

MANUPATRA WEEKLY WRAP

13th April - 18th April 2026



Case Laws

ARBITRATION

Nagreeka Indcon Products Pvt. Ltd. vs. Cargocare Logistics (India) Pvt. Ltd.,
Dated: 17.04.2026 (MANU/SC/0371/2026; 2026 INSC 384)

The Supreme Court ruled that an **arbitration clause using the term “can” does not create a binding arbitration agreement**. A bench upheld the Bombay High Court’s view that Clause 25 of the Bill of Lading, which stated disputes “can be settled by arbitration,” lacked the essential elements of a valid arbitration clause.

CIVIL

Mr. Sunil Malhotra & Ors. vs. State, NCT of Delhi & Ors., *Dated: 16.04.2026*
(MANU/DE/2798/2026; 2026:DHC:3171)

The Delhi High Court has observed that **animals cannot be treated like objects in custody disputes and that their emotional bond with caregivers deserves due weight**. The Court directed that three rescued pet dogs be handed back to their adoptive parents, as separating them would harm the animals emotionally.

Supreme Court: Mere reference to arbitration as method of settlement does not make arbitration compulsory

Delhi High Court: Emotional bond of dogs with adoptive parents cannot be ignored and asks owner to return dogs

Supreme Court: Bona fide requirement of landlord must be judged as on date of eviction petition unless later developments cause material change

Supreme Court: Even in *ex parte* suits, courts must frame points for determination and deliver reasoned judgments.

Jammu & Kashmir and Ladakh High Court: No levy warrants can be issued by executing court when section 47 CPC objection is pending

Supreme Court: Plaint cannot be rejected under Order VII Rule 11 CPC solely on ground that it is barred under Order II Rule 2 CPC.

Jharkhand High Court: Industries cannot disproportionately use public roads for private gain; orders parking compliance and trauma care near steel plant

Allahabad High Court: Mere show cause notice is not sufficient before blacklisting; it must disclose grounds and material

***Maria Martins vs. Noel Zuzarte & Ors.*, Dated: 16.04.2026 (MANU/SC/0359/2026; 2026 INSC 376)**

The Supreme Court reiterated that a **landlord's bona fide requirement in eviction cases is generally to be assessed as on the date of filing**, unless later events materially affect the claim, and remanded a 31-year-old dispute for fresh trial court consideration after finding fault with the High Court's approach.

***Pramod Shroff vs. Mohan Singh Chopra*, Dated: 16.04.2026 (MANU/SC/0360/2026; 2026 INSC 378)**

The Supreme Court has clarified that in *ex parte* civil suits, formal framing of issues is not strictly mandatory, but **courts are still duty-bound to identify and decide the "points for determination"**. It held that omission to do so may vitiate the trial if it results in prejudice to any party.

***Feroz Ahmad Dar vs. M/s Himalayan Motors*, Dated: 16.04.2026 (MANU/JK/0197/2026)**

The Jammu & Kashmir and Ladakh High Court ruled that an **executing court is not permitted to issue levy warrants or adopt coercive steps when a Section 47 CPC** objection regarding the executability of a decree remains unresolved. It emphasized that such objections, particularly on jurisdictional grounds, must be adjudicated before proceeding with execution to ensure the remedy under Section 47 CPC is meaningful.

***S. Valliammai & Ors. vs. S. Ramanathan & Anr.*, Dated: 16.04.2026 (MANU/SC/0362/2026; 2026 INSC 372)**

The Supreme Court has clarified that a **plaint cannot be rejected under Order VII Rule 11 CPC merely on the ground that it is barred by Order II Rule 2 of Code of Civil Procedure (CPC)**. The Court held that such a plea involves factual determination and cannot be decided at the threshold stage.

***Nageshwar Acharya & Anr. vs. State of Jharkhand & Ors.*, Dated: 16.04.2026 (MANU/JH/0507/2026; 2026:JHHC:10813-DB)**

The Jharkhand High Court ruled that **public roads cannot be excessively occupied by industries for business activities**, as it affects general commuters, and ordered enforcement of parking regulations along with development of trauma care facilities near a steel plant. The division bench was hearing a PIL concerning traffic and safety issues near the Chaliyama Steel Plant in Saraikela-Kharsawan district.

***M/s Adeeba Naaz Contractor through Proprietor Mr. Iftikhar Danish vs. State of U.P. through Principal Secretary, Department of Minority Welfare and Waqf, Lucknow & Ors.*, Dated: 13.04.2026 (MANU/UP/0428/2026; 2026:AHC-LKO:25600-DB)**

The Allahabad High Court has held that issuance of a **show cause notice alone is not sufficient before blacklisting**, and the notice must clearly disclose the grounds and material supporting the proposed action. A bench observed that not only is a show cause notice a mandatory precondition, but it must also specify the reasons and supporting material for blacklisting.

