

31 March 2025 – 5 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

Bombay High Court: Tenants residing in premises covered by development agreement cannot be evicted under Section 9 of Arbitration Act

Ambit Urbanspace Vs. Poddar Apartment Co-operative Housing Society Limited & Ors., Dated: 01.04.2025, (MANU/MH/1948/2025; 2025:BHC-OS:5395)

The **Bombay High Court** has observed that eviction of tenants governed by the Rent Control Act cannot be pursued under Section 9 of the Arbitration and Conciliation Act, 1996 (Arbitration Act). This applies especially when the tenants are not parties to the Development Agreement between the Developer and the Landlords and are not being offered upgraded premises in the redeveloped building, as compared to what they currently occupy under their tenancy agreements.

CIVIL

Supreme Court: Quasi-Judicial bodies are bound by the principles of res judicata

M/S Faima Makers Pvt. Ltd. Vs. District Deputy Registrar, Co-operative Societies (3), Mumbai & Ors., Dated: 01.04.2025, (MANU/SC/0422/2025; 2025 INSC 423)

The **Supreme Court** by taking into consideration the case of Ujjam Bai vs. State of U.P has observed that “*principles of res judicata equally apply to quasi-judicial bodies. Whenever a judicial or quasi-judicial tribunal gives a finding on law or fact, its findings cannot be impeached collaterally or in a second round and are binding until reversed in appeal or revision or by way of writ proceedings*”.

Supreme Court: Courts may award interest rates exceeding 6% in commercial transaction

I.K. Merchants Pvt. Ltd. & Ors. Vs. The State Of Rajasthan & Ors., Dated: 01.04.2025, (MANU/SC/0416/2025;2025 INSC 418)

The **Supreme Court** has observed that “*the court may grant interest on the total decretal amount (principal + interest before decree) from the date of the decree until payment, at a rate not exceeding 6% per annum unless otherwise specified in contractual agreements or statutory provisions. However, if the claim arises from a commercial transaction, courts may allow interest at a higher rate based on agreements between the parties*”.

Delhi High Court provides partial relief to BJP's Shazia Ilmi in her defamation case against Rajdeep Sardesai, but imposes cost on her for withholding tweets

Shazia Ilmi Vs. Rajdeep Sardesai & Ors., Dated: 04.04.2025, (MANU/DE/2310/2025; 2025:DHC:2325)

The **Delhi High Court** has observed that “*The Court notes that a Plaintiff alleging defamation on social media platform arising out of a conversation thread must mandatorily disclose the full conversation thread, particularly her own tweets/comments as well and should approach the Court with clean hands*”.

Bombay High Court: No legal restriction preventing convenience stores from staying open 24/7

Accelerate Productx Ventures Pvt. Ltd. Vs. State of Maharashtra & Ors., Dated: 01.04.2025, (MANU/MH/2071/2025; 2025: BHC-AS:14879-DB)

The **Bombay High Court** has observed that “to achieve progress commensurate with the global standards, no restriction has been imposed by the State on the timings of such stores”.

Allahabad High Court differentiates between person executing document and witness

Veer Bahadur Singh Vs. Hindustan Petroleum Corporation Limited And 2 Others, Dated: 01.04.2025, (MANU/UP/0656/2025; 2025:AHC:44285-DB)

The **Allahabad High Court** has observed that “There is a huge difference between executing a particular document and being a witness to the same document. The witness does not in any manner agree to the terms and conditions in the said lease deed while a person who executes the document agrees to the terms and conditions.”.

CRIMINAL

Supreme Court: Complainant is not obligated to demonstrate financial capacity at threshold

Ashok Singh Vs. State Of Uttar Pradesh & Anr., Dated: 02.04.2025, (MANU/SC/0428/2025; 2025 INSC 427)

The **Supreme Court** has observed that “The onus is not on the complainant at the threshold to prove his capacity/financial wherewithal to make the payment in discharge of which the cheque is alleged to have been issued in his favour. Only if an objection is raised that the complainant was not in a financial position to pay the amount so claimed by him to have been given as a loan to the accused, only then the complainant would have to bring before the Court cogent material to indicate that he had the financial capacity and had actually advanced the amount in question by way of loan”.

Supreme Court: Additional accused can be summoned based on witness's statement, even without cross-examination

Satbir Singh Vs. Rajesh Kumar and Others, Dated: 01.04.2025, (MANU/SC/0418/2025; 2025 INSC 416)

The **Supreme Court** has observed that a request to summon an additional accused can be based on pre-trial evidence, including the unrebutted examination-in-chief of a witness, without waiting for cross-examination to be completed. The court relied on Hardeep Singh v. State of Punjab wherein it was held “A person not named in the FIR or a person though named in the FIR but has not been charge-sheeted or a person who has been discharged can be summoned under Section 319 CrPC provided from the evidence it appears that such person can be tried along with the accused already facing trial”.

CONSUMER

Bombay High Court: Law must protect unwary and untrained consumers from being deprived of their legal rights

Samarth Constructions & Ors. Vs. Pushpa Chandrakant Mate, Dated: 04.04.2025, (MANU/MH/2040/2025; 2025:BHC-AS:15723-DB)

The **Bombay High Court** has observed that “One needs to be mindful of the object behind the legislation that an untrained, unwary consumer because of unequal bargaining power ought not to be deprived of his legal rights”.

LIMITATION

Supreme Court: Limitation Act applicable upon proceedings under Public Premises (PP) Act

New Mangalore Port Trust & Anr. Vs. Clifford D Souza Etc.Etc, Dated: 03.04.2025, (MANU/SC/0442/2025; 2025 INSC 440)

The **Supreme Court** has observed that “Once the Limitation Act applies, all its provisions will be applicable to the proceedings under the PP Act”.

Supreme Court: Party interested in property is considered aware of sale deed from registration date

Smt. Uma Devi And Ors. Vs. Sri. Anand Kumar And Ors., Dated: 02.04.2025, (MANU/SC/0433/2025; 2025 INSC 434)

The **Supreme Court** overturned the High Court's decision that upheld a decree in a partition suit filed 45 years after the sale deed was registered, emphasizing that the limitation period starts from the date of registration, which serves as constructive notice.

ELECTRICITY

Supreme Court: State Commissions retain authority over inter-state power supply that impacts grids within their state

Ramayana Ispat Pvt. Ltd. And Anr. Vs. State of Rajasthan & Ors., Dated: 01.04.2025, (MANU/SC/0421/2025; 2025 INSC 424)

The **Supreme Court** has observed that “Section 42(2) of the Act of 2003 specifically empowers State Commissions to regulate intra-state open access, ensuring fair access to transmission and distribution networks within the state”.

EDUCATION

Bombay High Court upholds Bar Council of India's right to conduct inspections of law colleges

Smt. Nathibai Damodar Thackersey Women's University Law School Vs. The State of Maharashtra & Ors., Dated: 02.04.2025, (MANU/MH/2003/2025; 2025:BHC-OS:5639-DB)

The **Bombay High Court** has observed that “*though the BCI may not have been entrusted with the direct control of legal education, in the sense, in which the same is entrusted to university, yet the BCI retains adequate power to control course of studies in law and power of inspection. It was further held that as an apex professional body, the BCI is concerned with the standards of legal profession in the country and thus, concerned with the legal education in the country*”.

