Manupatra Weekly Wrap

15 Dec -20 Dec 2025

CASE LAWS

Arbitration	
Supreme Court: Issues of party's competence to invoke arbitration fall within Tribunal's jurisdiction	*M/s Andhra Pradesh Power Generation Corporation Limited (APGENCO) vs. M/s Tecpro Systems Limited & Ors., Dated: 17.12.2025 (MANU/SC/1689/2025 ;2025 INSC 1447)* The **Supreme Court** held that questions concerning whether a person is a genuine party to an arbitration agreement and competent to invoke the arbitration clause must be decided by the Arbitral Tribunal.
Supreme Court: Arbitral awards not liable to be set aside for mere error of law or misappreciation of evidence	*Ramesh Kumar Jain vs. Bharat Aluminium Company Limited (BALCO) , Dated: 18.12.2025 (MANU/SC/1699/2025; 2025 INSC 1457)* The **Supreme Court** set aside the Chhattisgarh High Court's judgment, observing that it had overstepped its authority under Section 37 of the Arbitration and Conciliation Act, 1996 by re-evaluating evidence and substituting its own view for that of the arbitral award.

Civil	
Supreme Court: Separate suit against confirmed auction sale barred, remedy via section 47 CPC	*Danesh Singh & Ors. vs. Har Pyari (Dead) thr. Lrs. & Ors., Dated: 15.12.2025 (MANU/SC/1677/2025; 2025 INSC 1434)* The **Supreme Court** held that once an auction sale is confirmed and the aggrieved party has not applied to set it aside, filing a separate suit to challenge the confirmation is barred under Order XXI Rule 92(3) of the CPC. The Court clarified that in such cases, the proper remedy is to file an application under Section 47 CPC, which can only be based on grounds like lack of jurisdiction or the nullity of the order.

Supreme Court: Seller must refund buyer for concealing bank loan on property	*Moideenkutty vs. Abraham George, Dated: 15.12.2025 (MANU/SC/1672/2025)* The **Supreme Court** held that deliberately hiding encumbrances on a property in a sale agreement amounts to a valid reason for refunding the advance payment. A bench ruled in favor of the buyer, who was deceived because the seller did not disclose an existing loan on the property at the time of entering into the agreement.
Supreme Court: Forest land cannot be leased or used for cultivation without obtaining prior approval from the Union Government	*State of Karnataka & Ors. vs. Gandhi Jeevan Collective Farming Co-operative Society Limited, Dated: 18.12.2025 (MANU/SC/1701/2025 ;2025 INSC 1461)* The **Supreme Court** ruled that forest land cannot be leased or converted for agricultural use without the Central Government's prior approval under Section 2 of the Forest (Conservation) Act, 1980, and any lease granted contrary to this provision is illegal and unenforceable.

Banking	
Supreme Court: Recovery proceedings under SARFAESI invalid before Nagaland's 2021 adoption	*North Eastern Development Finance Corporation Ltd. (NEDFI) vs. M/s L. Doulo Builders and Suppliers Co. Pvt. Ltd., Dated: 16.12.2025 (MANU/SC/1684/2025; 2025 INSC 1446)* The **Supreme Court** dismissed a secured creditor's attempt to initiate recovery under the SARFAESI Act in Nagaland, ruling that such action was invalid when the law was not yet operational in the State. The creditor had issued a demand notice in 2011, but the Act was formally adopted in Nagaland only in 2021, making pre-adoption proceedings null and void, the Court held.

Criminal	
Supreme Court: Trial Courts directed to standardize cataloguing of evidence in criminal cases	*Manojbhai Jethabhai Parmar (Rohit) vs. State of Gujarat, Dated: 15.12.2025 (MANU/SC/1673/2025; 2025 INSC 1433)* The **Supreme Court** directed trial courts across the country to institutionalize a standardized method for recording witnesses, documents, and material objects in criminal judgments and observed that a structured approach enhances legibility and effective appreciation of evidence. The ruling came in a POCSO case where the accused was acquitted due to major deficiencies in the prosecution's evidence management.
Supreme Court: Dowry practice undermining Mehr in Muslim marriages	*State of U.P. vs. Ajmal Beg etc., Dated: 15.12.2025 (MANU/SC/1676/2025; 2025 INSC 1435)* The **Supreme Court** observed that dowry demands have seeped into Muslim marriages, weakening the protection intended under Mehr. It issued directions to curb dowry-related deaths and quashed the Allahabad High Court's acquittal of a husband and mother, who were previously found by the trial court to have burned a 20-year-old for failing to meet demands for a TV, motorcycle, and Rs. 15,000.