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Supreme Court: Losses of amalgamating company cannot be adjusted against income of amalgamated entity

Supreme Court: Wife and her family cannot be prosecuted for dowry-giving based on her complaint against husband

Punjab & Haryana High Court: Arrest memo is not final evidence of arrest timing

Delhi High Court: No conviction for completed offence if accused was charged only with attempt under POCSO Act

Bombay High Court: Trafficking victim may be repatriated on trial court's no-objection; magistrate's order not required

Supreme Court: Discharged accused stands on better footing than one acquitted after criminal trial

COMPANY

Aspinwall and Co. Ltd. vs. Inspecting Assistant Commissioner, Dated: 13.04.2026 (MANU/SC/0353/2026; 2026 INSC 359)

The Supreme Court has held that **losses incurred by an amalgamating company cannot be set off against the income of the amalgamated company unless expressly permitted by law**. A bench dismissed appeals challenging the Kerala High Court's decision refusing such set-off.

CRIMINAL

Rahul Gupta vs. Station House Officer & Ors., Dated: 16.04.2026 (MANU/SC/0364/2026; 2026 INSC 374)

The Supreme Court has held that a **woman or her family cannot be prosecuted under the Dowry Prohibition Act for giving dowry based on statements made in a complaint against alleged dowry takers**. A bench dismissed a husband's plea seeking registration of an FIR against his wife and her family.

Anuj Kumar Singh vs. Union of India, Dated: 16.04.2026 (MANU/PH/1726/2026; 2026:PHHC:057291)

The Punjab and Haryana High Court has held that an **arrest memo cannot be treated as conclusive proof of the time of arrest of an accused**. The Court observed that the 24-hour period under Section 57 CrPC or Section 58 BNSS begins from the moment of actual physical arrest, when an individual's liberty is curtailed.

Sudarshan vs. State, Dated: 15.04.2026 (MANU/DE/2689/2026; 2026:DHC:3061)

The Delhi High Court has ruled that an accused cannot be convicted for a completed offence under the Protection of Children from Sexual Offences (POCSO) Act **if the charge framed is only for an attempt**. The Court made the observation while partly allowing an appeal in a case involving alleged sexual assault on a 4½-year-old girl.

Rescue Foundation vs. Union of India, Dated: 15.04.2026 (MANU/MH/3610/2026)

The Bombay High Court has held that a person trafficked into India may be repatriated to their country of origin on the basis of a **"No Objection" from the trial court handling the trafficking case, without requiring a magistrate's order**. A division bench passed the ruling while directing the immediate repatriation of a Bangladeshi woman.

Ex. Sqn. Ldr. R. Sood vs. Union of India & Ors., Dated: 15.04.2026 (MANU/SC/0357/2026; 2026 INSC 366)

The Supreme Court held that discharge of an accused places them in a stronger position than acquittal after trial, since discharge is granted at the pre-trial stage when no sufficient material exists. It observed that **discharge confirms there is no evidence to put the accused on trial**. The bench was dealing with a case of an ex-Air Force officer dismissed after disciplinary proceedings initiated post-discharge.

Allahabad High Court:

Evidentiary value of handwriting expert's opinion varies with facts and circumstances of each case

Supreme Court: Hostile witness testimony is acceptable insofar as it is creditworthy

Supreme Court:

Maintenance of spouse is primary obligation; repayment of loans for asset creation is no ground to reduce maintenance

Supreme Court:

Employees appointed without advertisement or interview cannot be regularised

EVIDENCE

Sachin Kumar & Ors. vs. Union of India & Ors., Dated: 15.04.2026 (MANU/UP/0429/2026; 2026:AHC:81720)

The Allahabad High Court has held that the **evidentiary value of a handwriting expert's report varies depending on the facts and circumstances of each case**. The Court observed that in disciplinary proceedings, the inquiry is to determine misconduct on the basis of preponderance of probability, and whether such a report alone is sufficient to proceed must be assessed case-wise.

The State of Kerala vs. K.A. Abdul Rasheed, Dated: 15.04.2026 (MANU/SC/0355/2026; 2026 INSC 365)

The Supreme Court has observed that **evidence of a hostile witness is usable to the extent it is credible and cannot be ignored altogether**. A bench set aside an acquittal in a corruption case, noting that proof of demand and acceptance of bribe can sustain conviction despite hostility of the complainant.

FAMILY

Deepa Joshi vs. Gaurav Joshi, Dated: 16.04.2026 (MANU/SC/0366/2026; 2026 INSC 370)

The Supreme Court held that **loan repayments arising from financial obligations, particularly those leading to asset creation, cannot be considered equivalent to essential expenses for reducing maintenance**. It emphasized that the obligation to maintain a spouse is a primary duty that cannot be subordinated to such commitments. A bench increased the monthly maintenance of a wife from ₹15,000 to ₹25,000, observing that such repayments constitute capital investment rather than unavoidable expenditure.

SERVICE

Madan Singh & Ors. vs. State of Haryana & Ors., Dated: 16.04.2026 (MANU/SC/0372/2026; 2026 INSC 379)

The Supreme Court has held that **contractual or ad hoc government employees appointed without public advertisement or interview cannot be regularised under a State policy**. A bench struck down two Haryana government notifications issued in 2014 for regularising certain employees who had completed or were about to complete ten years of service, noting that the State failed to justify such appointments made without a proper selection process.