INSOLVENCY

Supreme Court approves Piramal's resolution plan for DHFL upheld

Piramal Capital And Housing Finance Limited (Formerly Known as Dewan Housing Finance Corporation Limited) Vs. 63 Moons Technologies Limited & Others, Dated: 02.04.2025, (MANU/SC/0423/2025; 2025 INSC 421)

The **Supreme Court** while setting aside the NCLAT order, has approved the Resolution Plan proposed by Piramal Capital and Housing Finance for the erstwhile Dewan Housing Finance Corporation Ltd.

NCLAT: Appeal Under Section 61 of IBC is admissible against AA's order initiating insolvency proceedings against personal guarantors

Aarti Singal Vs. State Bank of India & Ors., Dated: 01.04.2025, (MANU/NL/0251/2025)

The **National Company Law Appellate Tribunal (NCLAT)** has observed that personal guarantors can file an appeal under Section 61 of the Insolvency and Bankruptcy Code, 2016 (IBC) against an order passed by the Adjudicating Authority (AA) under Section 100 of the Code, which directs the initiation of the Personal Insolvency Resolution Process (PIRP). The NCLAT is the appropriate forum for initiating insolvency proceedings against personal guarantors.

MEDIA & COMMUNICATION

Delhi High Court holds Wikipedia liable for content posted, rejects “just an intermediary” defence in ANI defamation case

ANI Media Pvt. Ltd. Vs. Wikimedia Foundation Inc & Ors., Dated: 02.04.2025, (MANU/DE/2295/2025; 2025: DHC:2307)

The **Delhi High Court** has observed that “*Defendant No.1, therefore, cannot completely wash its hands of the contents of the article on the ground that it is only an intermediary and cannot be held responsible for the statement that is published on its platform. Defendant No.1 professes itself to be an encyclopedia and people at large have a tendency to accept the statements made on the web pages of Defendant No.1 as gospel truth. The responsibility, therefore, of Defendant No.1 is higher*”.

LAND ACQUISITION

Supreme Court interprets principle of De Escalation stating that the highest sale exemplars must be considered

Ram Kishan (Since Deceased) Through His Lrs Etc. Vs. State of Haryana & Ors., Dated: 03.04.2025, (MANU/SC/0439/2025; 2025 INSC 441)

The **Supreme Court** has observed that “It is also well settled that potentiality of the land is also to be taken into consideration while assessing the market value. It has been held that potentiality is the use to which the land is put to use or reasonably capable of being put to use”.

LABOUR

Supreme Court: Workers cannot be denied bonuses on grounds that factories are operated by charitable trusts

The Management of Worth Trust Vs. The Secretary, Worth Trust Workers Union, Dated: 02.04.2025, (MANU/SC/0431/2025; 2025 INSC 432)

The **Supreme Court** has observed that “Moreover, when it is established that the appellant is running factories, then there can be no doubt regarding the applicability of the Bonus Act. Just because such factories come under the broad umbrella of the appellant-trust, which is also involved in some charitable work, the workers cannot be deprived of the benefit of the Bonus Act.”

MOTOR VEHICLE

Delhi High Court: Driving at high speed alone is not enough to conclude that driver acted rashly or negligently

Manish Kumar Vs. State of Nct Delhi, Dated: 01.04.2025, (MANU/DE/2162/2025; 2025:DHC:2169)

The **Delhi High Court** has observed that “even assuming that the petitioner was driving at a “high speed”, the same is not sufficient to conclude that the petitioner was, in fact, driving the Car in a “rash and negligent” manner”.

SERVICE

Supreme Court: Excess payments to employees cannot be recovered without fraud or misrepresentation

Jogeswar Sahoo & Ors. Vs. The District Judge, Cuttack & Ors., Dated: 04.04.2025, (MANU/SC/0453/2025; 2025 INSC 449)

The **Supreme Court** has observed that “This Court has consistently taken the view that if the excess amount was not paid on account of any misrepresentation or fraud on the part of the employee or if such excess payment was made by the employer by applying a wrong principle for calculating the pay/allowance or on the basis of a particular interpretation of rule/order, which is subsequently found to be erroneous, such excess payments of emoluments or allowances are not recoverable”.

Supreme Court establishes key principles to consider by courts while deciding issues related to government employees appointments

State Of West Bengal Vs. Baishakhi Bhattacharyya (Chatterjee) And Others, Dated: 03.04.2025, (MANU/SC/0438/2025; 2025 INSC 437)

The **Supreme Court**, while affirming the annulment of almost 25,000 teaching and non-teaching staff appointments made by the West Bengal School Selection Commission (SSC) in 2016, outlined important principles for the Court to consider when addressing challenges to government employment appointments.

Supreme Court: No universal rule requiring candidates with qualifications higher than basic eligibility for post to be given preference

Jomon K.K. Vs. Shajimon P. & Ors. Etc., Dated: 02.04.2025, (MANU/SC/0435/2025; 2025 INSC 425)

The **Supreme Court** has observed that there is no rigid rule stating that candidates with higher qualifications must be chosen over those who meet the basic qualifications. Each case should be evaluated based on its specific circumstances, the rules governing the selection process, and the nature of the duties to be performed.

Supreme Court: Disciplinary proceedings cannot be initiated against quasi-judicial officer solely for issuing incorrect order

Amresh Shrivastava Vs. The State Of Madhya Pradesh & Ors., Dated: 01.04.2025, (MANU/SC/0417/2025; 2025 INSC 417)

The **Supreme Court** annulled the disciplinary proceedings against a former Tehsildar, stating that incorrect quasi-judicial orders, in the absence of allegations of malafide intentions or external influence, cannot serve as grounds for disciplinary action.

Notification Updates



Ministry of Commerce & Industry

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0334/2025

The US President issued an Executive Order imposing additional tariffs on imports, with India facing a 27% duty. The **Indian Department of Commerce** is assessing the impact and exploring opportunities, while ongoing discussions aim to enhance bilateral trade to \$500 billion by 2030. India remains committed to strengthening its strategic partnership with the US.

Press Information Bureau, Dated: 01.04.2025, MANU/PIBU/0316/2025

The **Government of India** is taking measures to curb the import of substandard goods to protect the domestic industry, involving investigations by the Directorate General of Trade Remedies and enforcement by the Directorate of Revenue Intelligence and Customs. These efforts include adherence to various acts and regulations, such as the Customs Tariff Act, Food Safety and Standards Act, and BIS standards, to ensure imported goods meet safety and quality standards

Ministry of Communications

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0327/2025

The **Telecom Regulatory Authority of India** has released a Pre-Consultation Paper to review existing interconnection regulations, inviting stakeholders to submit their inputs and suggestions. This initiative aims to develop a robust regulatory framework for interconnection.

