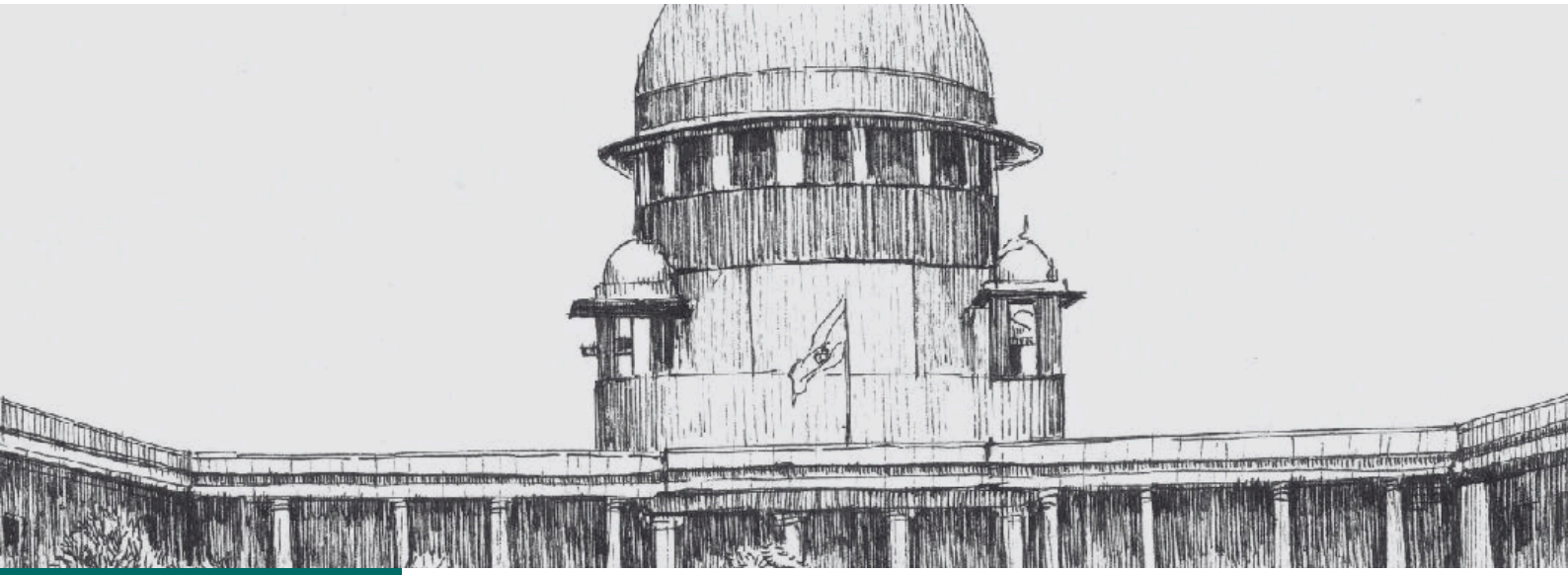
MANUPATRA WEEKLY WRAP

26th - 31st January 2026



Case Laws

CIVIL

Niraj Jain vs. Competent Authority-cum-Additional Collector, Jagdalpur & Ors., *Dated: 27.01.2026 (MANU/SC/0089/2026; 2026 INSC 86)*

The Supreme Court observed that **excessive disbursement of land acquisition compensation to some beneficiaries**, even in collusion with officials, does not invalidate the compensation awarded to others. A bench set aside the Chhattisgarh High Court's decision. The court emphasized that overpayment to some cannot prejudice the rights of other rightful beneficiaries.

Supreme Court: Overpayment to some landowners cannot reduce or nullify compensation due to others

R. B. Bohora Educational & Welfare Trust vs. Vijay Mundaware & Ors., *Dated: 29.01.2026 (MANU/MH/0724/2026; 2026:BHC-AS:4431)*

The Bombay High Court set aside an order requiring a Nashik school to issue public apologies after parents accused it of falsely claiming CBSE affiliation. The court emphasized that Section 41A of the Maharashtra Public Trusts Act gives the Charity Commissioner supervisory powers to oversee trust administration, accounts, and the use of trust income, and to act only where trust property is endangered, **not to enforce 'moral correction'.**

Bombay High Court: Charity Commissioner's powers are limited to supervision, not moral policing, and quashes order directing school to issue public apology.

CONSTITUTION

Supreme Court: Menstrual health part of right to life under Article 21, orders free sanitary pads in schools.

Dr. Jaya Thakur vs. Government of India & Ors., *Dated: 30.01.2026 (MANU/SC/0099/2026; 2026 INSC 97)*

The Supreme Court has declared that **menstrual health is part of the right to life** under Article 21 of the Constitution. The court directed all schools to provide biodegradable sanitary napkins free of cost to adolescent girls from Classes 6–12 and ensure functional, hygienic, gender-segregated toilets. The court also ordered pan-India implementation of the Union government's 'Menstrual Hygiene Policy for School-going Girls' to safeguard the health and dignity of school-going girls.