Supreme Court: Passport renewal cannot be refused despite pending criminal case if trial court has allowed it	*Mahesh Kumar Agarwal vs. Union of India & Anr., Dated: 19.12.2025 (MANU/SC/1716/2025;2025 INSC 1476)* The **Supreme Court** held that the mere pendency of criminal proceedings cannot justify an indefinite denial of passport renewal, especially when the trial court has allowed renewal while regulating foreign travel.
Supreme Court: Sessions Court cannot award 'life imprisonment without remission' sentence in murder cases	*Kiran vs. The State of Karnataka, Dated: 18.12.2025 (MANU/SC/1704/2025; 2025 INSC 1453)* The **Supreme Court** ruled that a Sessions Court cannot sentence a convict to life imprisonment without the possibility of remission, as only Constitutional Courts hold that authority.

Constitution	
Delhi HC: Access to electricity is a fundamental right under Article 21	*Shri Maiki Jain vs. BSES Rajdhani Power Ltd. & Ors., Dated: 15.12.2025 (MANU/DE/9975/2025;2025:DHC:11396)* The **Delhi High Court** observed that access to electricity is a fundamental right under Article 21 and cannot be withheld from a person legally occupying a property merely because of a pending dispute with the landlord.

Direct Taxation	
Supreme Court: Foreign companies' overseas head office expenses for Indian operations capped under section 44C	*Director of Income Tax (IT)-I, Mumbai vs. M/s. American Express Bank Ltd., Dated: 15.12.2025 (MANU/SC/1674/2025; 2025 INSC 1431)* The **Supreme Court** held that all head office expenses incurred by foreign companies outside India whether common or exclusively related to Indian business are subject to the deduction limit under Section 44C of the Income Tax Act, 1961.

Electricity	
Supreme Court: TANGEDCO must pay fixed charges for power supplied before full commissioning	*Tamil Nadu Generation and Distribution Corporation Ltd. vs. M/s Penna Electricity Limited, Dated: 16.12.2025 (MANU/SC/1680/2025; 2025 INSC 1439)* The **Supreme Court** ruled that power generators are entitled to fixed charges from the date their electricity is synchronized with the grid, regardless of whether the project is fully operational.

Evidence	
Supreme Court: Items given by accused during police check do not qualify as section 27 recoveries	*Shaik Shabuddin vs. State of Telangana, Dated: 17.12.2025 (MANU/SC/1687/2025 ;2025 INSC 1449)* The **Supreme Court** ruled that items handed over by the accused cannot be considered recoveries under Section 27 of the Evidence Act. For Section 27 to apply, the accused must have concealed the fact or object, and its discovery must result directly from the disclosure provided to the police.

Supreme Court: Omissions in chief examination can be remedied in cross-examination	*K. S. Dinachandran vs. Shyla Joseph & Ors., Dated: 17.12.2025 (MANU/SC/1688/2025;2025 INSC 1451)* The Supreme Court observed that omissions in a witness's examination-in-chief are not fatal and can be cured through cross-examination. It held that evidence must be assessed holistically, and technical lapses should not defeat substantive justice.

Family	
Supreme Court: Marriage existing only on paper can be dissolved	*Nayan Bhowmick vs. Aparna Chakraborty, Dated: 15.12.2025 (MANU/SC/1670/2025; 2025 INSC 1436)* The **Supreme Court** ruled that a court should not prolong a marriage that exists merely formally. It dissolved the marriage of a couple living apart for 24 years, concluding that their differing approaches to marital life and persistent inability to compromise amounted to mutual cruelty and caused an irretrievable breakdown of the marriage.
Delhi High Court: One-year separation not mandatory for filing first motion for mutual consent divorce.	*Shiksha Kumari vs. Santosh Kumar, Dated: 17.12.2025 (MANU/DE/9823/2025;2025:DHC:11467-FB)* The **Delhi High Court** held that the one-year separation period under Section 13B(1) of the Hindu Marriage Act for filing the first motion for mutual consent divorce is not compulsory and can be waived.

Insurance	
Supreme Court allows fire insurance claim, says cause of fire is irrelevant once loss is established	*Cement Corporation of India vs. ICICI Lombard General Insurance Company Limited, Dated: 16.12.2025 (MANU/SC/1683/2025; 2025 INSC 1444)* The **Supreme Court** held that once it is admitted that damage was caused by fire, the reason for the fire is immaterial and ruled that the insurer cannot deny coverage merely because the fire originated during an attempted burglary or theft.