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0328/2025

The **Department of Telecommunications** has launched initiatives to prevent telecom resource misuse for cybercrimes and financial frauds, including a citizen-centric portal, a digital intelligence platform, and collaboration with telecom providers to block spoofed calls. Measures also include AI tools for identifying fake mobile connections, enhanced verification processes, and stricter KYC protocols.

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0333/2025

The **Post Office Rules, 2024** aim to enhance service delivery quality, especially in rural areas, by modernizing postal services and introducing new products. The initiative focuses on improving accessibility and efficiency through technology, supporting financial and digital inclusion, and facilitating ease of doing business for rural entrepreneurs.

Ministry of Corporate Affairs

Press Information Bureau, Dated: 01.04.2025, MANU/PIBU/0319/2025

The government has strengthened the Insolvency and Bankruptcy Code (IBC) with six amendments and 122 regulatory reforms, leading to over 8,000 Corporate Insolvency Resolution Processes (CIRPs) and rescuing 3,485 debtors, realizing INR. 3.58 lakh crore. The IBC has become the dominant recovery route for banks, significantly impacting the banking sector and improving the financial health of resolved firms.

Ministry of Education

Press Information Bureau, Dated: 02.04.2025, MANU/PIBU/0320/2025

The **Ministry of Education** is enhancing support systems for children with autism spectrum disorder in schools by utilizing Block Resource Centres under the Samagra Shiksha scheme. These centers provide essential therapy services, specialized interventions, and learning support to help children reach their full potential, aligning with the National Education Policy 2020.

Ministry of Environment, Forest and Climate Change

Press Information Bureau, Dated: 02.04.2025, MANU/PIBU/0321/2025

The CAQM Sub-Committee has activated a 27-point action plan under Stage-I of the Graded Response Action Plan (GRAP) due to Delhi's air quality reaching the 'Poor' category. This plan involves measures to control pollution, including dust mitigation, waste management, traffic regulation, and public cooperation, to improve air quality in the NCR.

Ministry of Law and Justice

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0331/2025

The **Income Tax Appellate Tribunal (ITAT)** has implemented e-governance and e-courts, enabling electronic filing of appeals and virtual hearings. Over 26,000 appeals were filed electronically, and courtrooms in Delhi and Lucknow have been upgraded with video conferencing infrastructure to support hybrid hearings.

Ministry of Home Affairs

Press Information Bureau, Dated: 02.04.2025, MANU/PIBU/0323/2025

Union Home Minister Amit Shah participated in a Lok Sabha discussion on the Waqf (Amendment) Bill, 2025, and the Mussalman Wakf (Repeal) Bill, 2024, clarifying that the government does not intend to interfere in Muslim religious activities or properties. He emphasized that the bills aim to ensure proper management and transparency of Waqf properties, countering opposition claims of fear-mongering among minorities. The government asserts that the bills are for justice and public welfare, not vote-bank politics.

Ministry of Finance

Press Information Bureau, Dated: 01.04.2025, MANU/PIBU/0312/2025

The Banking Regulation Amendment Act 2020 has enhanced the **Reserve Bank of India's** supervision over co-operative banks, focusing on management, audit, and capital. Additional measures include the RBI's 2024 Master Direction on Fraud Management, amendments to the Multi-State Co-operative Societies Act, and the establishment of a Cooperative Ombudsman and Election Authority to strengthen governance and transparency.

Ministry of Minority Affairs

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0330/2025

The **Waqf (Amendment) Bill, 2025** aims to improve the management of Waqf properties by enhancing transparency, addressing legal disputes, and promoting social welfare. It seeks to empower Muslim women, uplift the poor, and ensure better governance by including diverse community representation in Waqf Boards. The Bill establishes a secular and accountable system for the Waqf administration, focusing on legal compliance and public interest.

Ministry of Ports, Shipping and Waterways

Press Information Bureau, Dated: 03.04.2025, MANU/PIBU/0324/2025

The **Coastal Shipping Bill, 2024**, passed by the Lok Sabha, aims to enhance India's coastal trade by providing a dedicated legal framework, reducing logistics costs, and promoting sustainable transport. It integrates coastal shipping with inland waterways, supports Indian shipbuilding, and aligns with the National Logistics Policy to boost economic growth and job creation in the maritime sector. The bill also emphasizes cooperative federalism, ensuring active participation of states in strategic planning and development.

Reserve Bank of India

**Circular No. : CO.DGBA.GBD.No.S1/31.02.007/2025-2026,RBI/2025-2026/05,
Dated: 01.04.2025, MANU/RMIC/0053/2025**

The document is a Master Circular from the **Reserve Bank of India** detailing the procedures and guidelines for the disbursement of government pensions by agency banks. It consolidates important instructions on pension payments, including the handling of dearness relief, excess payments, and provisions for sick or disabled pensioners. The circular emphasizes prompt implementation of government instructions, customer service, and grievance redressal mechanisms for pensioners.

**Circular No. : CO.DGBA.GBD.No.S2/31-12-010/2025-2026, RBI/2025-2026/06,
Dated: 01.04.2025, MANU/RMIC/0052/2025**

The **Reserve Bank of India** has revised and updated the Master Circular on the conduct of government business by agency banks, specifically regarding the payment of agency commission. The updated circular consolidates important instructions issued by the RBI up to March 31, 2025.

**Circular No. : DCM (FNVD)/G4/16.01.05/2025-2026, RBI/2025-2026/132,
Dated: 01.04.2025, MANU/RDCM/0004/2025**

The **Reserve Bank of India** has issued a Master Direction to consolidate and update guidelines for banks on the detection, reporting, and monitoring of counterfeit notes, ensuring all current instructions are available in one document.

**Circular No.: DCM (CC) No.G-2/03.35.01/2025-2026, RBI/DCM/2025-2026/130,
Dated: 01.04.2025, MANU/RDCM/0002/2025**

The **Reserve Bank of India** has issued updated guidelines on penal provisions for reporting transactions and balances at currency chests. These guidelines emphasize timely and accurate reporting, with penalties for delays, wrong reporting, and inclusion of ineligible amounts. The document outlines procedures for reporting, penalties for non-compliance, and the business continuity plan to ensure smooth operations.

Securities and Exchange Board of India

**Circular No. : SEBI/HO/MIRSD/MIRSD-PoD/P/CIR/2025/46, Dated: 01.04.2025,
MANU/SSMD/0009/2025**

The **Securities and Exchange Board of India** has extended the timeline for implementing standards related to safer retail investor participation in algorithmic trading. The new implementation standards will take effect from May 1, 2025, with full provisions applicable from August 1, 2025. Stock exchanges are directed to update their systems and inform brokers accordingly.

**Circular No.: SEBI/HO/CFD/CFD-PoD-1/P/CIR/2025/42, Dated: 28.03.2025,
MANU/SSMD/0007/2025**

The **Securities and Exchange Board of India** has revised provisions to enhance ease of doing business by updating ESG disclosures for the value chain, offering options for 'assessment' or 'assurance' of BRSR Core, and introducing voluntary green credit disclosures. These changes aim to streamline sustainability reporting and compliance for listed entities and their value chain partners.