News

16.04.2026

CIVIL

The **Supreme Court** has dismissed a PIL that called for the introduction of compulsory voting in India, along with penalties for citizens who intentionally refrain from voting. The Court observed that participation in elections cannot be mandated through coercive measures.

The **Supreme Court** has introduced a detailed Standard Operating Procedure that sets binding timelines for the translation, transmission, and filing of records in legal aid appeals. The SOP also includes directives for the development of a unified digital platform to facilitate real-time monitoring of the process.

The **Allahabad High Court** has firmly ruled that a person holding a Power of Attorney cannot appear or plead as a pleader or attorney on behalf of litigants as a matter of right, if it contradicts the provisions of the Advocates Act, 1961.

The **Delhi High Court** has fined Gujarat based NGO on Trial Rs 25,000/- for repeatedly seeking adjournments in its ₹10,000 crore defamation case against the BBC over a documentary on Prime Minister Narendra Modi.

15.04.2026

CONSTITUTION

The Lok Sabha has rejected the **Constitution (One Hundred and Thirty-First Amendment) Bill, 2026**, introduced by the Union Government. The Bill aimed to increase the strength of the House and revise the framework for delimitation and the implementation of women's reservation.

17.04.2026

The **Supreme Court** has observed that the right to safe passage on roads is a crucial aspect of the right to life under Article 21 of the Constitution. The Court also issued a series of nationwide directives to enhance highway safety.

13.04.2026

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13.04.2026

CRIMINAL

The **Supreme Court** has granted bail to former Jharkhand Cabinet Minister Anosh Ekka in a disproportionate assets case, citing the ongoing dual prosecutions by the CBI based on identical allegations.

The **Allahabad High Court (Lucknow Bench)** has ordered the registration of a FIR and an investigation against Rahul Gandhi, following a BJP worker's petition regarding his alleged British citizenship.

13.04.2026

EDUCATION

The **Supreme Court** has issued a notice in response to a PIL seeking the implementation of free and compulsory education at the pre-primary level, in line with the National Education Policy 2020.

17.04.2026

ENVIRONMENT

In a *Suo motu* case on illegal sand mining in the *National Chambal Sanctuary*, the **Supreme Court** issued strict directions for immediate compliance to curb illegal activities in the region.

15.04.2026

FAMILY

The **Delhi High Court** has observed that consenting adults who voluntarily take a *cerebral vow of marriage* are entitled to live with liberty and dignity and are deserving protection from any threats or coercion by their families.

15.04.2026

INTELLECTUAL PROPERTY RIGHT

The **Delhi High Court** has imposed Rs. 10 lakh costs on Parle Agro for failing to comply with its earlier order to periodically disclose sales figures during the pending trademark dispute with PepsiCo, following PepsiCo's plea alleging violation of the 2023 directions on use of 'For The Bold' tagline.

16.04.2026

MEDIA AND COMMUNICATION

The **Madras High Court** has refused to restrain screening of *Dhurandhar: The Revenge* during the election period, holding that a Censor Board-certified film cannot be stalled merely due to objections, and dismissed the plea to ban its exhibition in Tamil Nadu.

16.04.2026

SERVICE

The **Bombay High Court** has held that the Child Care Leave policy recognises a woman's role in family stability and child upbringing, and directed that the Government must ensure its proper implementation to fulfil its intended objectives.



Notification Updates

Securities and Exchange Board of India

The Securities and Exchange Board of India **signed a Memorandum of Understanding (MoU) with the Financial Intelligence Unit, India (FIU-India)** to enhance cooperation in tackling financial crimes such as money laundering and terrorist financing. The MoU will enable both organizations to share information and resources for better regulatory oversight and enforcement.

The Securities and Exchange Board of India (Intermediaries) (Amendment) Regulations, 2026 introduce revisions aimed at **strengthening the regulatory framework for market intermediaries**. These changes focus on enhancing due diligence procedures, improving operational and reporting standards, and ensuring stronger risk management practices. The amendments also update compliance requirements and penalties for intermediaries, with the goal of promoting greater transparency, investor protection, and the overall integrity of India's securities markets.

The **NISM Certification for Social Impact Assessors** notification introduces a certification program by the National Institute of Securities Markets to professionally train and certify individuals who assess the social impact of projects, especially in the context of investments and development activities. The certification aims to enhance the quality and credibility of social impact assessments, which are increasingly vital for evaluating the effectiveness and sustainability of projects, particularly in sectors like social entrepreneurship, sustainable development, and CSR initiatives.