Service	
Supreme Court: Vacancies arising from a selected candidate's resignation are to be filled based on communal rotation, not by selecting the next person on the rank list.	*Radhika T vs. Cochin University of Science and Technology & Ors., Dated: 18.12.2025 (MANU/SC/1707/2025 ;2025 INSC 1462)* The **Supreme Court** ruled that the principle of communal rotation in university recruitment remains applicable throughout the rank list's validity, and a waitlisted candidate is not automatically entitled to the post if a selected candidate resigns.

NEWS

Civil	
20.12.2025	The President has given assent to the Viksit Bharat—Guarantee for Rozgar and Ajeevika Mission (Gramin) (VB—G RAM G) Bill, 2025. The new Act extends the statutory employment guarantee to 125 days, aiming to provide enhanced livelihood opportunities. It also empowers Panchayats and Gram Sabhas with planning authority, placing them at the forefront of future development initiatives.
18.12.2025	The **Supreme Court** has dismissed a petition challenging the notification that established a circuit bench of the Bombay High Court in Kolhapur, which was inaugurated by the then Chief Justice of India BR Gavai in August.
17.12.2025	The **Delhi High Court** has issued notices to the Delhi government and Delhi Police in response to a petition demanding enforcement of government-mandated fares and mandatory meter usage by auto rickshaws operating in the national capital. The **Supreme Court** has agreed to hear a public interest litigation (PIL) seeking directions to include recording of intersex births and deaths in the upcoming census. The **Karnataka High Court** directed the Enforcement Directorate (ED) to take instructions on whether CCTV footage seized during searches at online gaming platform Winzo's office can be supplied to the company. The **Gujarat High Court** held that payment of court fees is mandatory for filing cases concerning Waqf properties before the Gujarat State Waqf Tribunal. The **Madras High Court** has observed that the Centre has a constitutional duty to intervene when citizens cannot secure their rights abroad, including compensation claims against foreign employers. The Court emphasized that India's status as a welfare state mandates such protection, and the lack of specific legislation cannot be used as grounds to shirk this responsibility.
17.12.2025	A private member bill has been introduced in Parliament to propose imposing penalties of up to ₹5 crore for the misuse of artificial intelligence (AI) systems.

Criminal	
19.12.2025	The **Delhi High Court** overturned a Lokpal order that had permitted the Central Bureau of Investigation (CBI) to file a chargesheet against Trinamool Congress (TMC) Member of Parliament Mahua Moitra in the ongoing cash-for-query controversy.
16.12.2025	A **Delhi court** has granted Goa Police two-day transit remand of Gaurav Luthra and Saurabh Luthra, owners of the Goa nightclub where a fire claimed 25 lives earlier this month.

Company	
16.12.2025	The **National Company Law Tribunal** (NCLT) has approved Vedanta's revised demerger scheme, which involves splitting the company into two separate entities—one focusing on its metals business and the other on its oil and gas operations. This restructuring is aimed at unlocking shareholder value and simplifying the business structure. The approval comes after the company addressed concerns raised by regulatory authorities and made necessary adjustments to the scheme.

Indirect Taxation	
15.12.2025	The Ministry of Law and Justice on December 15, 2025, officially notified the Health Security *Se* National Security Cess Act, 2025, marking a major policy shift aimed at securing dedicated funding for the nation's healthcare infrastructure and defense capabilities.

Election	
16.12.2025	The **Supreme Court** has issued notices to the Bar Council of India (BCI) and the Bar Council of Tamil Nadu in response to a petition filed by a disabled advocate seeking 4% reservation for persons with disabilities in elections to the Bar Council of Tamil Nadu.

Intellectual Property Rights	
17.12.2025	The **Central government** has currently reviewed the effectiveness of the Copyright Act, 1957, in addressing legal challenges posed using generative artificial intelligence (AI) in the Lok Sabha.

Environment	
17.12.2025	In view of the persisting poor air quality in Delhi, the **Supreme Court** directed the Municipal Corporation of Delhi (MCD) to consider temporarily suspending toll collection at nine toll plazas located at the national capital's entry points. The **Supreme Court** modified its August 12 order that had barred coercive action against owners of diesel vehicles older than 10 years and petrol vehicles older than 15 years in Delhi. The Court observed that vehicles with Bharat Stage-III (BS-III) or lower emission standards will now be subject to enforcement action, including impounding.

Customs	
19.12.2025	The **Delhi High Court** directed the Customs Department to file its response to a petition by IndiGo Airlines contesting the imposition of customs duty on aircraft engines and components brought back into the country following repairs abroad. The airline is also seeking refunds totaling over ₹900 crore that were denied by the department.