**Circular No.: SEBI/HO/ ITD-1/ITD_CSC_EXT/P/CIR/2025/45, Dated: 28.03.2025,
MANU/SMIS/0024/2025**

The **Securities and Exchange Board of India** has extended compliance timeline for the Cybersecurity and Cyber Resilience Framework for regulated entities by three months, until June 30, 2025, excluding certain institutions. This decision aims to facilitate ease of compliance and ensure robust cybersecurity measures.

**Circular No.: SEBI/HO/IMD/IMD-PoD-1/P/CIR/2025/39, Dated: 28.03.2025,
MANU/SIPM/0005/2025**

The **Securities and Exchange Board of India** has extended the timeline for Portfolio Managers to submit offsite inspection data from 10 to 15 calendar days after the quarter ends. This change is effective immediately and applies to data submissions from April 1, 2023, onwards.

News



Administration

01.04.2025

The **Andhra Pradesh High Court** has held that in cases relating to transfers made on account of administrative exigencies, the Court possesses a very limited scope of judicial review. In the absence of any arbitrary and malafide attributions being made or established the decision cannot be interfered with.

Arbitration

02.04.2025

The **Jammu and Kashmir High Court** has held that limitation period for challenging an award would start only after the signed copy is received by the party seeking to challenge the award as the delivery of a signed copy of the arbitral award is the mandatory requirement under the Arbitration & Conciliation Act, 1996.

Civil

04.04.2025

The **Supreme Court** has ruled that a suit for specific performance cannot be maintained for a canceled sale agreement unless a declaration regarding the cancellation is sought.

03.04.2025

In a major move to enhance transparency and strengthen public trust in the judiciary, all the **Supreme Court** Judges have agreed to publicly disclose their asset declarations.

The Bruhat Bengaluru Mahanagara Palike (BBMP), Bengaluru's civic body, has introduced a garbage tax, requiring residents to pay a "solid waste management user" fee starting April 1, 2025.

02.04.2025

The **Supreme Court** refused to issue directives to State Governments to set up public libraries in rural areas. The Court highlighted that fundamental issues such as access to clean water, food, quality education, and sanitation are more urgent concerns in rural development, and it cannot dictate how resources should be distributed.

In response to a plea requesting a ban on plastic flowers in Maharashtra, the Central Government informed the **Bombay High Court** that there are no restrictions on the use of plastic flowers, and they are not classified as single-use plastic items subject to prohibition.

The **Karnataka High Court** has refused to entertain a petition that sought implementation of the government circular asking all its departments and authorities to avoid using the nomenclature "Dalit" for members belonging to the Scheduled Castes during all official transactions.

01.04.2025

The **Supreme Court** has refused to entertain a petition challenging validity of S.4(2) of the Places of Worship Act, 1991 which provides termination of any legal proceedings on the religious character of a place of worship initiated before August 15, 1947, on the commencement of the Act.

The **Supreme Court** has directed Prayagraj Development Authority to pay compensation of 10 lakhs each to six individuals for illegal demolition of their houses. The Court stated that authorities must remember that the right to shelter is also an integral part of Article 21 of the Constitution of India.

Criminal

03.04.2025

The **Supreme Court** mandates petitioners requesting bail to compulsorily reveal their criminal history in their petitions.

02.04.2025

The **Supreme Court** highlighted the growing trend of filing rape cases based on false promises of marriage.

The **Bombay High Court** ruled that the Maharashtra Black Magic Act, designed to combat harmful practices, does not apply to genuine religious practices, the sharing of traditional knowledge, or cultural expressions.

01.04.2025

The **Supreme Court** issued a notice on the plea filed by Kerala-based YouTuber Suraj Palakaran, seeking the quashing of criminal proceedings against him for revealing the identity of a victim in a POCSO (Protection of Children from Sexual Offences) Act case.

The **Delhi High Court** allows DNA tests at the final arguments stage, ruling that independent evidence to assess guilt or innocence cannot be denied due to delay.

Constitution

05.04.2025

President Droupadi Murmu has granted her assent to the Waqf (Amendment) Act, 2025

04.04.2025

Rajya Sabha has passed the Waqf (Amendment) Act, 2025 a day after it was passed by the Lok Sabha. The bill was passed with 128 votes favouring and 95 votes opposing it.

Customs Act

01.04.2025

The **Delhi High Court** has directed that the Customs department must preserve CCTV footage whenever a complaint is received regarding illegal detention of a traveler's foreign currency.

Cyber Laws

04.04.2025

The **Supreme Court** allows petitioner to approach the Union Government regarding plea to ban social media use for children under 13 years.

Limitation

02.04.2025

The **Bombay High Court** ruled that limitation cannot be determined as a preliminary issue without first assessing whether it involves a mixed question of law and fact.

Environment

03.04.2025

The **Supreme Court** has directed to stop large-scale felling of trees in the Kancha Gachibowli area in Hyderabad and warned of strict action against the Chief Secretary of the State in case of non-compliance of the order.

The **Supreme Court** issued an order imposing a one-year ban on the use, manufacture, sale, and storage of firecrackers in the Delhi-National Capital Region.

02.04.2025

The **Supreme Court** has reserved its judgment on pleas challenging notifications issued by the Central Government that allowed ex-post facto clearance for mining projects without the requisite clearance under Environment Impact Assessment (EIA) Notification, 2006.

Insolvency

03.04.2025

The **National Company Law Tribunal** rejected a petition that sought the initiation of the corporate insolvency resolution process (CIRP) against Zomato for alleged non-payment of dues.

Intellectual Property Rights

02.04.2025

The **Delhi High Court** has ordered the removal of the 'Kindpan' trademark following a petition filed by Mankind Pharma Limited against a proprietorship firm that had been granted registration of the mark in the medicinal and pharmaceutical preparations category.

OpenAI, the creator of the artificial intelligence chatbot ChatGPT, told the **Delhi High Court** that it cannot be charged with copyright infringement in India, as it stores data and trains its Large Language Model (LLM) outside the country.

The **Delhi High Court** has passed a permanent injunction in favour of Peak XV Partners Advisors India LLP against passing off of its trademark 'Peak XV Partners' through fraudulent website, apps, and WhatsApp. The Court observed that there was a clear intent to defraud and deceive the public.

Motor Vehicle

02.04.2025

The **Karnataka High Court** directed bike taxi aggregators, including Rapido, to cease their operations in the state within six weeks.

Service

02.04.2025

The **Supreme Court** emphasized the scarcity of government jobs and the challenges faced by deserving candidates who are unable to secure employment due to the limited opportunities available.

The **Bombay High Court** has ruled that giving preference to a candidate based on age in the event of a tie in tender conditions is "discriminatory and irrational."



