

21 April 2025 – 26 April 2025



Manupatra Weekly Wrap

A round-up of the last week's key updates to keep you informed on the go!

Case Laws



ARBITRATION

Supreme Court: Long submissions in arbitration proceedings, timeline needs to be imposed

Larsen and Toubro Limited Vs. Puri Construction Pvt. Ltd. And others, Dated: 21.04.2025, (MANU/SC/0519/2025; 2025 INSC 523)

The **Supreme Court** has observed that “The high monetary stakes involved in the proceedings should not result in unnecessarily long oral submissions or bulky written submissions. All this results in the criticism about the arbitrations in India. Therefore, there is a need to impose time limit on oral submissions in such cases”.

Bombay High Court: Unilateral right to terminate arbitration agreement does not make it invalid

Tata Capital Limited Vs. Vijay Devij Aiya & Anr., Dated: 22.04.2025, (MANU/MH/2449/2025; 2025:BHC-OS:6716)

The **Bombay High Court**, while ruling on an application for the appointment of an arbitrator observed that an arbitration clause granting only one party the option to opt out is not inherently invalid. Such a clause can be upheld by either removing the unilateral option or making the right mutual.

CIVIL

Supreme Court: Disciplinary action invalid if employee acquitted in related criminal case

Maharana Pratap Singh Vs. The State Of Bihar & Ors., Dated: 23.04.2025, (MANU/SC/0562/2025; 2025 INSC 554)

The **Supreme Court** has observed that “While an acquittal in a criminal case does not automatically entitle the accused to have an order of setting aside of his dismissal from public service following disciplinary proceedings, it is well-established that when the charges, evidence, witnesses, and circumstances in both the departmental inquiry and the criminal proceedings are identical or substantially similar, the situation assumes a different context. In such cases, upholding the findings in the disciplinary proceedings would be unjust, unfair, and oppressive”.

Supreme Court: Defendant who has been set ex-parte cannot present evidence and has only limited right to cross-examine plaintiff

Kanchhu Vs. Prakash Chand & Ors., Dated: 22.04.2025, (MANU/SC/0536/2025; 2025 INSC 542)

The **Supreme Court** has observed that “Once the pleadings are complete but the defendant is set ex parte, and such order has attained finality, the defendant’s rights suffer a curtailment. He cannot produce evidence in defence and hence statements, which are in the nature of factual assertions, cannot be proved by leading evidence”.

Supreme Court: Plaintiff can seek declaration of title without specifically requesting cancellation of sale deed executed by another party

Hussain Ahmed Choudhury & Ors. Vs. Habibur Rahman (Dead) Through Lrs & ORS. Dated: 23.04.2025, (MANU/SC/0564/2025; 2025 INSC 553)

The **Supreme Court** has observed that Section 31 of the Specific Relief Act, 1963 (“SRA”), a plaintiff seeking a declaration of title to a property is not obligated to specifically request the cancellation of a sale deed executed by another party concerning the same property.

Supreme Court: Muslim Bar Council member can't stay on Waqf Board after term ends

Md. Firoz Ahmad Khalid Vs. The State Of Manipur & Ors., Dated: 22.04.2025, (MANU/SC/0531/2025; 2025 INSC 535)

The **Supreme Court** has observed that a person appointed to the State Waqf Board due to their membership in the State Bar Council can no longer remain on the Waqf Board once they cease to be a member of the Bar Council. The Court stated “Without such membership in the Parliament, or the State Legislative Assembly or the Bar Council, the very basis for their membership in the Board ceases to exist. There is no satisfactory justification to exclude the applicability of Explanation II to Section 14(1)(b) of the Wakf Act, 1995, to a Member of the Bar Council. Such an exclusion would, in fact, run contrary to the legislative intent behind the statute”.

Supreme Court: Legal heirs can't challenge compromise decree if original party didn't file recall application

Manjunath Tirakappa Malagi And Anr. Vs. Gurusiddappa Tirakappa Malagi (Dead Through Lrs), Dated: 21.04.2025, (MANU/SC/0523/2025; 2025 INSC 517)

The **Supreme Court** has observed that the sole remedy to challenge the validity of a compromise decree under Order 23 Rule 3 CPC is by filing a recall application.

Supreme Court: Writ Courts should refrain from interfering with deemed conveyance orders unless there is clear case of illegality

Arunkumar H Shah Huf Vs. Avon Arcade Premises Co-operative Society Limited & Ors., Dated: 21.04.2025, (MANU/SC/0517/2025; 2025 INSC 524)

The **Supreme Court** has observed that the competent authority under the Maharashtra Ownership Flats Act, 1963 (“MOFA”) has the power to issue deemed conveyance orders. It also clarified that High Courts should not interfere with such orders unless they are found to be unlawful. The Court stated that “In writ jurisdiction, the Court should not interfere with the order granting deemed conveyance under Section 11 (4) of MOFA, unless the order is manifestly illegal.

CRIMINAL

Supreme Court: As per Section 362 of CrPC only clerical errors can be corrected

Ramyash @ Lal Bahadur Vs. The State Of Uttar Pradesh And Another Etc. Etc., Dated: 23.04.2025, (MANU/SC/0549/2025)

The **Supreme Court** while disapproving of the Allahabad High Court invoking Section 362 of CrPC to modify the High Court's judgment, has underscored that under Section 362 only clerical errors in the judgment can be corrected.

Supreme Court: Magistrate's cognizance order cannot be invalidated solely for lacking detailed reasons

Pramila Devi & Ors. Vs. The State Of Jharkhand & Anr., Dated: 23.04.2025, (MANU/SC/0548/2025; 2025 INSC 560)

The **Supreme Court** has observed that a Magistrate's order taking cognizance of a police report cannot be challenged solely for lacking detailed reasoning. As long as the Magistrate forms a prima facie opinion based on the case records, a detailed explanation is not necessary.

Supreme Court: Prospective accused cannot contest order for CBI probe

Ramachandraiah & Anr. & Ors. Vs. M. Manjula & Ors., Dated: 23.04.2025, (MANU/SC/0557/2025; 2025 INSC 556)

The **Supreme Court** has observed that "we are of the considered view that once an FIR is registered and investigation has taken place, direction for an investigation by the CBI is not open to challenge by the prospective suspect or accused. The matter for entrusting investigation to a particular agency is basically at the discretion of the Court".

Supreme Court: Release cannot be denied to convicts on probation, if conditions are met

Chellammal And Another Vs. State Represented by the Inspector of Police, Dated: 22.04.2025, (MANU/SC/0538/2025; 2025 INSC 540)

The **Supreme Court** has observed that "unless applicability is excluded, in a case where the circumstances stated in subsection (1) of Section 4 of the Probation Act are attracted, the court has no discretion to omit from its consideration release of the offender on probation; on the contrary, a mandatory duty is cast upon the court to consider whether the case before it warrants releasing the offender upon fulfilment of the stated circumstances. The question of grant of probation could be decided either way".

