an investigation, examination and adjustment and submit a report thereon to the court. The Commissioner so appointed does not strictly perform a "judicial act which is binding" but only a "ministerial act". Nothing is left to the Commissioner's discretion, and there is no

occasion to use his judgment or permitting the Commissioner to adjudicate and decide the issue involved; the Commissioner's report is only an opinion or noting, as the case may be with the details and/or statement to the court the actual state of affairs. Such a report does not automatically form part of the court's opinion, as the court has the power to confirm, vary or set aside the report or in a given case issue a new commission. Hence, there is neither abdication nor delegation of the powers of functions of the court to decide the issue. Sometimes, on examination of the Commissioner, the report forms part of the record and evidence. The parties can contest an expert opinion/Commissioner's report, and the court, after hearing objections, can determine whether or not it should rely upon such an expert opinion/Commissioner's report. Even if the court relies upon the same, it will merely aid and not bind the court. In strict sense, the Commissioners' reports are "non-adjudicatory in nature", and the courts adjudicate upon the rights of the parties."

31. In ***Kanchi Subbamma and others vs. Mannepalli Penchalaiah***⁷ of High Court of Andhra Pradesh at Hyderabad, on the point of evidentiary value of the commissioner's report held in paragraph No.6 as follows :

"6.....In my opinion he could not have done so. The report of the commissioner does not have any evidentiary value except to show what he saw on the site when he inspected it. Except what he personally saw existing on the site at the time when he inspected the land no other fact with reference to the report can be proved. Secondly the commissioner's report is not regarded as substantive evidence. The commissioner's report can be used only for the limited purpose of appreciating the evidence which the parties have led with reference to what he personally saw on the site when he inspected the land. It can never prove title or possession....."

⁷ 1977 SCC OnLine AP 115

32. In ***Chandrapal and others vs. Roop Ram and others***⁸, the Allahabad High Court held that the commissioner's report has to be examined in the light of the other evidence. Relevant part of paragraph No.10 is as follows :

“10..... On being confirmed, the report of a survey commissioner is undoubtedly read as evidence in the case, but that does not mean that any opinions expressed therein by survey commissioner are conclusive and binding on the court. The report has to be examined in the light of the other evidence and the other evidence judged in the light of the report and the court has to arrive at its findings on the basis of the entire evidence on the record in the light of the pleadings of the parties on the issues that arise for decision in the case....”.

33. The learned Trial Court has observed that the advocate commissioner's report is a valuable piece of evidence. It is also to be weighed and scrutinized and considered like any other piece of evidence, in the light of the other evidence on record. Unless shown to be vitiated by bias or misconduct, it required consideration at the trial stage. The learned Trial Court also observed that mere allegation or averment of collusion with the plaintiffs and the advocate commissioner would not be sufficient. It required to be examined at the stage of trial in the light of the evidence available at that time, and cannot be accepted at this stage on mere allegation. Mere assertions cannot justify striking down the commissioner's report.

⁸ 1978 SCC OnLine ALL 819

34. The reasons recorded in the order and the view taken by the learned Trial Court, is perfectly justified. It has the support of law. The commissioner's report is a piece of the evidence. It is to be considered at the final hearing subject to the objections raised and the evidence on record. The petitioners may raise objections to the report, for which, the learned Trial Court has also observed viz., by way of cross examination. The order therefore, does not cause any prejudice to the petitioners at this stage. The opportunity has been kept open to the petitioners to raise the correctness of the report on evidence.

35. This Court does not find any illegality in the impugned order. Merely because non-existing citations were referred due to the use of Artificial Intelligence Tool, without due verification, the order would not be vitiated, when the law stated in the order and its application is correct keeping in view the principles in the cases of ***Bandhua Mukti Morcha*** (supra) **and** ***M.P.Rajya Tilhan Utpadak Sahakari Sangh Maryadit*** (supra).

V. Conclusion :-

36. Thus considered, I conclude

- a) that mere mention of the non-existent citations/rulings generated by Artificial Intelligence in the order would not vitiate the order if the law as considered in the order is*

the correct law of the land and there is no fault in applying the correct law, correctly to the facts of the case.

- b) But if the principle of law applied is not the law or the application of the law is not correct being based on AI tools, the order would be liable to be set aside.*
- c) The impugned order does not suffer from any error of law or of jurisdiction. It does not call any interference by this Court in the exercise of the jurisdiction under Article 227 of the Constitution of India.*

VI. Result :-

37. In the result, the Civil Revision Petition has no merits and is dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications pending if any, shall stand closed.

RAVI NATH TILHARI, J

Date: .01.2026

Note :- L.R. Copy to be marked.

B/o

Pab/Rpd.

***HON'BLE SRI JUSTICE RAVI NATH TILHARI**

+ CIVIL REVISION PETITION NO: 2487 OF 2025

% .01.2026

#1. Gummadi Usha Rani and another.

.....Petitioners

And:

\$ 1. Sure Mallikarjuna Rao and another.

....Respondents.

!Counsel for the petitioners : Sri M.Venkata Siva Teja

^Counsel for the respondent/(s) : ---.

<Gist:

>Head Note:

? Cases referred:

1. MANU/UKAD/0272/2025
2. MANU/UKAD/0304/2025
3. 2026: BHC-AS:828, Writ Petition No. 8390 of 2009, Decided on 07.01.2026
4. 2025 SCC Online SC 758
5. (1984) 3 Supreme Court Cases 161
6. (2022) 14 SCC 345
7. 1977 SCC OnLine AP 115
8. 1978 SCC OnLine ALL 819

HON'BLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 2487 OF 2025

1. Gummadi Usha Rani and another.

.....Petitioners

And:

1. Sure Mallikarjuna Rao and another.

....Respondents.

DATE OF JUDGMENT PRONOUNCED : .01.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

- | | |
|---|--------|
| 1. Whether Reporters of Local newspapers may be Allowed to see the judgments? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Your Lordships wish to see the fair Copy of the Judgment? | Yes/No |

RAVI NATH TILHARI, J

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO.2487 OF 2025

DATE: .01.2026

Note :- L.R. Copy to be marked.

B/o

Pab/Rpd.