International Updates

Capital Market

Full steam ahead for Australian climate reporting as Australian Securities and Investments Commission releases its final guidance

The Australian Securities and Investments Commission issued its final Regulatory Guide 280 on Sustainability Reporting, following an extensive consultation process that began with the draft guidance published on 7 November 2024. The regulatory body has emphasized a balanced approach to compliance, recognizing the challenges companies may face while transitioning to the new sustainability reporting framework. The Australian Securities and Investments Commission acknowledges that reporting entities will progressively develop their capabilities as they refine their policies, procedures, and data management systems related to sustainability reporting. Additionally, it has provided specific recommendations for directors to better understand their responsibilities concerning climate-related risks and opportunities that could impact the entity's future prospects.

Company & Commercial

Significant interest in Australasian Joint Ore Reserve Committee Code updates with final version expected by end of 2025

The Australasian Joint Ore Reserve Committee has received over 8,200 comments regarding proposed updates to the Australasian Joint Ore Reserve Committee Code. The consultation period, spanning from August to October 2024, included written submissions and engagement through in-person and online events. This unprecedented level of feedback highlights the significance of the Code to the Australian mining industry. The revisions aim to align the Code with international standards and contemporary mining investment requirements, including Environmental, Social, and Governance considerations. The Committee continues to review the feedback, with further input required from the Australian Securities and Investments Commission, the Australian Securities Exchange, and ministerial authorities before the final version is released.

No grounds for Holden dealers to renegotiate agreements post-General Motors exit from Australia

The Supreme Court of Victoria has dismissed a claim filed against General Motors Holden Australia NSC Proprietary Limited by several former Holden dealers. The class action was initiated in response to General Motors Company's decision in 2020 to discontinue the Holden brand in Australia. The dealers alleged breaches of contract and bad faith, seeking better compensation than provided under their Dealer Agreements. However, the Court ruled in favor of General Motors Holden Australia NSC Proprietary Limited, affirming that the dealers were bound by the agreements they had entered into. This decision aligns with previous rulings involving Mercedes-Benz and Honda dealers, reinforcing the principle that franchisees cannot retrospectively renegotiate agreements following adverse business decisions.

Competition

High Court ruling in Australian Competition and Consumer Commission v Construction, Forestry and Maritime Employees Union limits enforcement of secondary boycott prohibitions

The High Court of Australia has ruled against the Australian Competition and Consumer Commission in its case against J Hutchinson Proprietary Limited and the Construction, Forestry and Maritime Employees Union concerning secondary boycotts. The Australian Competition and Consumer Commission had alleged that an anti-competitive arrangement was formed when J Hutchinson Proprietary Limited excluded a subcontractor from a construction site following threats of industrial action from the Construction, Forestry and Maritime Employees Union. However, the High Court determined that an agreement or understanding under section 45E(3) of the Competition and Consumer Act 2010 requires more than one party merely complying with another's demand. The judgment clarifies that absent explicit or tacit consensus between the parties, an unlawful understanding cannot be inferred solely from a unilateral response to a threat.

Energy & Natural Resources

Queensland introduces stricter compliance requirements in Wind Farm Code amendments

The Queensland Government has introduced amendments to the Planning Regulation 2017 through the Planning (Wind Farms) Amendment Regulation 2025, which enforces stricter compliance with the State Development Assessment Provisions. The latest version of the Wind Farm Code requires full adherence to both the Performance Outcomes and Purpose Statement, a departure from the previous regulatory approach that allowed partial compliance. Under the new framework, projects that fail to meet either criterion will be deemed non-compliant. This change enhances regulatory certainty but increases the compliance burden for developers, necessitating more comprehensive planning and assessment processes. The amendments reflect the state's commitment to ensuring that wind farm developments align with broader environmental and planning objectives.

Proposed amendments to the National Greenhouse and Energy Reporting Scheme open for public consultation

The Commonwealth Department of Climate Change, Energy, the Environment and Water has invited submissions on proposed amendments to the National Greenhouse and Energy Reporting Scheme and its forward work program. As part of its annual review, the Department seeks stakeholder feedback to identify issues and implement necessary updates. Every five years, these updates are also guided by the Climate Change Authority's review. The 2025 public consultation will incorporate aspects of the Government's response to the Climate Change Authority's 2023 review. A consultation paper and an exposure draft detailing the proposed amendments to the National Greenhouse and Energy Reporting (Measurement) Determination 2008 have been released. If enacted, these changes will take effect from July 1, 2025, and apply to reports submitted by October 31, 2026, for the 2025–26 reporting period.

Tax

Hydrogen tax incentive laws enacted but contingent on Guarantee of Origin scheme

The Commonwealth Parliament has passed new legislation introducing a tax credit incentive for hydrogen production, but its implementation remains dependent on the Guarantee of Origin scheme becoming effective. The Future Made in Australia (Production Tax Credits and Other Measures) Act 2024, which received assent on February 14, 2025, introduces a two-dollar per kilogram tax credit for clean hydrogen production in Australia from 2027 to 2040. This Act amends the Income Tax Assessment Act 1936, the Income Tax Assessment Act 1997, and the Taxation Administration Act 1953. The tax incentive forms a key element of the 2024 Hydrogen Strategy, which was released in September 2024. The Future Made in Australia initiative, valued at twenty-two point seven billion dollars, aims to promote economic growth through workforce training, renewable energy investments, industrial innovation, and the utilization of critical minerals.

CANADA

Banking

Ontario Securities Commission releases its 2025 Service Commitment Review

The Ontario Securities Commission has reaffirmed its dedication to ensuring transparency, accountability, and efficiency in its regulatory functions. In its latest service commitment report published on March 31, 2025, the Commission outlines performance standards across key areas of engagement with investors, registrants, and other market participants. The report is part of a broader strategy aimed at strengthening market confidence, enhancing regulatory responsiveness, and improving operational predictability. The commitments include response time targets for general inquiries, complaints, and regulatory filings. Among the key service standards, the Commission aims to respond to 95 percent of routine written inquiries within ten working days and to answer 80 percent of calls within sixty seconds. The report also sets benchmarks for reviewing prospectuses, with long-form and simplified prospectuses expected to receive comments within ten days and short-form or shelf prospectuses within three days. Routine regulatory reviews are to be completed within forty business days in at least 80 percent of cases.

Construction

Legal battle over R. v. Sudbury concludes with key lessons for the construction industry

The long-standing case of R. v. Sudbury has finally come to an end, with significant implications for the construction industry in Ontario. The case revolved around a fatal accident that occurred near a construction site managed by a contractor, where a pedestrian was struck by a road grader. Although the contractor was designated as the "constructor" under the Occupational Health and Safety Act, Ontario's Court of Appeal overturned the initial acquittal of the City of Greater Sudbury, ruling that the City also bore responsibility as an "employer." The Supreme Court of Canada later delivered a split decision on the City's appeal, leading to a reconsideration of whether it had exercised due diligence in preventing the accident. The lower court reaffirmed the City's acquittal, and the Ministry of Labour's subsequent appeal was denied by the Ontario Court of Appeal. This ruling underscores the importance of defining roles and responsibilities in construction projects to ensure compliance with safety regulations.