Media and Entertainment	
19.12.2025	Bollywood playback singer Kumar Sanu has filed a ₹50 crore defamation lawsuit in the **Bombay High Court** against his ex-wife. He claims that her recent interviews and social media statements have severely tarnished his reputation.

NOTIFICATION UPDATES

Department of Atomic Energy	
Press Information Bureau, Dated: 18.12.2025, MANU/PIBU/1463/2025	The SHANTI Bill 2025, passed by both houses of the Indian Parliament, consolidates nuclear energy regulations, ensuring government control over strategic materials and nuclear safety. It strengthens regulatory oversight, addresses safety and public health concerns, and introduces mechanisms for liability and compensation. The bill aims to advance India's nuclear energy capacity while maintaining safety, sovereignty, and public accountability.

Reserve Bank of India	
Press Release No. : 2025-2026/1705, Dated: 15.12.2025, MANU/RPRL/0873/2025	The Reserve Bank of India announced the redemption price for premature redemption of the Sovereign Gold Bond 2020-21 Series III, due on December 16, 2025. The redemption price is based on the average closing price of gold of 999 purity over the three business days preceding the redemption date.

Ministry of Finance	
Notification No. : 77/2025-Customs (N.T.), Dated 15.12.2025, MANU/CUSN/0066/2025	The Ministry of Finance has amended Notification No. 36/2001-Customs (N.T.) to update tariff values for various goods including palm oil, soya bean oil, brass scrap, gold, silver, and areca nuts. These changes will be effective from December 16, 2025.
Notification No. : 34/2025-Customs (ADD), Dated: 15.12.2025, MANU/CUSA/0037/2025	The Ministry of Finance has amended the notification regarding the continuation of anti-dumping duty on imports of "Faced Glass Wool in Rolls" from China. The anti-dumping duty will remain in force until June 17, 2026, unless revoked or amended earlier.
Notification No.: 170/2025, Dated: 15.12.2025, MANU/CBDT/0128/2025	The Ministry of Finance has issued a document that outlines the jurisdiction and functions of Commissioners of Income-tax (Appeals) in handling appeals related to search, requisition, and survey cases under the Income-tax Act, 1961. It specifies the authorities responsible for appeals against assessments and penalty orders based on material seized or impounded during such operations. The notification also lists the designated appellate authorities and their respective headquarters across various locations in India.
Notification No. : SO5807(E), Dated: 16.12.2025, MANU/FNSV/0023/2025	The Ministry of Finance has amended a previous notification related to the Recovery of Debts and Bankruptcy Act, 1993, updating jurisdictional entries for various districts in West Bengal and the Union territory of Andaman and Nicobar Islands.
Press Information Bureau, Dated: 18.12.2025, MANU/PIBU/1463/2025	The Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Bill, 2025 allows up to 100% FDI in insurance companies, aiming to deepen insurance coverage, enhance ease of doing business, and improve regulatory oversight. It introduces measures like reduced Net Owned Fund requirements for foreign branches and establishes a Policyholders' Education and Protection Fund to increase awareness.

Pension Fund Regulatory and Development Authority	
Notification No. : PFRDA/16/14/06/0009/2018-REG-EXIT, Dated: 15.12.2025, MANU/NMIC/0322/2025	The Pension Fund Regulatory and Development Authority (PFRDA) has issued the "Exits and Withdrawals under the National Pension System (NPS) (Amendment) Regulations, 2025," which likely revises the conditions and processes for exiting the NPS. These amendments typically include updated guidelines on the circumstances under which an individual can withdraw their pension funds, such as retirement, premature exit, or in the event of death.

Ministry of Housing and Urban Affairs	
Notification No.: GSR899(E), Dated: 16.12.2025, MANU/HAUA/0005/2025	The Government of India has authorized the Delhi Development Authority to use voluntary Aadhaar authentication through OTP for identification and authentication purposes on the DDA SSO portal, in accordance with the Aadhaar Act, 2016 and related rules.

Ministry of Social Justice & Empowerment	
Press Information Bureau, Dated: 16.12.2025, MANU/PIBU/1432/2025	The amendment to the Bill for Manual Scavengers was not pursued as its issues were addressed under the NAMASTE scheme and Swachchh Bharat Mission 2.0. The NAMASTE scheme aims to ensure the safety and dignity of sanitation workers, providing them with training, PPE kits, and financial support, while achieving zero fatalities in sanitation work.

Ministry of Earth Sciences	
Press Information Bureau, Dated: 17.12.2025, MANU/PIBU/1461/2025	The Government of India is actively addressing climate change through various initiatives, including advanced research, capacity building, and early warning systems for severe weather events. The Ministry of Earth Sciences has developed state-of-the-art forecasting and monitoring systems, and launched Mission Mausam to enhance weather predictions and climate resilience. Collaborative efforts with national and international institutions aim to improve understanding and response to climate challenges.