Press Release No.:
26/2026,
Dated: 16.04.2026,
MANU/SPRL/0022/2026

Notification No.:
SEBI/LAD-
NRO/GN/2026/300,
Dated: 15.04.2026,
MANU/SREG/0012/2026

Circular No.:
HO/49/14/11(12)2026-
CFD-POD1/I/8806/2026,
Dated: 13.04.2026,
MANU/SMIS/0036/2026

Notification No. :
DOR.RAUG.REC.No.S3
91/23-27-013/2026-
2027,
Dated: 15.04.2026,
MANU/RMIC/0111/2026

Press Release No. :
2026-2027/80,
Dated: 13.04.2026,
MANU/RPRL/0225/2026

Circular No. : 21/2026-
Customs,
Dated: 15.04.2026,
MANU/CUCR/0021/2026

Notification No. :
SO1922(E),
Dated: 16.04.2026,
MANU/LEGL/0003/2026

Notification No. G.S.R.
924(E), Dated
13.04.2026,
MANU/NMIC/0099/2026

Reserve Bank of India

The Reserve Bank of India has **amended** the **Non-Banking Financial Companies (NBFC) Branch Authorisation Directions** to provide operational flexibility for branch expansion while ensuring compliance. The amendments allow NBFCs to open branches without prior RBI approval unless restricted, with specific provisions based on their net owned funds and credit ratings. These changes aim to regulate the financial system and protect investor and depositor interests.

The **Finances of Non-Government Non-Financial Private Limited Companies, 2024-2025** notification outlines the updated guidelines and requirements for reporting the financial status of private limited companies in India. It highlights the key aspects such as compliance with financial reporting standards, submission of audited financial statements, and adherence to the prescribed tax and accounting regulations.

Ministry of Finance

Ministry of Finance has issued **procedures for handling export cargo containers** that are offloaded at foreign ports and returned to India due to disruptions in maritime routes, specifically the closure of the Strait of Hormuz. It details steps for filing necessary documents, verifying container seals, and managing export incentives, with a focus on trade facilitation and revenue protection.

Ministry of Law and Justice

The **Central Government** has enforced the **Constitution (106th Amendment) Act**, which mandates **33% reservation for women** in the **Lok Sabha** and **State Legislative Assemblies**, starting from **April 16, 2026**.

Ministry of Parliamentary Affairs

The **Amendment to Notification No. G.S.R. 924(E), dated 19.12.2025** introduces provisions for voluntary Aadhaar authentication and the recognition of alternative identification methods for accessing Parliamentary services. This amendment aims to streamline the identification process while offering individuals the flexibility to use different forms of identification, in addition to Aadhaar, to avail services within the Parliament. It aligns with efforts to enhance accessibility and ensure a more inclusive system for Parliament-related functions.

**Press Information
Bureau,**

Dated: 16.04.2026,
MANU/PIBU/0602/2026

**Press Information
Bureau,**

Dated: 15.04.2026,
MANU/PIBU/0597/2026

**Notification No. :
SO1860(E),**

Dated: 13.04.2026,
MANU/INDP/0025/2026

**Order No. : SO1905(E),
Dated: 13.04.2026,
MANU/EXAF/0008/2026**

**Press Information
Bureau,**

Dated: 13.04.2026,
MANU/PIBU/0592/2026

**Press Information
Bureau,**

Dated: 14.04.2026,
MANU/PIBU/0595/2026

Ministry of Environment, Forest and Climate Change

The **Commission for Air Quality Management** has activated Stage-I of the Graded Response Action Plan in Delhi-NCR due to deteriorating air quality, with the AQI reaching the 'Poor' category. Various measures, including dust mitigation, waste management, and traffic regulation, are being enforced to prevent further air quality decline. Citizens are urged to cooperate with these measures.

A **New Delhi court convicted** a Jaipur art gallery owner for attempting to **illegally export Shahtoosh shawls**, made from the hair of the critically endangered Tibetan Antelope, marking a landmark wildlife crime case. The case, spanning 17 years, showcased seamless inter-agency coordination between the Wildlife Crime Control Bureau, CBI, Customs, and Wildlife Institute of India. The accused received a three-year imprisonment and a fine, with the seized shawls becoming government property.

Ministry of Commerce and Industry

The **Startup India Fund of Funds 2.0** is an initiative by the Indian government aimed at providing financial support to startups by offering funding to Alternate Investment Funds (AIFs) that, in turn, invest in early-stage, high-growth startups across various sectors.

Ministry of External Affairs

The **United Nations Security Council Resolutions on Sudan (Amendment) Order, 2026** outlines amendments to the existing legal framework in response to United Nations Security Council resolutions concerning Sudan. The order updates provisions related to sanctions, asset freezes, travel bans, and other measures aimed at addressing the ongoing situation in Sudan. It ensures alignment with the latest international mandates, enhancing efforts to maintain peace and security in the region by enforcing stricter compliance with the UN's directives.