Supreme Court: High Courts should promptly ensure compliance with Section 313 CrPC / Section 351 BNS to prevent acquittals

Aejaz Ahmad Sheikh Vs. State of Uttar Pradesh & Anr., Dated: 22.04.2025, (MANU/SC/0530/2025; 2025 INSC 529)

The **Supreme Court** has observed that “When an appeal against conviction is preferred before the High Court, at the earliest stage, the High Court must examine whether there is a proper statement of the accused recorded under Section 313 of CrPC (Section 351 of the Bharatiya Nagarik Suraksha Sanhita, 2023). If any defect is found, at that stage, the same can be cured either by High Court recording further statement or by directing the Trial Court to record”.

Supreme Court commuted death sentence to life imprisonment of man convicted for killing wife, four children

Reji Kumar Alias Reji Vs. State Of Kerala, Dated: 22.04.2025, (MANU/SC/0543/2025; 2025 INSC 538)

The **Supreme Court** has observed that “considering the facts that the convict-appellant had no prior antecedents; good conduct for the past 16-17 years of incarceration; difficulties in mental health and consistent efforts at being a model prisoner, we find that the imposition of death penalty would be unjustified. He is, therefore, removed from death row”.

Calcutta High Court constitutes SIT to investigate allegations of custodial torture of students

Sucharita Das Vs. The State of West Bengal & Ors., Dated: 22.04.2025, (MANU/WB/0896/2025)

The **Calcutta High Court** has set up a Special Investigation Team (SIT) to look into allegations of custodial torture involving two female students. The students were reportedly detained during a protest outside their college in Midnapore, taken to the local women's police station, allegedly assaulted, and later released late at night without any explanation for their detention.

Kerala High Court: Directing ED to provide 'reasons to believe' before conducting a search could lead to evidence concealment

Tamil Nadu State Marketing Corporation Limited Vs. Directorate of Enforcement, Dated: 23.04.2025, (MANU/TN/1727/2025)

The **Kerala High Court** has observed that it cannot give a blanket directive requiring the Enforcement Directorate to provide 'reasons to believe' a money laundering offence has been committed before carrying out a search under Section 17 of the PMLA, as this could potentially alert the suspect and lead to evidence being concealed.

COMMERCIAL

Delhi High Court quashed Rs 56 Crore catering tender awarded by IRCTC

M/S Deepak and Co Through Its Partner Smt Poonam Porwal Vs. Indian Railway Catering and Tourism Corporation Limited Through Its Chairman and Managing Director & Anr., Dated: 22.04.2025, (MANU/DE/2761/2025; 2025:DHC:2758-DB)

The **Delhi High Court** has observed that “Failure, in our opinion, on the part of the respondent No.1 which occurred on account of non-disclosure of criminal antecedents by respondent No.2 along with its bid, is undoubtedly not in conformity with the principle of fairness in public tenders where every possible steps need to be taken to remove any chances of any transgression which may impinge on anticorruption approach”.

CONTEMPT

Supreme Court: When one judge holds party guilty of contempt, another judge can't take contrary view

Rajan Chadha & Anr. Vs. Sanjay Arora, Dated: 23.04.2025, (MANU/SC/0556/2025)

The **Supreme Court** has observed that when one Judge of the same Court has taken a particular view holding a party to be guilty of contempt, another Judge could not have come to a finding that the party was not guilty of contempt.

DIRECT TAXATION

Delhi High Court: Charitable trust's status remains unaffected for making reasonable payments for services provided by related party under Section 13 of IT Act

Commissioner Of Income Tax Exemption Delhi Vs. IILM Foundation, Dated: 21.04.2025, (MANU/DE/2769/2025; 2025:DHC:2745-DB)

The **Delhi High Court** has observed that a Charitable Trust's status cannot be revoked for violating Section 13 of the Income Tax Act, 1961 (IT Act) solely because it made reasonable payments for services provided by a related party. Generally, Charitable Trusts are prohibited from making payments benefiting 'prohibited parties.'

GOODS AND SERVICE TAX

Madras HC: Taxpayer not responding to notices should be sent reminder through RPAD

M/s.Axiom Gen Nxt India Private Limited Vs. Commercial State Tax Officer, Dated: 22.04.2025, (MANU/TN/1751/2025)

The **Madras High Court** has held that if a taxpayer does not respond even after repeated notices which are uploaded in the common portal by the department, the Department should resort to subsequent reminders by way of Registered Post with Acknowledgement Due (RPAD).

MOTOR VEHICLE

Supreme Court lays down directions to trace beneficiaries of unclaimed compensation in motor accident and labour cases

In Re: Compensation Amounts Deposited with Motor Accident Claims Tribunals and Labour Courts, Dated: 22.04.2025, (MANU/SC/0533/2025; 2025 INSC 530)

The **Supreme Court** has observed that “All the High Courts shall issue administrative directions to the MAC Tribunals and Commissioners under the 1923 Act to initiate a massive drive to ascertain the whereabouts of the persons who have been held to be entitled to receive compensation but have not taken the same”. The Court directed the High Courts to implement the directions at the earliest and submit the reports regarding it on or before 30th July 2025.

INSOLVENCY

NCLAT: Section 9 IBC petition can't be admitted if based on fabricated invoices for vengeance

Om Sai Moulds & Plactics Vs. Pllastomax Engineering Private Limited & Ors., Dated: 23.04.2025, (MANU/NL/0319/2025)

The **National Company Law Appellate Tribunal (NCLAT)** has observed that a Section 9 petition under the Insolvency and Bankruptcy Code, 2016 (IBC) cannot be accepted if the operational creditor has manipulated the corporate debtor's affairs to fabricate invoices, aiming to push the company into insolvency due to personal or matrimonial disputes between the creditor's partners and the corporate debtor's director.

NCLAT: Liquidated damages rightfully deducted during CIRP cannot be reclaimed following approval of resolution plan

Fabtech Projects and Engineers Pvt. Ltd. Vs. Hindustan Petroleum Corporation Ltd., Dated: 23.04.2025, (MANU/NL/0320/2025)

The **National Company Law Appellate Tribunal** has observed that once the Resolution Professional decides to continue with a contract during the Corporate Insolvency Resolution Process (CIRP), all terms of the contract including deductions for liquidated damages from invoices remain binding. Such deductions are valid and cannot be challenged or refunded after the Resolution Plan is approved.

LIMITATION

Supreme Court: 3-Year Limitation applies in suit for deed cancellation and possession, as cancellation is primary relief

Rajeev Gupta & Ors. Vs. Prashant Garg & Ors., Dated: 23.04.2025, (MANU/SC/0555/2025; 2025 INSC 552).