Ministry of Communications	
Press Information Bureau, Dated: 17.12.2025, MANU/PIBU/1458/2025	TRAI has directed entities regulated by IRDAI to adopt the 1600-series numbers for service and transactional calls by February 2026 to enhance consumer trust and prevent fraud. This initiative follows similar mandates for entities regulated by RBI, SEBI, and PFRDA, aiming to clearly distinguish legitimate calls from commercial communications.

Ministry of Ports, Shipping and Waterways	
Press Information Bureau, Dated: 17.12.2025, MANU/PIBU/1457/2025	The Bills of Lading Act, 2025 has been implemented in Andhra Pradesh ports, simplifying provisions for better clarity and enforcement, enhancing logistics at ports like Visakhapatnam and Kakinada.

INTERNATIONAL UPDATES

AUSTRALIA

Banking

Reserve Bank of Australia releases final outcomes of 2025 capital framework review

The Reserve Bank of Australia has released its final decisions following the 2025 review of bank capital requirements, revisiting settings originally established under the 2019 capital review. The updated framework revises minimum Common Equity Tier One capital thresholds across all categories of authorised deposit-taking institutions. For large Australian-owned banks classified as Group One deposit takers, the regulator has reduced ongoing Common Equity Tier One requirements while increasing reliance on Tier Two capital and loss-absorbing capacity instruments issued to parent entities.

Finance

Australia introduces licensing framework for digital asset custody and trading platforms

The Australian Parliament has introduced the Corporations Amendment (Digital Assets Framework) Bill 2025, establishing a regulatory structure for platforms that hold digital assets on behalf of customers. The Bill proposes to classify Digital Asset Platforms and Tokenised Custody Platforms as regulated financial products under the Corporations Act 2001. Operators of these platforms will be required to obtain an Australian financial services licence and comply with existing licensing obligations, while digital asset issuers and entities using digital assets for non-financial purposes remain outside the scope of the framework. The reforms aim to strengthen consumer protection and provide regulatory certainty in Australia's digital asset market.

Company and Commercial

Australia align climate disclosure standards with international reporting frameworks

The Australian Accounting Standards Board has approved amendments to its climate-related disclosure standards to align domestic reporting obligations with international sustainability disclosure requirements. The amendments reduce duplication in greenhouse gas emissions reporting and ease compliance burdens for large entities, particularly those operating across multiple jurisdictions. Financial institutions and corporate groups will benefit from simplified Scope Three emissions reporting in later reporting years. The revised standards will apply to reporting periods beginning on or after 1st January 2027, with early adoption permitted subject to governance and disclosure requirements.

Energy and Natural Resources

Queensland expands renewable energy planning regime to standalone battery storage projects

The Government of Queensland has amended its planning regulations to bring standalone battery energy storage system developments within the State's renewable energy social impact assessment regime. The changes, effective from 12th December 2025, require large battery storage projects exceeding fifty megawatts to undertake social impact assessments and enter into community benefit agreements with affected local governments. Previously, only battery systems integrated with wind or solar projects were covered by the regime. The amendments reflect Queensland's broader effort to manage community and environmental impacts associated with large-scale renewable infrastructure.

Environment and Climate Change

New South Wales streamlines development modification approvals under planning reforms

New South Wales has enacted legislative reforms to simplify the approval process for development modifications under the Environmental Planning and Assessment Act 1979. The changes expand the scope of streamlined approvals to include modifications that result in no environmental impact, extending beyond minor clerical corrections. A new statutory provision introduces a fourteen-day decision period for such applications, after which approval is deemed if no determination is made. The reforms aim to reduce administrative delays while maintaining environmental safeguards for substantive project changes.

Insurance

Federal Court penalizes disability services provider for incident reporting failures

The Federal Court of Australia has imposed a pecuniary penalty of five hundred thousand Australian dollars on Lifestyle Solutions (Australia) Limited for failing to comply with incident reporting obligations under the National Disability Insurance Scheme Act 2013 and the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018. The Court found that the provider failed to notify the National Disability Insurance Scheme Quality and Safeguards Commission of reportable incidents within mandatory timeframes. The decision reinforces the importance of strict regulatory compliance in the provision of disability support services.