Information Technology & Data Protection

China mandates labeling of artificial intelligence-generated content from September 2025

The Cyberspace Administration of China, along with the Ministry of Industry and Information Technology, the Ministry of Public Security, and the National Radio and Television Administration, has issued new measures requiring digital platforms to label artificial intelligence-generated content. The Measures for the Identification of Artificial Intelligence-Generated Synthetic Content, which will take effect from September 1, 2025, aim to enhance transparency in digital media. These regulations are aligned with the Cybersecurity Law, the Regulations on the Management of Algorithmic Recommendations for Internet Information Services, the Regulations on the Management of Deep Synthesis for Internet Information Services, and the Interim Measures for the Administration of Generative Artificial Intelligence Services.

Pharmaceuticals & Data Protection

China releases draft working procedures for pharmaceutical trial data protection

The National Medical Products Administration of China has published a draft of the Implementing Measures for Pharmaceutical Trial Data Protection, which outlines data protection eligibility for innovative drugs, improved new drugs, and first generic drugs, with protection periods ranging from three to six years. Alongside this draft, the authority has also introduced the draft Working Procedures for Drug Trial Data Protection, which provides details on the application process, the handling of generic drug applications during the protection period, and the implications of protection expiration or termination. Under the proposed framework, applicants must submit their data protection requests simultaneously with their drug marketing authorization applications. The Centre for Drug Evaluation, under the National Medical Products Administration, will review both applications concurrently.

Intellectual Property Rights

China strengthens tools for handling foreign-related intellectual property disputes

The State Council of China has issued the Provisions of the State Council on Handling of Foreign-Related Intellectual Property Disputes, which will take effect from May 1, 2025. This legislative move is intended to protect Chinese enterprises expanding internationally amid increasing global intellectual property disputes. Chinese firms are increasingly transitioning from intellectual property implementers to right holders, particularly in sectors such as artificial intelligence, renewable energy, and electric vehicles. In 2023, one thousand one hundred and seventy-three intellectual property lawsuits involving Chinese enterprises were filed in the United States, marking a nineteen percent increase from the previous year. High-profile cases such as Lenovo v. Ericsson, ZTE v. Samsung, and Sol IP v. BYD highlight the rising complexity of international intellectual property litigation.

Legal interpretation of prior legitimate rights in design patent disputes

Recently, the Chinese court has clarified the interpretation of "prior legitimate rights" under Paragraph 3 of Article 23 of the Patent Law. The dispute arose between Natural Person X, who held a design patent for a beer can featuring the text "V8," and Company A, which owned the registered trademark "V8." While Company A's trademark application was filed in December 2016 and officially registered in October 2018, the design patent in question was granted in December 2018 based on an application filed in May 2018. Company A sought to invalidate the patent, arguing that it conflicted with its prior rights. However, the China National Intellectual Property Administration ruled in favor of the patent holder, determining that since Company A's exclusive trademark rights commenced after the patent application date, the trademark did not constitute a prior conflicting right. The first-instance court upheld this decision, leading Company A to file an appeal.

Burden shift: CNIPA requires applicants to prove authenticity of post-filing data

The China National Intellectual Property Administration has reinforced its commitment to the principle of good faith in patent applications by placing the burden on applicants to prove the authenticity of post-filing data. In a recent case, a patent application for a pharmaceutical compound claimed to offer improved tolerance and reduced side effects compared to Imatinib, a leukemia treatment. However, the application was rejected due to inadequate characterization and experimental data. The applicant submitted clinical trial data from a study involving one hundred patients, but inconsistencies between this data and publicly available information led to the rejection of the patent for violating the good faith requirement. This decision highlights China's rigorous approach to ensuring credibility in patent filings and preventing the submission of false data.

China strengthens judicial protection of intellectual property rights to promote key industries

The Supreme People's Court and the Supreme People's Procuratorate have underscored the country's increased judicial protection of intellectual property rights to support critical industries such as artificial intelligence, high-end manufacturing, biomedicine, and new materials. The work reports presented at the national legislative session revealed that Chinese courts handled four hundred ninety-four thousand intellectual property rights cases in the past year, marking a slight increase. Additionally, twenty-one thousand individuals faced prosecution for offenses related to trademarks, patents, copyrights, and trade secrets. The emphasis on intellectual property rights enforcement aligns with China's strategy to foster innovation while deterring infringement in emerging technological sectors.

INDONESIA

Company & Commercial

Corporate entities face blacklisting for non-compliance with beneficial ownership reporting

Indonesia has introduced Minister of Law Regulation Number 2 of 2025, which expands the scope of corporate obligations in reporting beneficial ownership. The regulation broadens the definition of corporations to include sole proprietorship companies and civil partnerships, in addition to previously covered business structures. Failure to report beneficial ownership details or submitting misleading information can result in administrative sanctions. These penalties include written warnings, blacklisting of the corporation by the Ministry of Law and Human Rights, and suspension of access to the General Legal Administration Online system. This measure is intended to enhance corporate transparency and strengthen regulatory oversight.

NEW ZEALAND

Environment & Climate Change

Court of Appeal upholds climate commission's advisory role in emissions policy

The Court of Appeal has dismissed a judicial review challenge filed by Lawyers for Climate Action New Zealand Incorporated against the Climate Change Commission. The case questioned the legality of the commission's advice on New Zealand's domestic emissions budgets and its commitments under the Paris Agreement. While the decision pertained to recommendations made to the previous government, it has ongoing significance for future emissions policy. The ruling reaffirmed that courts will intervene when statutory requirements are not met but will grant decision-makers discretion within the law. This decision follows recent judicial trends in climate-related administrative law challenges, with continued litigation expected in this area.

TAIWAN

Company & Commercial

Court clarifies trademark protection for unauthorized use in company names

Taiwan's Intellectual Property and Commercial Court has provided guidance on the unauthorized use of trademarks within company names. Under the Trademark Act, a registered trademark is typically infringed upon when it is used to identify the source of goods or services in a way that causes consumer confusion. However, incorporating a trademark into a company name does not automatically constitute infringement. Courts assess such cases individually, considering whether there was intentional misuse or actual harm. While well-known trademarks receive greater protection against dilution, lesser-known trademarks require case-by-case scrutiny. Recent rulings indicate that companies must provide strong evidence of misuse to support infringement claims.

VIETNAM

Energy & Natural Resources

Vietnam revises framework for direct power purchase agreements

Vietnam has introduced Decree 57 of 2025, replacing Decree 80 of 2024 to refine regulations on Direct Power Purchase Agreements. The new decree retains two existing models—the private line agreement and the grid-connected agreement—while modifying eligibility requirements. Instead of a fixed minimum electricity consumption threshold, the new framework ties eligibility to a dynamic threshold set by the Ministry of Industry and Trade. Additionally, large customers must now meet specific purchase requirements from the state-owned electricity provider to maintain eligibility. These revisions reflect the government's focus on integrating market-driven mechanisms while ensuring regulatory compliance in the electricity sector.