The **Supreme Court** while taking into consideration the case of Rajpal Singh v. Saroj has observed that “*When a composite suit is filed for cancellation of the sale deed as well as for recovery of the possession, the limitation period is required to be considered with respect to the substantive relief of cancellation of the sale deed, which would be three years from the date of the knowledge of the sale deed sought to be cancelled*”.

TENANCY

Supreme Court: Landlord's family's requirement of property for occupation qualifies as 'bona fide requirement' for evicting tenant

Murlidhar Aggarwal (D.) Thr. His Lr. Atul Kumar Aggarwal Vs. Mahendra Pratap Kakan (D.) Thr. Lrs. And Ors., Dated: 24.04.2025, (MANU/SC/0565/2025; 2025 INSC 564).

The **Supreme Court** has observed that “*It is well settled that the bona fide requirement for occupation of the landlord has to be liberally construed and, as such, even the requirement of the family members would be covered*”.

Bombay High Court: Government allottee lacking legal occupation can't be considered 'deemed tenant'

Cyril Ribeiro Vs. The State of Maharashtra and Ors., Dated: 23.04.2025, (MANU/MH/2510/2025; 2025:BHC-OS:6793).

The **Bombay High Court** has observed that if a ‘Government Allottee’ lacks legal occupation or possession of a property under the Maharashtra Rent Control Act, 1999 then he cannot be considered as a deemed tenant under Section 27 of the Act.

SERVICE

Supreme Court: No leave encashment for re-employed retired govt staff; rules must be strictly applied

State Of Sikkim and Others Vs. Dr. Mool Raj Kotwal, Dated: 23.04.2025, (MANU/SC/0553/2025; 2025 INSC 559).

The **Supreme Court** has observed that “*Interpreting leave encashment provisions goes beyond financial compensation and connects to broader legal principles of dignity and welfare during service. However, such interpretations must carefully balance the interests of both employees and the financial stability of the organization, especially when public exchequer is involved. Courts must tread carefully to prevent employees from claiming leave encashment multiple times for the same accrual, which could lead to unjust enrichment and may go against the public interest of largesse*”.

A hand holding a smartphone, with several white notification icons (envelopes) floating above the screen, each with a checkmark and signal waves. A yellow rectangular box is overlaid on the left side of the image.

Notification Updates

Competition Commission of India

Press Information Bureau, Dated: 21.04.2025, MANU/PIBU/0389/2025

The **Competition Commission of India** has approved Google's settlement proposal in the Android TV case, addressing allegations of misuse of dominant position and restrictive agreements with OEMs. Google will now offer a standalone license for the Play Store and Play Services for Android smart TVs in India, allowing OEMs to develop incompatible Android devices without violating agreements.

Ministry of Coal

Notification No.: SO1827(E), Dated: 22.04.2025, MANU/COAL/0004/2025

The **Central Government** has transferred land rights to Western Coalfields Limited, a government company, under specific terms and conditions. The company is responsible for compensation and legal expenses, must indemnify the government, and cannot transfer the land without approval.

Ministry of Commerce & Industry

Press Information Bureau, Dated: 22.04.2025, MANU/PIBU/0395/2025

The **Indian government** has extended the validity of Virginia tobacco grower registrations and barn licenses from one year to three years to ease the burden on farmers. This change, effective from the 2025-26 crop season, will benefit approximately 83,500 farmers across several states.

Ministry of Mines

Notification No.: GSR255(E), Dated: 23.04.2025, MANU/MINE/0008/2025

The Mineral (Auction) Amendment Rules, 2025, issued by the **Ministry of Mines**, amends the Mineral (Auction) Rules, 2015, allowing the net worth of a holding company, whether incorporated in India or abroad, to be considered for its subsidiary's application.

Ministry of Labour & Employment

Press Information Bureau, Dated: 22.04.2025, MANU/PIBU/0396/2025

The **Ministry of Labour and Employment** has urged all States and UTs to implement measures to protect workers from extreme heat waves. Recommendations include rescheduling work hours, providing water and cooling facilities, and conducting health check-ups. Awareness campaigns and training sessions are also advised to educate workers on heat stress prevention.

Ministry of Steel

Press Information Bureau, Dated: 21.04.2025, MANU/PIBU/0386/2025

The **Indian government** has imposed a 12% safeguard duty on certain steel imports to protect domestic producers from import surges. This measure aims to support small and medium enterprises and ensure fair market competition, aligning with the Atmanirbhar Bharat initiative.

Reserve Bank of India

**Notification No. : CO.DIT.DCD.No.S81/01-71-110/2025-2026, RBI/2025-2026/28,
Dated: 22.04.2025, MANU/RMIC/0066/2025**

The **Reserve Bank of India** has announced the operationalization of the '.bank.in' domain for banks to enhance cybersecurity and public confidence in digital banking. Banks are advised to migrate their existing domains to '.bank.in' by October 31, 2025, with guidance from the Institute for Development and Research in Banking Technology.

**Circular No.: FED Master Direction No.04/2025-2026, RBI/FED/2025-2026/135,
MANU/RMIC/0065/2025**

The **Reserve Bank of India** issued Master Directions on the compounding of contraventions under the Foreign Exchange Management Act (FEMA), 1999. It details the provisions for compounding contraventions, the role of the Reserve Bank, and the responsibilities of authorized dealers to ensure compliance and prevent contraventions.

**Circular No.: A.P. (DIR Series) Circular. No 02/2025-2026, RBI/FED/2025-2026/29,
Dated: 22.04.2025, MANU/APDR/0005/2025**

The **Reserve Bank of India** has amended the guidelines for compounding contraventions under FEMA, 1999. The changes include the removal of the provision linking the compounding amount to earlier orders and the requirement for additional details to improve the processing of applications. These updates aim to streamline the reconciliation and processing of compounding applications.

**Notification No.: DOR.MCS.REC.17/01.01.003/2025-2026, RBI/2025-2026/26,
Dated: 21.04.2025, MANU/RMIC/0063/2025**

The **Reserve Bank of India** has revised guidelines for opening and operating deposit accounts for minors, allowing them to open accounts with a natural or legal guardian, including mothers, and independently if they are above a certain age. Banks are advised to ensure these accounts remain in credit and perform due diligence as per KYC norms.

Securities Exchange Board of India

**Notification No.: SEBI/LAD-NRO/GN/2025/241, Dated: 22.04.2025,
MANU/SREG/0020/2025**

The **Securities and Exchange Board of India** has issued Securities and Exchange Board of India (Real Estate Investment Trusts) (Amendment) Regulations, 2025 to further amend the Securities and Exchange Board of India (Real Estate Investment Trusts) Regulations, 2014.