Information Technology and Data Protection

Australia establishes national artificial intelligence safety authority

The Australian Government has announced the creation of the Australian Artificial Intelligence Safety Institute, a national body tasked with overseeing the responsible development and deployment of artificial intelligence technologies. Expected to commence operations in early 2026, the institute will monitor emerging risks, provide guidance to government agencies, and support businesses and the public in responsible artificial intelligence adoption. The initiative accompanies the release of Australia's National Artificial Intelligence Plan, which seeks to balance innovation with public safety and international cooperation.

Tax

High Court confirms validity of retrospective amendments affecting land tax surcharges

The High Court of Australia has upheld retrospective amendments to the International Tax Agreements Act 1953, confirming their effect on state land tax surcharge regimes. In G Global One Hundred and Twenty E T Two Proprietary Limited v Commissioner of State Revenue and related matters, the Court held that the amendments validly removed inconsistencies between Commonwealth legislation and land tax provisions in Victoria and Queensland. The decision confirms the ability of section five subsection three of the Act to override non-discrimination provisions in Australia's tax treaties, carrying implications for foreign investors and future treaty negotiations.

CANADA

Competition and Antitrust

Competition Bureau releases draft guidance on non-criminal anti-competitive conduct

The Competition Bureau of Canada has published draft enforcement guidelines outlining its approach to regulating anti-competitive conduct under the Competition Act. The guidance addresses abuse of dominance, restrictive agreements, and conduct affecting technology-driven markets. The Bureau has indicated that enforcement priorities will focus on demonstrable harm to competition, with public consultation open until January 2026

Employment and Labor

Ontario enacts extensive workplace reforms under Working for Workers Seven Act

Ontario has enacted the Working for Workers Seven Act two thousand and twenty-five, introducing new obligations relating to job postings, recruitment transparency, and artificial intelligence use in hiring. Employers must disclose salary ranges, identify artificial intelligence screening practices, and notify candidates of hiring outcomes within prescribed timelines. The reforms aim to protect job seekers and promote fair employment practices.

Litigation

Court of Appeal confirms finality of class action certification decisions

The Court of Appeal for Ontario has reaffirmed that class action certification decisions not appealed cannot be reopened through subsequent procedural amendments. In David v Loblaw Companies Limited, the Court emphasised the importance of procedural finality and rejected attempts to reintroduce corporate entities absent specific factual allegations. The decision strengthens certainty in class action proceedings.

Patent

Federal Court confirms broad scope of recoverable patent infringement damages

The Federal Court of Canada has clarified that patent infringement damages may extend beyond products strictly covered by asserted patent claims where sufficient causation is established. Interpreting section fifty-five subsection one of the Patent Act, the Court confirmed that damages may reflect broader commercial losses attributable to infringing conduct, subject to evidentiary proof.

Energy and Natural Resources

Federal budget and Alberta agreement reaffirm Canada's clean energy investment strategy

Federal Budget two thousand and twenty-five and a memorandum of understanding between Canada and Alberta have reaffirmed the country's commitment to clean energy investment tax credits. The measures confirm continued support for clean electricity and hydrogen initiatives, with potential expansion to enhanced oil recovery projects under carbon capture frameworks.

CHINA

Arbitration and Alternative Dispute Resolution

China enacts comprehensive overhaul of national arbitration framework

China has formally enacted a revised Arbitration Law, representing the first substantive reform of its arbitration framework since nineteen ninety-four. Passed by the Standing Committee of the National People's Congress in September two thousand and twenty-five, the revised law will take effect on one March two thousand and twenty-six. The reforms aim to modernise arbitration practices, clarify the legal status of arbitration institutions, and reduce administrative influence over arbitral proceedings. The changes are intended to enhance the credibility and international competitiveness of arbitration in China.

Company and Commercial

China issues detailed compliance guidance for commercial franchising operations

Chinese authorities have released comprehensive guidance addressing compliance requirements in the commercial franchising sector. The guidance outlines obligations under the Regulation on the Administration of Commercial Franchising, including disclosure, filing, and eligibility standards. It also references supporting legislation such as the Civil Code and the Anti-Unfair Competition Law to reinforce fair business practices. The initiative seeks to mitigate legal risks arising from rapid franchise expansion and promote sustainable growth across retail, food and beverage, and service industries.

TAIWAN

Employment and Labor

Taiwan expands worker leave entitlements and strengthens attendance protections

The Ministry of Labor of Taiwan has amended the Regulations on Leaves for Workers, with changes taking effect on one January two thousand and twenty-six. Employees are now expressly permitted to take personal leave in hourly increments for the purpose of providing direct care to family members. Employers are prohibited from deducting full-attendance bonuses for such leave, while sick leave now requires proportional calculation of attendance incentives. The amendments aim to improve work-life balance and enhance employment protections.