National Human Rights Commission

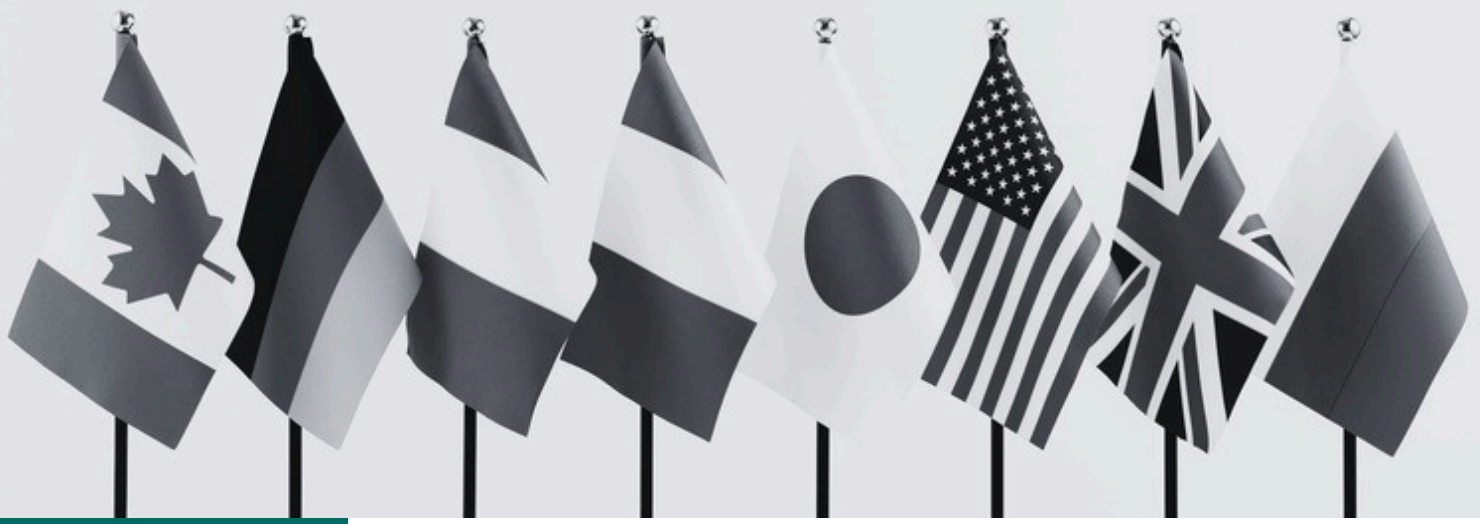
The NHRC, India will conduct an **online hearing of 216 alleged bonded labour cases in Uttar Pradesh's brick kilns**, focusing on compliance with the Bonded Labour System (Abolition) Act, 1976. Authorities are expected to report on actions for identifying, releasing, and rehabilitating bonded labourers, including their registration on the e-Shram portal.

Ministry of Mines

The Ministry of Mines has **amended the Mineral Concession Rules** to establish a methodology for publishing the average sale price (ASP) of Haematite Iron Ore below the threshold value, including Banded Haematite Quartzite (BHQ) and Banded Haematite Jasper (BHJ). This change aims to make the beneficiation of low-grade iron ore economically viable, promoting mineral conservation and ensuring a steady supply for the steel industry.

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International Updates

AUSTRALIA

Standstill arrangements give distressed borrowers **temporary relief from enforcement**, allowing time to stabilise while lenders reassess their position. Lenders should focus on **reviewing security and facility gaps, obtaining clear debt and default acknowledgements, and securing enhanced financial information** from borrowers. It is crucial to **preserve all rights through strong reservation clauses** and limit the standstill only to known defaults. Informal workouts are guided by **INSOL principles**, which stress **creditor coordination, transparency, and viability through a solid restructuring plan**. During the standstill period, both parties must act carefully to **protect creditor interests and ensure fair, structured resolution of financial distress**.

The Australian Competition and Consumer Commission continue to treat **cartel conduct as a key enforcement priority**, supported by **recent court decisions clarifying cartel laws** and expanding action across multiple industries. Its **2026–27 strategy focuses on stronger enforcement, executive accountability, and higher penalties** where serious misconduct occurs. The ACCC is also enhancing detection through **data analytics and AI tools**, including partnerships to identify **bid-rigging in procurement**. At the same time, it promotes **lawful business collaboration**, especially in sustainability initiatives, through updated guidance and possible **new class exemptions**. Overall, the approach reflects a balance between **strict enforcement and enabling beneficial cooperation** in evolving markets.

The **Victorian Government's 2025 amendments** to the *Building and Construction Industry Security of Payment Act 2002 (Vic)*, effective **15 April 2026**, aim to ensure **fairer payments, reduced disputes, and stronger contractor protections**. The reforms introduce **stricter timelines for payment of claims and schedules**, including a **20-business-day cap on payment terms**, and apply **retrospectively to existing contracts**. Contractors benefit from **expanded claimable costs and statutory rights to release performance securities**, while respondents face **tighter compliance obligations and notice requirements**. The law also **invalidates unfair time-bar clauses** and enhances transparency through clearer procedures. Overall, the changes significantly **strengthen payment security and accountability in the construction sector**.

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Banking

Gaining Time: A Lender's Guide to Standstill Arrangements and Informal Restructuring

Competition & Antitrust

ACCC Intensifies Scrutiny on Cartel Enforcement, Compliance Duties, and Collaborative Efforts

Construction

Security of Payment Reforms Effective April 2026: A Practical Guide to Key Amendments in the Building and Construction Industry Security of Payment Act 2002

Employment & Labor

Avoiding Unfair Dismissal in Schools: When Does Disciplinary Action Against Teachers Go Too Far?