**Notification No.: SEBI/LAD-NRO/GN/2025/242, Dated: 22.04.2025,
MANU/SREG/0021/2025**

The **Securities and Exchange Board of India** has issued Securities and Exchange Board of India (Credit Rating Agencies) (Second Amendment) Regulations, 2025 to further amend the Securities and Exchange Board of India (Credit Rating Agencies) Regulations, 1999.

**Circular No. : SEBI/HO/IMD/PoD2/P/CIR/2025/56, Dated: 22.04.2025,
MANU/SMFD/0010/2025**

The **Securities and Exchange Board of India** has revised the cut-off timings for determining the applicable NAV for repurchase/redemption of units in overnight mutual fund schemes. The new cut-off timings are 3:00 pm for offline applications and 7:00 pm for online applications, effective from June 1, 2025. This change aims to facilitate the upstreaming of clients' funds by stockbrokers and clearing members to clearing corporations.

**Circular No.: SEBI/HO/ISD/ISD-PoD-2/P/CIR/2025/55, Dated: 21.04.2025,
MANU/SMIS/0029/2025**

The **Securities and Exchange Board of India** has issued a circular to implement an automated system for trading window closure under the Prohibition of Insider Trading Regulations, 2015. This system will restrict trading by designated persons and their immediate relatives during specified periods to prevent insider trading. The implementation will be phased, starting with the top 500 companies, and involves freezing PANs at the security level during the closure period.

Supreme Court of India

Notification No. GSR240(E), Dated: 21.04.2025, MANU/NMIC/0117/2025

The **Supreme Court of India** has introduced Supreme Court (Amendment) Rules, 2025 further to amend the Supreme Court Rules, 2013.

Telecom Regulatory Authority of India

Press Release No.: 28/2025, Dated: 22.04.2025, MANU/TRAI/0018/2025

The **Telecom Regulatory Authority of India** has released recommendations addressing critical services in the M2M sector and the transfer of ownership of M2M SIMs. The recommendations include a framework for classifying critical IoT services, ensuring security and privacy of IoT devices, and establishing guidelines for the transfer of M2M service provider registrations and SIM ownership. The aim is to enhance the reliability and security of M2M communications as the ecosystem matures.

News



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Arbitration

21.04.2025

The **Delhi High Court** issued notices to Swiggy, Zepto, and the Ministry of Electronics and Information Technology (MeitY) in response to a petition claiming that the mobile applications of these platforms are not accessible to persons with disabilities (PwDs), especially individuals with visual impairments.

The Delhi government's Public Works Department (PWD) has declared that Arbitration Clause shall be deleted from all the future contracts of PWD.

Banking

22.04.2025

The **Andhra Pradesh High Court** has observed that a "necessary party" is a person who ought to have been joined as a party and in whose absence no effective decree could be passed at all by the court. If a "necessary party" is not impleaded, the suit itself is liable to be dismissed.

Civil

25.04.2025

In a historic first, the **Pala Bar Association in Kerala** has elected an all-women team as its office bearers and executive committee members. The election, which filled 15 posts, comes amid growing nationwide demands for greater women's representation in bar associations.

24.04.2025

The **Karnataka High Court** disposed of a public interest litigation that sought the enforcement of the Supreme Court's guidelines on advance medical directives or "living wills," following the State government's submission of a memo outlining the measures taken and orders/circulars issued to ensure compliance with these directives.

23.04.2025

Following the Pahalgam terror attack, a Public Interest Litigation (PIL) has been filed in the **Supreme Court** seeking increased security measures in sensitive hill states.

Criminal

24.04.2025

The **Supreme Court** stated that High Courts shouldn't keep granting interim bail to the same accused; must either grant regular bail or reject it.

The **Supreme Court** scheduled the final hearing of the 2018 appeals related to the 2002 Godhra train burning case for May 6 and 7. The Court also stated that no other matters will be listed on those dates.

The **Supreme Court** recently requested information from the Union Government regarding the number of cases in which sanction has been granted or denied under Section 17A of the Prevention of Corruption Act, 1988 (as amended in 2018) for initiating an investigation against a public servant.

The **Delhi High Court** while hearing bail plea of accused in 2023 Parliament security breach case, has remarked that if use of smoke canister comes under the ambit of a terrorist act then every holi and IPL match will also attract the offence under Unlawful Activities (Prevention) Act, 1967.

The **Bombay High Court** directed the Maharashtra Government to make the State's Prison Manual and Police Manual available online, allowing prisoners and their families to better understand their rights while incarcerated.

The **Andhra Pradesh High Court** while quashing proceedings against sisters-in-law of a woman, has held that taunting brother's wife for not conceiving children is not a valid ground for cruelty

22.04.2025

The **Supreme Court** will decide whether match-fixing is a criminal offense in KPL case.

Constitution

24.04.2025

The Kerala Waqf Board has challenged the Waqf Amendment Act in the **Supreme Court**, arguing that it undermines secularism and infringes upon fundamental rights.

Consumer

22.04.2025

The **Supreme Court** upheld the NCDRC's decision holding the hospital vicariously liable for a doctor's medical negligence that resulted in a patient's death.

Cyber Law

23.04.2025

The **Madhya Pradesh High Court** has sought responses from the Union Ministry of Electronics and Information Technology, along with tech giants Google India, Apple India, Microsoft Corporation India, and Xiaomi Technology India, in a PIL seeking the creation of a regulatory body to review mobile apps before they are launched on digital platforms.

Education

24.04.2025

The **Bombay High Court** disposed of a Public Interest Litigation (PIL) that called for the enforcement of mandatory attendance rules for law students enrolled in colleges affiliated with Mumbai University.

23.04.2025

The **Delhi High Court** ordered the Consortium of National Law Universities (NLU) to republish and re-notify the final list of selected candidates for the CLAT UG 2025 exam within four weeks.

Family

23.04.2025

The **Bombay High Court** clarified that the Muslim Women (Protection of Rights on Marriage) Act, 2019 which criminalizes instant triple talaq applies solely to the practice of immediate and irrevocable divorce known as Talaq-e-Bidat, and does not extend to the traditional Islamic method of divorce called Talaq-e-Ahsan.

Insolvency

23.04.2025

The **National Company Law Appellate Tribunal** (NCLAT) New Delhi bench has upheld the Adjudicating Authority's order directing the suspended directors of the Corporate Debtor to repay the Rs.32 lakh, along with interest, that they withdrew during the Corporate Insolvency Resolution Process (CIRP). Additionally, it imposed a cost of Rs.5 lakh on the respondents for repeatedly raising the same issue in multiple proceedings.