Patent

Taiwan extends timelines for deferred patent examination while adding public interest safeguards

The Taiwan Intellectual Property Office has revised its guidelines on deferred substantive examination for invention and design patents. The maximum deferral period has been extended to five years for invention patents and two years for design patents, effective from 1st January 2026. Applicants may request deferral only once per application, and the authority retains discretion to deny or terminate deferrals where delays may adversely affect public or third-party interests.

MALAYSIA

Competition and Antitrust

High Court upholds enforcement action against dominant digital services provider

The High Court of Kuala Lumpur has dismissed a judicial review application by Dagang Net Technologies Sendirian Berhad, affirming findings by the Malaysia Competition Commission that the company abused its dominant position under section ten subsection one of the Competition Act 2010. The case arose from exclusivity practices imposed within the National Single Window trade facilitation system. The Court upheld the Competition Appeal Tribunal's confirmation of a financial penalty and remedial measures, reinforcing competition enforcement in digital infrastructure markets.

NEW ZEALAND

Trademark

Court of Appeal rules compatibility reference did not constitute trade mark use

The Court of Appeal of New Zealand has held that Zuru New Zealand Limited's reference to the LEGO brand on product packaging did not amount to use as a trade mark. The Court found that the compatibility statement did not indicate the commercial origin of the goods and therefore did not infringe LEGO Juris A S trade mark rights. The decision clarifies the distinction between descriptive compatibility references and trade mark use in infringement analysis.

SOUTH KOREA

Information Technology and Data Protection

South Korea introduces measures to curb artificial intelligence driven deceptive advertising

The Government of the Republic of Korea has announced a new regulatory framework targeting false and misleading advertising generated using artificial intelligence technologies. The measures include mandatory labelling of artificial intelligence generated content, enhanced platform responsibilities, and stronger enforcement mechanisms. Proposed amendments to the Act on Promotion of Information and Communications Network Utilization and Information Protection aim to protect consumers while addressing the growing misuse of deepfake content across high-risk industries.

VIETNAM

Construction

Vietnam adopts amended construction framework to modernise project approvals

Vietnam's National Assembly has passed an amended Law on Construction, replacing the existing framework enacted in 2014. Effective from one July 2026, the amendments streamline project classification, remove duplicative prefeasibility requirements, and expand exemptions from construction permit obligations. The reforms aim to reduce administrative burdens and improve efficiency while supporting sustainable infrastructure development.

USA

Banking

Industry groups back federal measures to prevent elder financial exploitation

Financial trade associations have expressed support for proposed federal legislation allowing delayed disbursement of funds where there is suspected financial exploitation of senior citizens. The proposed measures aim to enhance protections against increasingly sophisticated fraud schemes, including those enabled by artificial intelligence.

Federal regulator releases preliminary findings on alleged debanking practices

The Office of the Comptroller of the Currency has published initial findings from its review of alleged debanking practices among large national banks. The review examines whether access to banking services was restricted based on non-financial considerations, with further regulatory action expected following completion of the assessment.

Finance

United States launches pilot allowing tokenized assets as derivatives collateral

The Commodity Futures Trading Commission has introduced a pilot framework permitting tokenized digital assets to be used as collateral in derivatives markets. The guidance outlines requirements for liquidity, custody, legal enforceability, and operational risk management, marking a step toward integrating blockchain-based assets into regulated financial systems.

IN NEWS

Judicial Officer Cannot Seek Suspension Reasons Through RTI: Supreme Court Draws the Line

Supreme Court of India

The Supreme Court has held that a judicial officer is not expected to invoke the Right to Information Act, 2005 to ascertain the reasons for his suspension, observing that such a course of action is wholly inappropriate for an officer holding judicial office. A Bench comprising Chief Justice of India Surya Kant and Justice Joymalya Bagchi made the observation while refusing to interfere with the suspension of Rajaram Bhartiya, Principal District and Sessions Judge, Panna, Madhya Pradesh.

The Court noted that Bhartiya had filed applications under the Right to Information Act, 2005 seeking details of the grounds for his suspension. Disapproving this approach, the Bench observed that an officer of his seniority ought to have submitted a representation to the competent authority instead, which would have enabled the High Court either to communicate the reasons for suspension or to formally initiate disciplinary proceedings, as contemplated in the suspension order itself.

Bhartiya was placed under suspension by an order dated 19.11.2025, which stated that the suspension was necessary to prevent possible tampering with evidence and witnesses and to ensure a free and fair enquiry. He challenged the order before the Supreme Court, contending that a judicial order could not form the basis of suspension and that he could have been transferred instead.