Energy & Natural Resources

New Authority Granted to Victorian Government to Secure Easements for Transmission Infrastructure

Arbitration & ADR

PRC's New Arbitration Law: Implications and Guidance for Hong Kong Arbitration Proceedings

Banking

A Concise Analysis of Select Provisions in the Draft Financial Law

Competition & Antitrust

A More Streamlined Merger Control Framework with Enhanced Enforcement

Recent **Fair Work Commission decisions** clarify when teacher discipline may lead to **unfair dismissal claims**. Under the **Fair Work Act 2009**, dismissal must be based on a **valid reason and fair procedure**. In one case, **physical contact with a student justified dismissal**, while in another, **raising one's voice was considered reasonable behavior management** and dismissal was found unfair. The rulings highlight that **context, intent, and proportionality matter** when assessing misconduct. Schools must ensure **clear policies, proper investigations, and no ulterior motives** to avoid unfair dismissal risks.

The **Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Act 2026 (Vic)** introduces key changes to how easements for transmission lines are acquired. It **broadens the scope** by allowing easements to be obtained even when the need is only **prospective**, not finalized. Importantly, it removes delays by allowing **easement acquisition to proceed alongside environmental assessments**, instead of waiting for them to finish. This aims to **speed up major infrastructure projects**, but may impact **landowners**, who could face acquisition earlier in the process. While their **rights to object and claim compensation remain**, the reforms significantly change the timing and negotiation dynamics.

CHINA

The **Amended PRC Arbitration Law (effective March 2026)** modernizes China's arbitration framework by **formally recognising the "seat of arbitration"**, expanding the role of **foreign arbitral institutions**, and permitting **ad hoc arbitration in limited cases**. It also strengthens **enforcement rules and reduces the time to challenge awards to three months**, aligning more closely with global standards. Importantly, the reforms work smoothly with **Hong Kong's mutual enforcement and interim measures arrangements**, reinforcing its role as a **key gateway for cross-border disputes**. Overall, the changes create a more **efficient, flexible, and internationally aligned arbitration regime**.

In March 2026, key Chinese regulators including the **People's Bank of China** and **China Securities Regulatory Commission** released a draft of China's first **comprehensive Financial Law** to seek public feedback. The Draft aims to create an **overarching legal framework** for the financial sector but raises concerns over **vague provisions and broad liabilities**, which could lead to uncertainty. It is suggested that **specific obligations and penalties be left to specialised laws** to avoid excessive regulatory discretion. The Draft also overlaps existing frameworks on **financial stability and risk management**, requiring clearer alignment. Overall, the goal should be to **balance strong regulations with market flexibility and clarity**.

In 2025, China further strengthened its merger control regime by enhancing regulatory clarity and intensifying enforcement under the Anti-monopoly Law of the People's Republic of China, with the State Administration for Market Regulation (SAMR) adopting a more structured and transparent review approach. **New guidance, including the Non-horizontal Merger Review Guidelines, refined the assessment of complex transactions and clarified evidentiary and analytical standards.**

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SAMR also increased scrutiny of below-threshold deals, as seen in cases like Synopsys/Ansys merger review and Yongtong/Huatai prohibition, while continuing to prioritise **stable supply to the Chinese market** in conditional clearances. **Clearer penalty rules for gun-jumping and the publication of representative cases have improved predictability and compliance expectations.** Overall, China's merger control regime is becoming more sophisticated, with tighter oversight expected in key sectors going forward.

MALAYSIA

Bank Negara Malaysia has introduced a new policy framework outlining **technology requirements for payment service providers**, aimed at strengthening operational resilience and risk management. **The framework sets clearer expectations on cybersecurity, system reliability, and data protection** to ensure safe and efficient payment services. It also emphasises **strong governance and accountability in managing technology risks** among regulated entities. **By standardising these requirements, the policy seeks to enhance consumer trust and support innovation** in the payments ecosystem. Overall, it reflects **a proactive regulatory approach to keeping pace with evolving financial technologies.**

Malaysia's competition law landscape has seen notable developments over the past year, with strong enforcement action by the Malaysia Competition Commission, particularly against bid-rigging activities. In 2025, the authorities penalized several companies involved in cartel conduct across public tenders and infrastructure-related projects. **Beyond enforcement, MyCC has remained proactive in market studies**, including its recent review of the digital economy, which aims to improve competitiveness and support SMEs across key sectors. It is also examining the Umrah travel industry following concerns over price-fixing practices. Meanwhile, the Competition Appeal Tribunal continues to play an active role in upholding enforcement decisions, reinforcing the overall competition framework in Malaysia.