Land Acquisition

23.04.2025

The **Supreme Court** has observed that delay is not a reason to deny the land losers their compensation, which is just, fair and reasonable for the land they have lost.

21.04.2025

The **Supreme Court** has observed that the market value of land acquired under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ("2013 Act") must be assessed based on the date the acquisition notification is issued under Section 11 of the 2013 Act.

Human Rights

23.04.2025

'Violation of Human Values' the **Supreme Court** strongly condemns Pahalgam terror attack.

Service

23.04.2025

Highlighting the advantages of the Employees' Provident Fund Act, the **Regional Provident Fund Commissioner** in Kochi (Kerala) stated that the EPF Act is significantly more robust than the Building and Construction Workers Act. He noted that the EPF Act is better equipped to adapt to the changing nature of employment and offers more comprehensive and lifelong protection to workers.

22.04.2025

The **Madhya Pradesh High Court** has observed that the policy adopted by the State for the training course in water auditing, on the principle of first come first serve basis is inherently flawed, and this principle would also be applicable in the case of any public employment.



International Updates

AUSTRALIA

Banking

Court finds Block Earner did not breach financial services laws

In a significant ruling on 22 April 2025, the Full Federal Court of Australia in *Australian Securities and Investments Commission v Web3 Ventures Pty Ltd* [2025] FCAFC 58 overturned the previous decision which had held that Web3 Ventures Pty Ltd (operating as Block Earner) had breached financial services laws. The Court clarified that not all fixed interest cryptocurrency lending products constitute financial products under the Corporations Act 2001. Where the return is contractual and not linked to the provider's investment performance, it is less likely to be regulated as such. The Court emphasized the importance of assessing users' legal rights over broad functional characterizations. This decision may prompt the Australian Securities and Investments Commission to reconsider its enforcement strategies and review its current regulatory guidance, including the proposed updates to ASIC Information Sheet 225 under Consultation Paper 381.

Capital Markets

ASIC urges superannuation trustees to strengthen anti-fraud safeguards

In a letter dated 29 January 2025, Commissioner Simone Constant of the Australian Securities and Investments Commission called on superannuation trustees to enhance their capabilities in identifying and responding to scams and frauds affecting fund members. The regulator expressed concern over weak industry practices and instructed trustees to review and improve their current systems, including those managed by external service providers. Trustees were also asked to consider the allocation of scam and fraud responsibilities to a designated accountable person under the upcoming Financial Accountability Regime. The letter references ASIC's findings in Report 761 (April 2023) and Report 790 (August 2024), which analyzed anti-scam measures across major and non-major banks.

CANADA

Aviation

Court of Appeal rules Air Canada must accommodate power wheelchairs

In *Air Canada v. Rose*, 2025 FCA 67, the Federal Court of Appeal has upheld the Canadian Transportation Agency's decision requiring Air Canada to implement accessibility measures for passengers using power wheelchairs, including changing aircraft on an ad hoc basis. The Court found that such adjustments do not constitute undue hardship under the Accessible Transportation for Persons with Disabilities Regulations, which were issued under the Accessible Canada Act, 2019. The Canadian Transportation Agency follows a two-step process in such cases: first identifying whether a person with disabilities encountered a barrier and then evaluating if the removal of that barrier imposes undue hardship. The decision affirms that air carriers must take concrete steps to ensure barrier-free air travel.

Banking

Ontario court rules user agreement does not bind global Coinbase entities

In *Shirodkar v. Coinbase Global, Inc.*, 2025 ONCA 298, the Court of Appeal for Ontario addressed whether a plaintiff could sue multiple Coinbase entities located in different jurisdictions under a Canadian user agreement. The case involved allegations of securities law violations under the Ontario Securities Act related to the offering and trading of crypto assets. The plaintiff argued that the 2023 Canadian User Agreement, which included a non-exclusive forum selection clause favouring Ontario, applied to all Coinbase companies. However, the Court agreed with the motion judge that only Coinbase Canada was a party to the agreement, and the foreign Coinbase entities had not consented to Ontario jurisdiction. This decision underscores the importance of explicit contractual consent when establishing jurisdiction over multinational corporate defendants.

Capital Markets

TSX proposes changes to original listing rules for greater flexibility

The Toronto Stock Exchange released proposed amendments to the TSX Company Manual in March 2025, aiming to revamp the listing requirements for companies seeking to list securities on the exchange. These changes come after a comparative analysis with other global exchanges and past waiver practices. The key revisions include renaming “Industrial Companies” as “Diversified Companies” and streamlining the subcategories from five to three—specifically, income revenue-producing companies, pre-income-producing companies, and new enterprise companies (excluding Special Purpose Acquisition Companies). The intent is to offer more transparency and flexibility while maintaining investor safeguards. Public comments are being invited until May 5, 2025.

Securities Law

Joint purchase of property for investment deemed an investment contract under Quebec Securities Act

The Financial Markets Administrative Tribunal held that Alteon Senat violated the Securities Act, the Act Respecting the Distribution of Financial Products and Services, and the Code of Ethics of the Chambre de la Sécurité Financière. Senat had encouraged clients to jointly invest in condos and rental properties for the sole purpose of earning income through lease or resale. The tribunal ruled this constituted a “distribution” of an “investment contract” under the Securities Act. As Senat lacked the necessary registration and had not filed a prospectus, she was found in breach. Additionally, she engaged in a conflict of interest by helping a client renegotiate a mortgage to free up investment funds.

Regulatory Framework

CIRO releases Phase 5 proposals for rule consolidation impacting investment and mutual fund dealers

The Canadian Investment Regulatory Organization initiated Phase 5 of its Rule Consolidation Project, which aims to unify the rules governing investment and mutual fund dealers. The proposals address significant divergences in existing frameworks, including business structure arrangements, client reporting, outsourcing, and financial operations. A notable change is the introduction of a new “Type 5” introducing broker/carrying broker arrangement that permits mutual fund dealers to enter such arrangements with other mutual fund dealers. This is intended to harmonize current mutual fund dealer rules with similar provisions applicable to investment dealers under the existing Introducing/Carrying Broker model.

Construction

Tariff tensions with the United States disrupt Canadian construction sector

The United States imposed 25 percent tariffs on several Canadian exports such as steel, aluminum, and potash. In response, Canada levied retaliatory tariffs worth nearly 30 billion Canadian dollars on American goods. These developments are expected to impact Canada’s 151 billion Canadian dollar construction industry, which represents 7.4 percent of the nation's gross domestic product and employs 1.6 million workers. Many materials affected by the tariffs—including structural steel components, sheet piling, and aluminum fixtures—are crucial to residential, commercial, and industrial construction projects, leading to anticipated cost increases and supply chain disruptions.