USA

Banking

Federal Deposit Insurance Corporation removes barriers for banks engaging in cryptocurrency activities

The Federal Deposit Insurance Corporation issued new guidance, regarding the participation of state-chartered banks and state savings associations in cryptocurrency-related activities. The guidance, known as Financial Institution Letter-7-2025, marks a shift in federal regulatory policy by eliminating the requirement for banks to seek prior approval before engaging in permissible cryptocurrency activities. This move aligns with similar actions taken by the Office of the Comptroller of the Currency and signals increased openness to the integration of digital assets into traditional banking operations. While the Federal Deposit Insurance Corporation no longer mandates pre-approval, it has emphasized that banks must maintain strong risk management practices and adhere to existing regulatory standards when conducting cryptocurrency-related activities. This change follows requests from the House Committee on Financial Services to review certain regulatory requirements imposed by the previous administration.

Office of the Comptroller of the Currency withdraws climate risk guidance for large banks

The Office of the Comptroller of the Currency has formally withdrawn its guidance on climate-related financial risk management for large banks. The guidance, originally issued in 2021, required financial institutions to integrate climate risks into their overall risk management frameworks. In a statement announcing the withdrawal, the Acting Comptroller of the Currency, Rodney E. Hood, described the guidance as overly burdensome and duplicative, asserting that existing risk management frameworks are sufficient to address climate-related financial concerns. While this decision represents a regulatory shift, climate-related financial risks are expected to remain a critical issue in the financial sector. The move aligns with a broader trend of deregulation aimed at reducing compliance burdens on major financial institutions.

United States banking agencies revise approach to cryptocurrency regulation

The Federal Deposit Insurance Corporation rescinded a key regulatory requirement that previously mandated state-chartered banks to notify regulators before engaging in cryptocurrency-related activities. The new guidance clarifies that banks may now participate in activities such as digital asset custody, stablecoin reserve management, and distributed ledger-based payment systems without prior approval. The Federal Deposit Insurance Corporation's decision follows similar steps taken by the Office of the Comptroller of the Currency, signaling a broader shift in regulatory attitudes towards digital assets. While the new approach eliminates certain supervisory burdens, financial institutions are still required to conduct these activities in compliance with risk management principles and existing regulations. The guidance is expected to encourage greater adoption of cryptocurrency-related services by federally insured financial institutions.

Fourth Circuit establishes stricter liability standard for beneficiary banks in business email compromise fraud

The United States Court of Appeals for the Fourth Circuit, in the case of *Studco Building Systems US, LLC v. 1st Advantage Credit Union*, has ruled that beneficiary banks can only be held liable for business email compromise fraud if an individual employee had actual knowledge of the fraud. This decision rejects the broader "knew or should have known" standard previously applied by the United States District Court for the Eastern District of Virginia. The court emphasized that under the Uniform Commercial Code, financial institutions may rely on automated fraud detection systems as long as they are commercially reasonable. With business email compromise fraud causing over 55 billion dollars in losses over the past decade, the ruling has significant implications for banks' compliance frameworks and litigation risks.

Commodities & Derivatives

Commodity Futures Trading Commission withdraws advisory on virtual currency derivative products

The Commodity Futures Trading Commission's Division of Market Oversight and Division of Clearing and Risk announced that they are withdrawing Staff Advisory 18-14, which provided guidance on the listing of derivatives tied to virtual currencies such as Bitcoin. Originally issued in 2018, the advisory outlined heightened scrutiny and specific regulatory expectations for listing new cryptocurrency derivative contracts. The withdrawal reflects a shift towards a more flexible regulatory approach for digital asset derivatives. The original advisory emphasized enhanced market surveillance, monitoring for potential manipulation, and increased reporting requirements for virtual currency derivatives. By rescinding the advisory, the Commodity Futures Trading Commission aims to streamline the process for listing cryptocurrency-related financial products while still maintaining regulatory oversight. The decision is expected to provide greater clarity to market participants and facilitate innovation within the digital asset derivatives space.

Capital Markets

Securities and Exchange Commission withdraws defense of climate-related disclosure rules following legal challenges

The United States Securities and Exchange Commission has announced that it will no longer defend its climate-related disclosure rules, which were originally adopted on March 6, 2024, to standardize environmental reporting requirements for companies. The rules had faced opposition from congressional representatives, state attorneys general, and business groups, leading to multiple legal challenges consolidated in the United States Court of Appeals for the Eighth Circuit. Although the Securities and Exchange Commission had already placed a stay on the rules, this latest decision suggests a shift in the agency's approach under the new administration. However, the Eighth Circuit may still issue a ruling that could uphold or modify the regulations.

Securities and Exchange Commission introduces new standard for verifying accredited investors in private placements

In response to a no-action request from the law firm Latham & Watkins, the Securities and Exchange Commission has issued updated guidance on verifying accredited investors in Regulation D private placements. The new standard allows issuers to consider an investor accredited if they invest at least two hundred thousand dollars as an individual or one million dollars as an entity, without requiring additional documentation such as tax returns or bank statements. This change significantly reduces the compliance burden for issuers, who previously had to verify investor status on an ongoing basis. The Securities and Exchange Commission has also updated its Compliance and Disclosure Interpretations to reflect this new verification approach.

Securities and Exchange Commission clarifies marketing rule requirements for reporting investment-level returns

The Securities and Exchange Commission has revised its guidance under Rule 206(4)-1 of the Investment Advisers Act of 1940, allowing registered investment advisers to disclose the gross performance of individual investments without also showing net returns. The updated guidance states that as long as fund-level gross and net returns are presented with equal prominence and calculated over the same period, investment advisers do not need to calculate net returns at the individual investment level. This change alleviates the previous regulatory burden of producing potentially arbitrary net return figures for specific investments while maintaining overall transparency in marketing materials.

Securities and Exchange Commission streamlines accredited investor verification for issuers relying on Rule 506(c) exemptions

The Securities and Exchange Commission has issued a no-action letter stating that issuers in Rule 506(c) private offerings can satisfy accredited investor verification requirements by setting a high minimum investment threshold. Under the updated approach, an individual investing at least two hundred thousand dollars or an entity investing at least one million dollars is presumed to be accredited, provided they submit written confirmation that their investment is not financed by a third party. This policy revision reduces the documentation burden for issuers, who previously had to collect tax forms, brokerage statements, and third-party verification letters to confirm investor status.

Court upholds poison pills for closed-end funds but restricts repeated use

The United States District Court for the Southern District of New York ruled that closed-end funds can legally adopt shareholder rights plans—commonly known as “poison pills”—under the Investment Company Act of 1940 to defend against hostile takeovers, such as from hedge funds. However, the court disapproved of using multiple similar plans for the same purpose while an earlier one is still active. This ruling came in a case brought by Saba Capital Master Fund, Limited against ASA Gold and Precious Metals Limited. The court confirmed that such plans can serve the legitimate function of allowing a board to explore alternatives in the face of an unsolicited control attempt.

