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Judicial Review or Public Pressure? Rethinking the Supreme Court's Reversed Stray-Dog Judgment.

-Akanksha Kumari

The Supreme Court exercising its *suo motu* power, delivered its order on August 11 2025, in reference to the article “CITY HOUNDED BY STRAYS, KIDS PAY PRICE”.¹ Under the earlier instruction, local authorities were required to immediately begin collecting stray dogs, set up shelters within eight weeks, and remove them permanently from public spaces, streets, and colonies. Within days of the decision, nationwide protests by animal rights groups and dog welfare activists compelled a re-examination.

A new ruling headed by Justice Vikram Nath overturned the ruling rendered by Justices J B Pardiwala and R Mahadevan on August 11, 2025. On August 14, 2025, Chief Justice of India B R Gavai constituted a new bench consisting of Justices Vikram Nath, Sandeep Mehta, and N V Anjaria in response to the matter.² On August 22, 2025, they issued a verdict that reversed the previous decision and mandated that dogs adopted by municipal organisations be vaccinated, sterilised, and given back to their original families.

The essential question remains: whose holds greater significance those of stray animals or those of humans, or was the Supreme Court's reversal legally justifiable, or was it driven by public pressure and emotion?

EXAMINING THE OLD ORDER'S DEFICIENCIES, CONSTITUTIONAL FOUNDATION AND LEGAL JUSTIFICATION.

The concern of Supreme court regarding public safety has an empirical basis. PIB (Press Information Bureau) data discloses an escalating statistics of dog bites from 21.8 lakh in 2022

¹ In re “City Hounded by Strays, Kids Pay Price”, 2025 INSC 977 (SC 2025) (India)

² Hasan Khurshid, Supreme Court's Stray Dog Verdict: Justice, Bias, and the Cost of Public Safety, DAILY PIONEER, Sept. 19, 2025, <https://www.dailypioneer.com/2025/columnists/supreme-court—s-stray-dog-verdict—justice-bias-and-the-cost-of-public-safety.html>.

to 37.1 lakh in 2024 whereas Delhi cases climbing from 6,691 to 25,210 within the same year.³ The Delhi government already mandated sterilisation under the ABC (Animal Birth Control) Rules, 2001⁴ but there was no explicit Supreme Court sterilisation order prior to 2025 but by neither significantly extending these measures nor increasing the focus on the existing initiatives, the Supreme court's initial order effectively disregarded the framework that was already in place.

In the earlier stray dogs order, the Supreme Court considered Article 19(1)(d): ensures that all Indian citizens are free to move around the country, while Article 21 protects each person's right to life and freedom, which includes living a dignified and safe life.⁵

The Supreme Court held that although Articles, 48 , 51A(g) and (h) reflect the Constitution's concern for animal welfare and compassion for living beings, such provisions are directive principles of state policy rather than legally enforceable rights.⁶ Thus, according to the Court, they must function in conformity with the fundamental rights which remain paramount under the constitution. Supreme Court used the legal precedent established in *Animal Welfare Board of India v. Union of India*.⁷

Consequently, the Supreme Court passed an order on 22 August 2025, wherein the said order was quashed and it was held that the dogs picked up by civic bodies were to be vaccinated, sterilised, and sent back to their respective places.⁸

The latest order has sought to strike a fine balance between human safety and welfare of animals. While the Prevention of Cruelty to Animals Act of 1960⁹ is strictly followed, there is also an acknowledgement of the need to treat animals with compassion and humanity. Chief Secretaries and NHAI Chairpersons are made personally liable, the message conveyed being that every action should be lawful, humane, guided by regard for human life and dignity, over and above the statutory entitlements.

³ In re "City Hounded by Strays, Kids Pay Price", 2025 INSC 977(SC 2025) (India)

⁴ The Prevention of Cruelty to Animals (Animal Birth Control (Dogs)) Rules, 2001, S.O. 1256(E) (India), https://chdanimalthusbandry.gov.in/pdf/ABC__Dogs__Rules__2001.pdf.

⁵ Ministry of External Affairs, Government of India, The Constitution of India, Part III: Fundamental Rights (n.d.), <https://www.mea.gov.in/images/pdf1/part3.pdf>.

⁶ Ministry of External Affairs, Government of India, The Constitution of India, Part IV: Directive Principles of State Policy (n.d.), <https://www.mea.gov.in/images/pdf1/part4.pdf>.

⁷ *Animal Welfare Bd. of India v. Union of India*, (2023) 9 SCC 322 (India).

⁸ In re "City Hounded by Strays, Kids Pay Price", 2025 INSC 1357 (SC 2025) (India).

⁹ The Prevention of Cruelty to Animals Act, No. 59 of 1960 (India), https://www.indiacode.nic.in/bitstream/123456789/11237/1/the_prevention_of_cruelty_to_animals_act%2C_1960.pdf.

Justice Vikram Nath said, “I was known only amongst the lawyers for my judgments, but I must thank the stray dog case for giving me international publicity. I must also thank my CJI for assigning this matter to me.” His remarks later attracted criticism. He went on to say, with assumed humour, that not only the dog lovers but the dogs themselves had blessed him. While some see these utterances as innocuous and light-hearted while others view these as a disturbing reflection of judicial mindset that prioritise personal sentiment.

A CRITICAL EVALUATION OF RULE OF LAW VS COMPASSION

The 2025 Supreme Court orders have been a balancing act between human rights, animal welfare, and compliance with statutes but they also create unfathomable constitutional tensions. The first order, on August 11, 2025, while considering the safety of human life under Article 21, ordered the removal of stray dogs but completely ignored the Prevention of Animal Cruelty Act, 1960 (PCA) and ABC Rules, which was followed by protests across the country on judicial independence and revisiting of earlier judgments.

The reversal, effective August 22, 2025 struck a humane, balanced approach to the requirements of vaccination, sterilisation, and return of the dogs, while making officials personally responsible with. However the new ruling cannot be interpreted as simply correcting a legal error. How should fundamental rights be weighed against directive principles for animal welfare? Timing and circumstances of the reversal suggest that public pressure was persuasive yet not determinative, challenging the judiciary's resistance to majority influence. Second, the re-evaluation of a previous decision is not, per se, an attack on judicial independence but only becomes one when populist or emotive motivations take hold over logical-legal reasoning. These include strict statutory compliance, proportionate measures, public awareness, and committed welfare authorities that complement the coexistence of human safety and animal welfare under the law.

CONCLUSION

The stray dog judgments of 2025 point out that judicial compassion cannot operate in isolation from constitutional discipline. If the Supreme Court was well within its powers in prioritising human safety under Article 21, the initial order revealed the risks of bypassing a settled statutory scheme under the Prevention of Cruelty to Animals Act, 1960 and the ABC Rules. While the manner of reversal restored rule of law equilibrium, its timing inevitably raises questions about judicial susceptibility to public pressure. Judicial independence is not

compromised by judicial reconsideration of earlier orders, it is compromised when reasoned legal analysis appears reactive rather than principled. This case thus ultimately confirms that permanent solutions will lie only in rigorous statutory compliance, proportionate regulation, and accountable governance that make human life and animal welfare coexist within the four corners of the rule of law. Yet there is still a significant set of issues regarding court independence and public meddling. The next hearing is scheduled for January 13, 2026.¹⁰ The case essentially underlines the need to protect human life and animal welfare in compliance with the Constitution through proper, legally obligatory action.

¹⁰ In re “City Hounded by Strays, Kids Pay Price”, 2025 INSC 1357 (SC 2025) (India).