Alberta court clarifies when landlords can be liened for tenant improvements

In *Xemex Contracting Inc. v. Aspen Properties (Northland Place) Ltd.*, 2025 ABCA 49, the Alberta Court of Appeal examined whether a landlord’s fee simple interest can be subject to a construction lien for renovations contracted by a tenant. The tenant had hired a contractor to carry out leasehold improvements, with the landlord providing an allowance and a detailed construction manual requiring its approvals. The court found that due to the landlord’s active involvement and control over the renovation process, it qualified as an “owner” under Section 1(j) of the Prompt Payment and Construction Lien Act, thereby allowing a lien against the landlord’s interest.

Insurance

No relief from forfeiture for failure to meet condition precedent in insurance claim

The Supreme Court of Canada declined to hear an appeal from Mr. Furtado, who was denied insurance coverage under a Directors and Officers liability policy. The Ontario Court of Appeal had upheld that Mr. Furtado failed to comply with a condition precedent under the claims-made and reported policy. Although a provision in the Ontario Securities Act had initially barred him from disclosing an investigation to his insurer, an amendment later allowed such disclosure, which he did not act upon. As a result, the courts denied his request for relief from forfeiture, holding that he had not met the necessary terms to trigger coverage under the policy.

Media and Entertainment Law

Court reverses anti-SLAPP ruling in defamation dispute involving home renovation

In *Benchwood Builders, Inc. v. Prescott*, the Ontario Court of Appeal overturned a decision that had previously dismissed a defamation lawsuit under anti-SLAPP legislation. The dispute arose from a failed residential renovation project, where the homeowners posted negative online reviews about the contractor. The court held that not all online reviews qualify as matters of public interest, especially when the content is rooted in personal disputes and contains malicious or misleading remarks. The ruling confirms that defamation claims arising from private construction disagreements may proceed to trial, even in the context of digital expression.

Planning

Ontario Land Tribunal ruling raises questions about municipal responsibility in Indigenous consultations

In *Galibier Materials Inc. v. Springwater (Township)*, the Ontario Land Tribunal examined whether municipalities have a role in fulfilling the constitutional duty to consult First Nations communities in planning applications. This duty, firmly established since *Haida Nation v. British Columbia (Minister of Forests)*, rests with the Crown but can be delegated by statute. The Tribunal's observations suggest a potential shift in how Ontario municipalities engage in consultation processes, particularly under the Planning Act. When extraction projects also involve applications under the Aggregate Resources Act, the Ministry of Natural Resources identifies the Indigenous communities to be consulted—sometimes even those located far from the site. The ruling may set a precedent that reshapes consultation protocols in Ontario's land use planning regime.

CHINA

Copyrights

Court holds AI platform liable for contributory infringement over generated images

In a landmark ruling, the Hangzhou Internet Court, upheld on appeal by the Hangzhou Intermediate People's Court, held a Chinese artificial intelligence platform responsible for contributory copyright infringement. The case involved the unauthorized use of Ultraman character likenesses generated by users of the platform. While the platform did not directly create or distribute the infringing images, the court held it liable for failing to implement reasonable safeguards to prevent infringement. The court rejected the platform's "safe harbor" defense but noted that in principle, images created by artificial intelligence tools may qualify for fair use under certain conditions. The appellate court also dismissed the appellant's arguments related to unfair competition, clarifying that the Anti-Unfair Competition Law cannot override findings of copyright infringement under existing copyright law.

HONG KONG

Employment and Labor

Acquittal in criminal case does not preclude civil liability in compensation claims

In *LAA 988/2024*, the Hong Kong Court ruled in favor of Mr. Gordon Chan, who appealed the denial of legal aid to pursue an Employees' Compensation claim after his manager was acquitted of assault in a criminal trial. Despite the acquittal, the Court emphasized that findings in criminal cases do not automatically affect civil proceedings due to the differing standards of proof. Referring to the precedent set in *Leung Wah v Kan Siu Ming* (HCPI 1303/1998), the Court reiterated that issue estoppel does not apply against plaintiffs in civil matters where the defendant has been acquitted in a parallel criminal trial. Deputy Registrar Doris To allowed the appeal, affirming that the Director of Legal Aid had erred in using the acquittal as grounds for denial.

INDONESIA

Energy and Natural Resources

Indonesia establishes task force to spearhead green energy transition

The Indonesia's Coordinating Minister for Economic Affairs issued Ministerial Decree No. 141 of 2025, forming the Energy Transition and Green Economy Task Force. This multi-agency body aims to guide the country's low-carbon transition in alignment with the 2025–2029 National Medium-Term Development Plan and Indonesia's G20 commitments. The Task Force is structured into four components—Steering Committee, Implementing Team, sector-specific Working Groups, and Supervisory Unit—with the Steering Committee comprising 18 key ministers. The goal is to ensure better policy integration and investment readiness across sectors as Indonesia moves toward a sustainable economic model.

JAPAN

Employment and Labor

Tokyo court confirms subsidiary as employer in employee invention dispute

In a ruling from the Tokyo District Court, it was held that the subsidiary company Nippon Steel Techno-Research, and not the parent company, was the rightful employer regarding an invention created by an employee who had been temporarily transferred. The Plaintiff, originally employed by the parent company, was working under a formal employment arrangement with the subsidiary at the time of the invention. The Court concluded that since the invention arose during the course of the Plaintiff's duties at the subsidiary, it was not related to the parent company's employment. This decision clarifies employer obligations in the context of secondments and employee inventions under Japanese employment law.

MALAYSIA

Insolvency And Restructuring

Malaysian government to introduce Cross Border Insolvency Bill in June 2025

The Minister in the Prime Minister's Department for Law and Institutional Reform, Datuk Seri Azalina Othman, has announced that the Malaysian government intends to table the Cross Border Insolvency Bill during the Parliament session scheduled for June 2025. The proposed legislation aims to streamline the enforcement and recovery of debts and the winding-up procedures of companies with assets and liabilities across member states of the Association of Southeast Asian Nations. The law is expected to enhance the restructuring efforts of local companies and will likely be based on the United Nations Commission on International Trade Law Model Law on Cross-Border Insolvency. Once enacted, it would allow Malaysia to harmonize its cross-border insolvency framework with other Southeast Asian nations that have adopted the Model Law.

NEW ZEALAND

Company And Commercial

Employees face criminal charges for deleting messages during competition probe

The Commerce Commission of New Zealand has revealed that criminal charges were filed in 2021 against three former employees of a company for obstructing an investigation into potential anti-competitive behaviour. The case arose from a statutory notice issued under section 98 of the Commerce Act 1986, which required disclosure of communications. When instant messages were found missing, a senior manager instructed staff to delete WhatsApp messages that might be incriminating. This tampering was reported by a whistleblower. The manager pleaded guilty to attempting to obstruct the course of justice under the Crimes Act 1961, underscoring the serious personal legal consequences for interfering with regulatory investigations.