Commercial

Delaware amends corporate law to strengthen safe harbors and limit shareholder demands

The Delaware Governor Matt Meyer signed amendments to the Delaware General Corporation Law, aimed at increasing clarity and legal certainty around corporate decision-making involving interested directors and controlling shareholders. Specifically, changes to Sections 144 and 220 are designed to reduce litigation over related-party transactions and limit excessive demands for corporate books and records. These amendments reflect Delaware’s commitment to remaining the leading state for incorporation and were introduced in response to concerns that some companies were considering reincorporation elsewhere.

Employee Benefits and Pensions

Federal courts split on standing to challenge pension risk transfers under ERISA

Two federal district courts issued opposing rulings regarding constitutional standing in lawsuits challenging pension risk transfers under the Employee Retirement Income Security Act of 1974. The District Court for the District of Columbia dismissed the suit in *Camire et al. v. Alcoa USA Corporation*, finding plaintiffs failed to show actual or imminent harm. In contrast, the District Court for the District of Maryland in *Konya et al. v. Lockheed Martin Corporation* allowed a similar case to proceed, holding that plaintiffs had sufficiently alleged injury. These differing rulings may signal an emerging circuit split on Article III standing in such cases.

Environment

California court invalidates VMT thresholds lacking evidentiary support

The Fourth District Court of Appeal in California invalidated San Diego County’s “infill” and “small project” vehicle miles traveled (VMT) screening thresholds from its 2022 Transportation Study Guide. In *Cleveland National Forest Foundation et al. v. County of San Diego*, the court held these thresholds lacked substantial evidentiary support and therefore did not comply with the California Environmental Quality Act. VMT is now the standard measure for evaluating transportation impacts under Senate Bill 743 and related CEQA guidelines.

Environmental Protection Agency seeks public input on definition of WOTUS

On March 24, 2025, the United States Environmental Protection Agency and the United States Army Corps of Engineers announced a series of public consultations to refine the definition of “waters of the United States” under the Clean Water Act. This move follows the United States Supreme Court’s ruling in *Sackett v. Environmental Protection Agency*, which limited federal jurisdiction over wetlands to those with a continuous surface connection to permanent waters. The agencies are seeking written and oral feedback as they prepare further regulatory revisions aligned with the court’s guidance and current administration priorities.

New Jersey proposes mandatory PFAS testing in site remediation

On March 17, 2025, the New Jersey Department of Environmental Protection proposed updates to its site remediation and water quality regulations, which would require testing for certain per- and polyfluoroalkyl substances (PFAS) including GenX, perfluorooctanoic acid, and perfluorononanoic acid. The proposed rule includes final standards for groundwater and soil contamination, replacing previous interim measures. It also adds these substances to the list of default contaminants for sites with unknown or undocumented pollutants. If enacted, the rule would significantly affect compliance obligations for site owners and environmental consultants.

Healthcare & Life Sciences

Food and Drug Administration accepts Merck’s application for injectable pembrolizumab

The United States Food and Drug Administration accepted Merck’s Biologics License Application for a subcutaneous form of pembrolizumab, used under the Keytruda® brand. This formulation combines pembrolizumab with berahyaluronidase alfa and is intended for all previously approved solid tumor indications. The agency has set a decision date of September 23, 2025, under the Prescription Drug User Fee Act. Merck plans to launch the product by October 2025, with parallel regulatory review ongoing in the European Union.

Legal challenges to drug pricing under the Inflation Reduction Act reach appeals courts

Lawsuits challenging the constitutionality of the Drug Price Negotiation Program under the Inflation Reduction Act have now reached the appellate level. Initially passed in 2022, the program compels pharmaceutical companies to offer select medications to Medicare at significantly reduced prices. Multiple lawsuits—filed by affected manufacturers and trade associations—argue that the program violates constitutional provisions and administrative law. Of the ten pending cases, six have already been rejected at the district court level and are now under appeal in the Second and Third Circuits, with additional suits still pending in other jurisdictions.



Trending in **News**

OpenAI Asserts Non-Infringement on Jurisdictional Grounds Before the Delhi High Court



On April 2, 2025, the Delhi High Court considered the allegations in the matter of ***ANI Media Pvt Ltd v. Open AI Inc & Anr***, (MANU/DEOR/30381/2025) where ANI contends that OpenAI has exploited its original content to train its chatbot, ChatGPT, thereby infringing on its copyright under the Indian Copyright Act, 1957. ANI claims that its original material, which is used both directly from its website and via content shared with its subscribers, is being misappropriated for commercial gain and to train ChatGPT's artificial intelligence.

Detailed Legal Arguments and Submissions

Representing OpenAI, Senior Advocate Amit Sibal advanced several key arguments:

- **Territorial Limitations of the Indian Copyright Act, 1957:** Mr. Sibal argued that since both the training of ChatGPT and the storage of its underlying data occur outside the borders of India, the Indian Copyright Act, 1957, does not have extraterritorial application. He emphasized that any act of infringement must take place within the four corners of India, and as no evidence shows that data storage or training has occurred within India, the claim is unfounded.
- **Nature of Data Processing and Transformation:** Mr. Sibal clarified that the learning process of ChatGPT involves the transformation of vast quantities of data rather than the verbatim reproduction of any particular source. He argued that the large language model (LLM) operates on non-expressive elements and learns from the linguistic structures, grammar, and facts present in the public domain, which are not subject to copyright protection. The absence of any demonstrable regurgitation of ANI's content further supports this position.

- **No Precedent of Infringement Findings:** It was also pointed out that no foreign court has, to date, found that ChatGPT infringes any copyright. Even if the provisions of the Indian Copyright Act, 1957, were hypothetically applied, the actions of OpenAI would not qualify as infringement under the Act, which protects only the expressive form of a work and not the underlying ideas or facts.
- **Distinction Between Storage and Accessibility:** While acknowledging that ChatGPT is accessible in India, Sibal stressed that this accessibility does not equate to the physical storage of ANI's content in India. The core argument is that the intermediary step of data storage, which is entirely outside India, cannot be equated with an infringement that takes place within Indian territory.

Judicial Issues Under Consideration

The Court is tasked with resolving several critical issues:

- **Storage as Infringement:** Whether the storage of ANI's news content for the purpose of training ChatGPT amounts to infringement under the Indian Copyright Act, 1957.
- **Use in Generating Responses:** Whether the use of ANI's copyrighted material by OpenAI to generate responses for users constitutes an infringement.
- **Fair Use Consideration:** Whether the manner in which ANI's content is used by OpenAI falls within the ambit of 'fair use' as provided under Section 52 of the Indian Copyright Act, 1957.
- **Jurisdictional Competence:** Whether the Indian courts have the jurisdiction to entertain the lawsuit, given that OpenAI's servers are located in the United States of America.

The next hearing is anticipated to further address these multifaceted legal issues, with both parties expected to present additional arguments.