SINGAPORE

The Competition and Consumer Commission of Singapore operates a **leniency programme that offers full immunity or reduced penalties to businesses that report cartel activity early.** Companies that are first to come forward before an investigation begins may receive full immunity if they meet strict conditions, including full cooperation and disclosure. **Those who report later can still benefit from partial leniency, with penalty reductions depending on the timing and value of the evidence provided.** The framework also includes a "leniency plus" mechanism, allowing additional reductions if firms disclose separate cartel conduct. **Overall, the programme encourages early reporting, transparency, and continuous cooperation to strengthen cartel enforcement in Singapore.**

Banking

Bank Negara Introduces Policy Framework on Technology Standards for Payment Service Providers

Competition & Antitrust

Malaysia Competition Enforcement: A Year in Review

Competition & Antitrust

Singapore's Cartel Immunity and Leniency Programmes: An Overview

Arbitration & ADR

PRC's New Arbitration Law: Implications and Guidance for Hong Kong Arbitrations

Company & Commercial

Initial Analysis: Responding to Complex Commercial Claims in Hong Kong

Arbitration & ADR

From Algorithms to Arbitral Awards: The Role of Artificial Intelligence in Modern Arbitration

Banking

FinCEN and Federal Banking Agencies Propose Significant Changes to AML/CFT Program Requirements

HONG KONG

China's amended PRC Arbitration Law introduces significant reforms that modernise its arbitration framework and bring it closer to international standards. It formally recognises the concept of the arbitration seat, expands the role of foreign arbitral institutions, and allows ad hoc arbitration in certain foreign-related cases. **The reforms also strengthen rules on recognition and enforcement, while promoting efficiency through measures like online arbitration.** Importantly, these changes align well with existing cross-border arrangements, reinforcing Hong Kong's role as a key gateway for enforcement and interim measures. **Overall, the updated regime offers greater clarity, flexibility, and strategic options for parties involved in cross-border disputes.**

In Hong Kong commercial litigation, a defendant may file a defense along with a **counterclaim** or initiate **third-party proceedings where liability may be shared. Jurisdiction can be challenged** if the court lacks authority or is not the most appropriate forum. The defence must **clearly state material facts (not evidence)** and can be amended later with consent or court approval. **Liability may be shifted** through counterclaims, contribution claims, or by involving third parties. A trial may be avoided through **settlement, striking out weak claims, or summary judgment** where no real dispute exists. If no defence is filed, the plaintiff may obtain **default judgment**, while defendants can also seek **security for costs** to safeguard against non-payment.

USA

The growing use of generative AI (GenAI) in arbitration is transforming legal work by improving efficiency, but it also raises concerns about fairness and accountability. While institutions like the Chartered Institute of Arbitrators and American Arbitration Association have introduced guidelines and AI-assisted tools, they emphasize that **human judgment must remain central** and arbitrators cannot delegate core decision-making tasks. Despite these developments, guidance for arbitrators still lags rules for parties, creating uncertainty. Legal challenges have also highlighted risks such as **over-reliance on AI and lack of confidentiality or privilege protection.** To avoid disputes, parties should clearly define AI usage at the outset of arbitration. Overall, while GenAI offers efficiency, its use must be carefully balanced with **procedural fairness, transparency, and integrity of the arbitral process.**

The Financial Crimes Enforcement Network and key U.S. banking regulators have proposed major reforms to modernize AML/CFT rules under the Bank Secrecy Act. The new framework shifts focus from **strict technical compliance to overall effectiveness**, encouraging financial institutions to prioritize **high-risk customers and activities.** It also supports the use of **innovative technologies like AI** to strengthen compliance systems. The proposal introduces clearer requirements such as a **risk-based written program, a U.S.-based compliance officer, and stronger oversight by FinCEN.** Overall, the reforms aim to create a more flexible, consistent, and practical regulatory environment while maintaining strong safeguards against financial crime.

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Manupatra Weekly Wrap

U.S. Banking M&A Gains Momentum Heading into 2026

U.S. banking M&A activity has gained strong momentum in early 2026, with a high number of deals and rising transaction values reflecting a healthy consolidation trend. Major acquisitions help banks expand their market presence, improve scale, and diversify operations. However, growth through M&A is also pushing institutions into **higher regulatory categories**, increasing compliance requirements and costs. At the same time, **competition from private credit** is reshaping deal strategies, with banks focusing more on structural changes than simple expansion. Improved regulatory clarity has accelerated deal timelines, but with upcoming political uncertainty, many banks are moving quickly to secure transactions. Overall, M&A is becoming a key tool for strategic repositioning in a rapidly evolving financial landscape.

Capital Markets

Financial Industry Regulatory Authority Releases Guidance on Completing and Electronically Signing Securities Registration Forms

The Financial Industry Regulatory Authority has issued guidance on completing and e-signing **Form U4** through the FinPro Gateway, aiming to streamline the registration process. Representatives can edit draft forms if firms enable access, but **final submission remains the firm's responsibility**. The system allows easy review in official format and supports **electronic signatures without printing**, improving efficiency. Firms retain control over edits during the signing stage, and updates are reflected quickly after submission. FINRA also emphasized that registered individuals have a **continuous duty to keep their Form U4 information accurate and up to date**.