VIETNAM

Aviation

Vietnam expands aircraft certification recognition to boost aviation diversity

On April 13, 2025, the Vietnamese government issued Decree No. 89/2025/ND-CP, amending Decree No. 92/2016/ND-CP, to broaden the categories of aircraft that may be imported into the country. Previously, Vietnam only accepted aircraft type certificates from the United States Federal Aviation Administration and the European Union Aviation Safety Agency. The new Decree now also recognises certificates from five more aviation regulators: the National Civil Aviation Agency of Brazil, Transport Canada Civil Aviation, the Federal Agency for Air Transport of the Russian Federation, the United Kingdom Civil Aviation Authority, and the Civil Aviation Administration of China. This regulatory expansion is expected to open Vietnam's civil aviation sector to a wider range of aircraft types and manufacturers.

Education

United States Department of Education begins rulemaking for federal financial aid reform

The United States Department of Education has announced upcoming public hearings and the creation of rulemaking committees to propose changes to programs governed by Title IV of the Higher Education Act of 1965. Topics include the Public Service Loan Forgiveness program, Pay As You Earn, and Income-Contingent Repayment plans. One in-person hearing will be held in Washington, D.C. on April 29, 2025, followed by a virtual session on May 1, 2025. Interested parties must register to speak by April 28 and may submit written comments until May 5, 2025. These consultations are aimed at refining federal student aid systems and addressing challenges within loan forgiveness and repayment schemes.

Banking

Federal student loan collections to resume in May after extended pause

The United States Department of Education has confirmed that collections on defaulted federal student loans will recommence on May 5, 2025. This follows the end of a collections pause that began in March 2020 as a pandemic relief measure. Secretary of Education Linda McMahon explained that continuing the pause beyond the congressional mandate caused confusion and failed to address rising rates of loan default. Current data reveals over 42 million borrowers collectively owe more than 1.6 trillion United States dollars, with millions in delinquency or default. The resumption of collections is intended to stabilize the student loan system and reduce taxpayer liability.

Federal court finds bank breached deposit control agreement in secured lending dispute

The United States District Court for the Western District of Pennsylvania ruled that a depository bank materially breached a Deposit Account Control Agreement, commonly known as a DACA. Such agreements are critical in secured lending as they allow lenders to perfect their security interest in a debtor's deposit accounts, as defined under Section 9-102(a)(29) of the Uniform Commercial Code. The court's findings underscore the importance of strict adherence to DACA terms by banks and clarify the distinction between "deposit accounts" and "accounts" under secured transaction law. This decision serves as a crucial reminder for secured parties and financial institutions alike.

Consumer Financial Protection Bureau signals shift in enforcement priorities

A recent internal memorandum circulated within the Consumer Financial Protection Bureau suggests that the agency will now focus on traditional statutory powers rather than novel legal theories in its supervisory activities. While the memo is not publicly available, its message indicates a reluctance to expand oversight through untested legal mechanisms, such as designating entities as "larger participants" under the Dodd-Frank Wall Street Reform and Consumer Protection Act. The agency is expected to continue supervising sectors already within its scope, like consumer reporting agencies, but will likely avoid controversial reinterpretations of consumer finance products. The memo provides regulated entities with a clearer outlook on forthcoming regulatory expectations.

Derivatives

CFTC seeks public input on the regulatory treatment of perpetual derivatives contracts

The United States Commodity Futures Trading Commission, through its Divisions of Market Oversight, Clearing and Risk, and Market Participants, has called for public comments on the treatment of “perpetual derivatives contracts.” These contracts, which do not have an expiry date, are continuously priced and settled, distinguishing them from traditional futures contracts. The staff raised concerns about potential gaps in current regulations related to risk management, surveillance, and customer protections. The agency is exploring whether perpetual derivatives need a unique regulatory classification and whether they pose risks to market stability or commercial hedging functions. Feedback from stakeholders is sought to guide future regulatory strategies.

Commodities Regulation

CFTC advisory clarifies criteria for referrals to enforcement division

The United States Commodity Futures Trading Commission issued a new advisory on April 17, 2025, outlining the factors its operational divisions will consider before referring a potential legal violation to its Division of Enforcement. This step is aimed at enhancing transparency in its enforcement approach. The advisory was released shortly after the Division of Enforcement’s February 2025 update, which for the first time allowed entities to receive self-reporting credit if they inform any of the CFTC’s operational divisions, instead of reporting directly to the enforcement wing. Previously, such credit was unavailable even if a firm reported issues to its primary regulatory division. This new framework provides greater clarity on when and how regulatory violations are escalated for enforcement action.

Trade Secrets and Contract Law

Federal Circuit upholds damages in trade secrets case from failed merger

The United States Court of Appeals for the Federal Circuit recently affirmed significant damages in the long-running case of *AMS-OSRAM USA Incorporated v. Renesas Electronics America Incorporated*. The dispute arose from merger discussions in 2004 between the plaintiff, formerly known as Texas Advanced Optoelectronic Solutions, and the defendant, previously called Intersil. The plaintiff had disclosed confidential business information under a confidentiality agreement, which the defendant was found to have misused to develop and sell competing products. The Court upheld findings of trade secret misappropriation and breach of contract, confirming the defendant’s liability for damages tied to unauthorized use of proprietary ambient light sensor technology.

Employee Benefits and Pensions

Supreme Court clarifies ERISA pleading standard for prohibited transactions

In *Cunningham v. Cornell University*, the Supreme Court of the United States unanimously ruled that plaintiffs alleging prohibited transactions under the Employee Retirement Income Security Act do not need to preemptively address statutory exemptions in their initial complaints. The Court clarified that the burden of proving applicability of prohibited transaction exemptions lies with the defendants as an affirmative defense. This decision lowers the bar for plaintiffs at the pleading stage, making it easier for such claims to survive motions to dismiss and proceed to discovery. The ruling may encourage more ERISA lawsuits based on technical violations that rely on these exemptions.

Employment and Labour Law

Supreme Court alters legal standard in Starbucks labour dispute

In *Starbucks Corporation v. McKinney*, the Supreme Court of the United States held that courts must apply the traditional four-factor test established in *Winter v. Natural Resources Defense Council, Incorporated* when deciding on preliminary injunctions sought under Section 10(j) of the National Labor Relations Act. The case involved the dismissal of employees at a Starbucks store in Memphis who supported unionization and participated in a media event. While lower courts had granted their reinstatement based on a two-factor test, the Supreme Court vacated those decisions, emphasizing the use of a more stringent and established standard in such labour-related injunction requests.