During the hearing, it was pointed out that the alleged trigger for the suspension was a judicial order passed by Bhartiya setting aside a penalty imposed by the Panna Collector in an illegal mining matter. The Chief Justice questioned the timing of the order, remarking on an emerging trend of judicial officers passing palpably incorrect orders shortly before retirement. The Court expressed concern over such conduct, observing that accountability does not diminish near retirement.

While declining to stay the suspension, the Supreme Court granted Bhartiya liberty to submit a comprehensive representation before the Madhya Pradesh High Court seeking recall of the suspension or other relief in accordance with applicable service rules. The High Court was directed to consider the representation expeditiously and, in any event, within four weeks.

Right to Life Prevails Over Social Discomfort: Allahabad High Court Orders Protection for Live-In Couples

Allahabad High Court

The Allahabad High Court has directed the Uttar Pradesh Police to provide protection to 12 live-in couples who reported threats from family members and alleged inaction by local authorities. Justice Vivek Kumar Singh, while deciding the petitions together, held that adult individuals in live-in relationships are entitled to protection of life and personal liberty under the Constitution of India.

The Court noted a growing number of petitions where couples stated that despite approaching district police authorities, no effective protection was provided, compelling them to seek judicial intervention. Addressing the argument that absence of marriage disentitles couples from constitutional protection, the Court categorically rejected such a position.

The judgment emphasised that the right to life occupies the highest constitutional pedestal and applies equally to all citizens, irrespective of marital status. The Court held that merely because the petitioners had not solemnised marriage, they could not be deprived of their fundamental rights under the Constitution of India.

Justice Singh clarified that the issue before the Court was not whether society approves of live-in relationships, but whether the Constitution protects adults who choose such relationships. While acknowledging that social morality may differ across communities, the Court held that legality remains unaffected by societal discomfort. It further noted that the Protection of Women from Domestic Violence Act, 2005 expressly recognises domestic relationships without insisting on marriage.

The Court placed significant emphasis on individual autonomy, observing that once a person attains the age of majority, the choice of partner and place of residence rests solely with that individual. Interference by family members, the Court held, cannot be permitted to threaten peaceful coexistence.

Allowing all twelve petitions, the High Court directed that the petitioners may approach the Commissioner of Police, Senior Superintendent of Police, or Superintendent of Police with a certified copy of the order. The police were instructed to provide immediate protection after verifying that the individuals are majors and are residing together voluntarily. Where documentary proof of age is unavailable, the Court permitted the use of ossification tests or other lawful methods for age verification.

Police Cannot Follow 'Unknown Procedures': Bombay High Court Questions Non-Compliance with BNSS

Bombay High Court

The Bombay High Court has strongly criticised the Maharashtra Police for failing to adhere to the Bharatiya Nagarik Suraksha Sanhita, 2023, despite the statute having come into force in July 2024. A Division Bench comprising Justice A S Gadkari and Justice Ranjitsinha Raja Bhonsale questioned why mandatory procedures under the new criminal procedure framework were being ignored.

The Court was hearing multiple petitions raising concerns over police actions that were inconsistent with the Bharatiya Nagarik Suraksha Sanhita, which replaced the Code of Criminal Procedure and restructured investigation timelines, custody powers, and preliminary enquiry mechanisms. The Bench permitted the Union of India to be impleaded as a party and sought clarification from the Ministry of Home Affairs on the applicability of the new law to police stations in Maharashtra.

In one matter filed by Mehul Jain, the Court took serious exception to a police communication summoning the petitioner based on an internal "movement register" entry, rather than any statutory provision under the Bharatiya Nagarik Suraksha Sanhita. The Bench directed the Joint Commissioner of Police, Law and Order, Mumbai, to file an affidavit explaining whether the Sanhita applies to the Mumbai Police and, if so, why citizens were being summoned under procedures unknown to law.

The Court also expressed concern over the widespread misuse of preliminary enquiries. Referring specifically to section 173(3)(i) of the Bharatiya Nagarik Suraksha Sanhita, the Bench noted that the provision permits a preliminary enquiry solely to determine whether a *prima facie* case exists and mandates its completion within 14 days from receipt of information.

In petitions filed by Kundan Jaywant Patil and Ashwin Ashirvad Parmar, the Court observed that preliminary enquiries were being kept pending for months, in clear violation of the statutory time limit. The Bench remarked that such conduct reflected either a lack of awareness of the new law or a deliberate disregard of its mandate.

The Court directed senior police officers, including Deputy Commissioners of Police, to explain why enquiries monitored by statutory bodies were not being concluded within the prescribed 14 day period. The matter has been kept pending for further compliance and responses from the concerned authorities.