Company & Commercial

Globalization Reimagined: Navigating Resilience and Opportunity in a Fragmented Global Economy

Globalization in 2026 is not disappearing but being **reshaped by rising uncertainty and geopolitical tensions**. Disruptions such as **tariffs, conflicts, and regulatory divergence** are pushing businesses toward **resilient, regionally focused supply chains**. While global trade remains strong, **risk complexity has increased**, requiring attention to **political exposure, market volatility, and operational resilience**. Companies are shifting from **cost-efficiency to risk-balanced strategies**. Ultimately, success depends on **accurate assessment of geopolitical risks** and adapting to **structural (not temporary) changes** in the global economy.

Competition & Antitrust

Key Trends and Enforcement Priorities from the 2026 ABA Antitrust Spring Meeting

At the ABA Antitrust Spring Meeting 2026, global antitrust experts highlighted key enforcement trends shaping competition law. **Staff shortages at the Federal Trade Commission and Department of Justice Antitrust Division** are influencing enforcement strategies, with a growing reliance on settlements over litigation. At the same time, **state attorneys general are playing a stronger, more independent role** in pursuing antitrust actions. There is also a continued global focus on **big tech, AI, and digital markets**, with traditional antitrust principles being applied to new technologies. Overall, enforcement is becoming more decentralized, dynamic, and adaptive to emerging market challenges.

Copyrights

Court Dismisses Doe Defendants on Its Own Motion for Lack of Jurisdiction and Improper Joinder

In a recent ruling, the court dismissed Fendi's Schedule A trademark and copyright complaint **without prejudice** due to **lack of personal jurisdiction and improper joinder**, raising these issues on its own. The court clarified that merely operating an interactive website is not enough—plaintiffs must show **specific connections to the forum, such as actual sales or shipments**. It also stressed that **similar infringement allegations alone cannot justify joining multiple defendants**. Claims must be supported by **clear, concrete facts linking defendants to the same transaction or conduct**. The decision highlights stricter scrutiny in Schedule A litigation

Employment & Labor

Los Angeles Minimum Wage Set for Another Increase Impacting Employers

Insurance

Coverage Update on Pollution Exclusion and Assignment of Legal Malpractice Claims

Tax

Tax Court Affirms Validity of BBA Audit Procedures, Dismissing Due Process Claim in Jones Bluff

From **July 1, 2026**, the minimum wage in the Los Angeles metropolitan area will rise to **\$18.42 per hour**, reflecting the annual CPI-W based adjustment. In addition, a new citywide hotel worker ordinance introduces a significantly higher **\$25 minimum wage**, along with mandatory health benefit contributions of **\$8.15 per hour** for hotel employees and their dependents. If employers do not provide health coverage, the amount must be paid directly as additional wages. These changes come ahead of major global events like the **2026 FIFA World Cup** and the **2028 Olympics**. Employers are advised to check out the latest city guidelines, notices, and compliance requirements issued by the Office of Wage Standards.

The U.S. Court of Appeals for the Eighth Circuit upheld summary judgment in favor of North Star Mutual Insurance Company, ruling that the policy's **pollution exclusion** barred coverage for injuries allegedly caused by **carbon monoxide** from a portable heater. The court treated carbon monoxide as a "pollutant" and agreed that its release fell within the exclusion, rejecting the insureds' attempt to narrow its scope. It also refused to certify the issue to the North Dakota Supreme Court, noting certification was sought only after an adverse ruling. In a separate Washington case, the Court of Appeals held that an insured cannot assign **legal malpractice claims** against defense counsel to its liability insurer where the insurer defended under a reservation of rights.

Here's your paraphrased version with **important sentences/phrases marked**:

The U.S. Tax Court in **Jones Bluff** rejected a due process challenge to the BBA partnership audit regime, clarifying that such constitutional claims **generally cannot be raised within partnership-level proceedings**. The Court held that the partnership **lacked standing to assert the individual rights of its partners and** noted that partners may instead pursue any constitutional arguments in **later refund or collection of proceedings**. It further found the challenge **unripe**, as actual partner-level injury depends on future events such as whether tax liabilities are "pushed out" to partners. The ruling underscores that the BBA system **centralizes enforcement at the partnership level**, limiting direct participation. Overall, the decision signals that due process objections to BBA audits **face significant procedural barriers and are unlikely to succeed at this stage**.



AI in Use

Understanding the sequence of events in a legal matter often requires going through multiple documents and manually constructing a timeline.

Most professionals still follow a time-consuming and inefficient approach:

Challenges Faced

- Reading lengthy judgments, pleadings, and documents to extract relevant dates
- Manually noting events from different files
- Missing important developments hidden within documents
- Spending hours arranging events chronologically

How Manuworks makes it easier

With **Manuworks' Timeline Generator**, you can automatically create structured timelines from one or multiple documents within seconds.

Step-by-Step Process

1. Upload Your Documents

Upload one or multiple files containing case material, judgments, or records.

2. Generate the Timeline

The AI scans the documents, identifies key dates, events, and references, and organizes them automatically.

3. View a Structured Timeline

Instantly view events arranged in chronological order, along with descriptions, sources, and references in a clean timeline format.

Key Benefits

- No manual data extraction
- No need to sort dates yourself
- Clear, organized timelines directly from your documents

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