Washington state to impose new obligations on employers under Fair Chance Act

Effective July 1, 2026, Washington state will enforce expanded rules under its Fair Chance Act, significantly limiting the ways in which employers may use criminal history during hiring. The amended law, passed through House Bill 1747, will prohibit employers from inquiring into an applicant's criminal record until after a conditional offer has been made. Employers will also be barred from taking adverse actions based solely on arrest records or juvenile convictions. Any action based on adult convictions must be justified by a legitimate business necessity. These changes aim to increase employment opportunities for individuals with prior criminal records.

Illinois appellate court rules that Frito-Lay North America is not an excluded 80/20 company

An appellate court in Illinois has held that Frito-Lay North America, Inc., a subsidiary of PepsiCo, Inc., cannot be classified as an excluded 80/20 company under state tax regulations. Under Illinois law, companies with over 80 percent of their payroll and property outside the United States are excluded from a unitary business group. Following a corporate restructuring, a single-member limited liability company was established under Frito-Lay North America to manage expatriate employees, which inflated its foreign payroll. However, the court ruled that these expatriates were not common law employees of the disregarded entity, and therefore, their payroll should not be included. As a result, Frito-Lay North America did not exceed the 80 percent threshold and remained part of PepsiCo's unitary group. (*PepsiCo, Inc. v. Illinois Department of Revenue, Nos. 16 TT 82, 17 TT 16, 2025 IL App (1st) 230913-U, decided on March 19, 2025*)

EEOC and DOJ release joint guidance on discrimination linked to diversity and inclusion policies

The United States Equal Employment Opportunity Commission and the Department of Justice have jointly released two technical guidance documents addressing discrimination concerns related to diversity, equity, and inclusion efforts in workplaces. The documents, while not introducing new rights or legal obligations, clarify that any employment decision influenced by race, gender, or other protected traits could be unlawful under Title VII of the Civil Rights Act. Employees who believe they have experienced such discrimination are encouraged to file a complaint with the Equal Employment Opportunity Commission. Federal employees are directed to initiate proceedings through their agency's Equal Employment Opportunity counselor.

Environment And Climate Change

Federal proposal to remove ESA's 'harm' definition creates friction with California bill

Federal agencies have proposed eliminating the regulatory definition of "harm" under the Endangered Species Act, which currently includes significant habitat modifications that injure wildlife. This move, led by the United States Fish and Wildlife Service and the National Marine Fisheries Service, would make it easier for development projects to comply with federal law but may result in weaker protections for endangered species. Environmental advocates warn that this could undermine state-level conservation efforts. The proposed rescission is likely to conflict with California's pending Assembly Bill 1319, which seeks to reinforce environmental safeguards in light of reduced federal oversight.

Healthcare And Life Sciences

Indiana court reiterates that waiver of legal counsel in commitment cases must be valid and informed

In a case involving civil commitment, the Indiana Court of Appeals ruled that a patient cannot waive their right to legal representation unless the decision is made knowingly, voluntarily, and intelligently. The court reviewed the case of a psychiatric patient diagnosed with schizophrenia who had declined legal counsel during a commitment hearing. Based on the patient's mental state and statutory requirements, the court upheld the trial judge's finding that the patient lacked the capacity to effectively waive this right. The ruling underscores the importance of protecting procedural rights during mental health proceedings. (*In Re: Commitment of G.M., No. 24A-MH-2677, decided on March 27, 2025*)

FDA announces plan to phase out petroleum-based synthetic food dyes

The United States Food and Drug Administration and the Department of Health and Human Services have jointly announced a nationwide initiative to eliminate petroleum-based synthetic dyes from food products. The agency intends to revoke authorizations for certain dyes, including Citrus Red No. 2 and Orange B, and work with manufacturers to remove six more dyes from circulation by the end of the year. New natural color additives, such as Galdieria extract blue and gardenia blue, will be approved in their place. The agencies also plan to conduct extensive research, in collaboration with the National Institutes of Health, on how these substances affect children's health and development. The announcement reflects growing public concern over artificial ingredients and their health impacts.



Trending in **News**

Is Match-Fixing a Crime or Mere Misconduct?

Supreme Court to Settle the Debate

The Supreme Court of India, in ***State of Karnataka and Another v. Abrar Kazi and Others***, (MANU/SCOR/37061/2025), is set to decide a significant legal question concerning the nature of match-fixing and its recognition as a criminal offence under Indian law. The matter was recently listed before a Bench comprising Justice Surya Kant and Justice N.K.



Sudhindra Rao, who, considering the wider ramifications of betting and match-fixing on the integrity of sports, appointed Advocate Shivam Singh as Amicus Curiae to assist the Court. The matter is now scheduled for hearing on 27th July 2025.

The controversy arises out of allegations pertaining to the Karnataka Premier League 2019. The Karnataka police had filed a chargesheet against cricketers C.M. Gautam, former captain of the Karnataka Ranji team and a player for Deccan Chargers and Mumbai Indians, and Abrar Kazi, who represented Royal Challengers Bengaluru and Mizoram, alleging their involvement in match-fixing. It was alleged that the players received an amount of ₹20 lakh from certain bookies to deliberately underperform during the final match, thereby facilitating the victory of the Hubli Tigers by a margin of eight runs.

Based on these allegations, the police invoked Section 420 of the Indian Penal Code, 1860 (IPC), against the players, accusing them of cheating. However, the High Court of Karnataka quashed the criminal proceedings. The High Court, after analyzing the legal ingredients necessary to constitute the offence of cheating under Section 420 IPC, held that the allegations, even if assumed to be true in entirety, did not satisfy the requirements of deception and dishonest inducement resulting in wrongful delivery of property or destruction or alteration of a valuable security.

The High Court observed that although match-fixing generates a sense of betrayal and dishonesty towards the spirit of the game among the spectators and stakeholders, this public sentiment cannot, by itself, attract criminal liability under Section 420 IPC. It was noted that the misconduct, while amounting to grave indiscipline and dishonesty, could be subjected to disciplinary action by the Board of Control for Cricket in India (BCCI) under its internal regulatory framework, but would not fall within the scope of criminal cheating under the penal code. The Court further remarked that registration of an FIR under Section 420 IPC would not be legally sustainable even if the entire chargesheet was accepted at face value.



Aggrieved by the High Court's decision, the State of Karnataka has preferred a Special Leave Petition before the Supreme Court, asserting that match-fixing undermines the public trust vested in sports and strikes at the very foundation of fair competition, thereby warranting criminal sanction under the general criminal law.

The Supreme Court's forthcoming determination in this matter is likely to have profound implications for the legal treatment of corruption in sports. It may lead to a recalibration of the boundary between disciplinary breaches governed by sports bodies and acts that amount to cognizable offences under criminal law, thereby setting an important precedent for future cases of sporting fraud and integrity violations in India.