Doctrine of Merger

Why in News?

The Supreme Court recently explained the effect of merging the trial court's decree with that of the decree passed by the High Court in the second appeal.

- **Doctrine of merger** – It is a common law principle that states that when a superior court makes a final order on a case, the lower court's order is merged into it.
- This means that the superior court's order is the ***final and binding order.***
- **Working -** The doctrine of merger applies when a lower court's order is challenged in a superior court.
- The superior court can affirm, modify, or reverse the lower court's order.
- Once the superior court makes a final order, the lower court's order is merged into it.
- The superior court's order is the final and binding order.
- **Features** - The doctrine of merger ***prevents*** more than one order from governing the same subject matter at the same time.
- It helps determine which order should be enforced when multiple orders are made on the same issue.
- The doctrine of merger ***applies in judicial proceedings.***
- It applies when the Supreme Court is exercising its appellate jurisdiction.
- **Judicial Doctrine Overview**
    - Statement of judicial propriety.
    - Aims to discipline subordinate adjudicating authorities.
    - Not universally applicable; depends on superior forum jurisdiction and challenge content.

Reference

Live law | Supreme Court Explains Doctrine of Merger