CRIMINAL

Supreme Court: Patients cannot demand unproven or experimental medical treatments as matter of right.

Yash Charitable Trust & Ors. vs. Union of India & Ors., *Dated: 30.01.2026 (MANU/SC/0096/2026; 2026 INSC 96)*

The Supreme Court has held that **patients cannot claim stem cell treatment (SCT) as a cure for Autism Spectrum Disorder (ASD) as a matter of right**. A bench disapproved the use of SCT for ASD as a regular clinical treatment, noting that medical practitioners and clinics providing such unscientific therapies engage in malpractice.

Delhi HC: Bail cannot be rejected solely on account of voluminous or lengthy petition

Vijay Gupta vs. State (NCT of Delhi), *Dated: 29.01.2026 (MANU/DE/0585/2026; 2026:DHC:731)*

The Delhi High Court ruled that a **bail application cannot be denied simply because it is voluminous or lengthy**. The court noted that the **liberty of an accused cannot be made to depend on the number of pages in a bail petition**, and even hundreds of pages cannot justify dismissal.

EDUCATION

Supreme Court: UGC regulations prevail over state law in forming search committees for appointing university vice-chancellors.

Dr. S. Mohan vs. The Secretary to the Chancellor, Puducherry Technological University & Ors., *Dated: 30.01.2026 (*MANU/SC/0102/2026*; 2026 INSC 100)*

The Supreme Court held that the composition of the Search-cum-Selection Committee for **appointing a university Vice-Chancellor falls under higher education standards under Parliament's exclusive domain**, and any deviation from UGC Regulations, 2018, renders the process illegal. Accordingly, the Court upheld the Madras High Court's decision striking down Section 14(5) of the Puducherry Technological University Act, 2019, which had prescribed an unlawful committee formation.

ENVIRONMENT

Supreme Court: Polluting company's turnover may be taken into account while determining quantum of compensation for environmental damage.

M/s Rhythm County vs. Satish Sanjay Hegde & Ors., *Dated: 30.01.2026 (MANU/SC/0098/2026; 2026 INSC 102)*

The Supreme Court held that the scale of a company's operations, including turnover and production capacity, may be a decisive factor in assessing environmental damage compensation. A bench observed that **higher turnover reflects the magnitude of operations and can bear a direct correlation with the extent of environmental harm,** while upholding the NGT's imposition of heavy penalties on real estate developers for illegal construction.

EVIDENCE

Supreme Court: Conviction cannot be based solely on confession unless it is corroborated by independent evidence.

Bernard Lyngdoh Phawa vs. The State of Meghalaya, *Dated: 27.01.2026 (MANU/SC/0087/2026*; *2026 INSC 85)*

The Supreme Court observed that while confessions can be valid evidence, **a conviction cannot rest solely on such statements without corroboration**, particularly when the accused were unrepresented during recording. The Court set aside the High Court's order overturning the Trial Court's acquittal.

FAMILY

Bombay High Court: Upon valid adoption, child's caste stands aligned with caste of adoptive parents.

Mrs. Geeta Dattatray Achari vs. State of Maharashtra & Ors., *Dated: 29.01.2026 (MANU/MH/0769/2026; 2026:BHC-AS:4835-DB)*

The Bombay High Court ruled that an **adopted child's caste aligns with that of the adoptive parents**, quashing the Deputy Collector of Pune's order that had cancelled the child's caste certificate. A division bench heard the case, which arose from a woman's adoption of a male child on August 22, 2014, authorized by the Pune District Court under the Juvenile Justice (Care and Protection of Children) Act.

INTELLECTUAL PROPERTY RIGHTS

Madras High Court: Restored 'Sakthi Masala' trademark, observing that trademark protection cannot be withdrawn arbitrarily.

Perundurai Chennimalai Gounder Duraisamy vs. The Registrar of Trade Marks & Anr., *Dated: 27.01.2026 (MANU/TN/0233/2026)*

The Madras High Court set aside the Trade Marks Registry's cancellation of the 'Sakthi Masala' trademark, holding that the Registry acted arbitrarily by revoking a decades-old registration without giving the company notice. The court noted that **Sakthi Trading Company had been using the brand since 1977** and had maintained its official registration since 2005.

LABOUR & INDUSTRIAL

***M/s Premium Transmission Private Limited vs. The State of Maharashtra & Ors.**, Dated: 27.01.2026 (MANU/SC/0085/2026; 2026 INSC 87)*

Supreme Court: Prior written demand is not mandatory requirement for industrial dispute to exist, and even apprehended dispute can be validly referred for adjudication.

The Supreme Court held that a **trade union is not required to submit a formal charter of demands** to the management before invoking conciliation under the Industrial Disputes Act, 1947, noting that the Act can be triggered once a dispute exists or is apprehended.

MOTOR VEHICLE

***The Oriental Insurance Co. Ltd. vs. Haazari Singh Rawat & Ors.**, Dated: 28.01.2026 (MANU/DE/0559/2026; 2026:DHC:667)*

Delhi High Court: Pillion rider's alleged intoxication cannot be treated as contributory negligence in accident cases unless direct causal connection with accident is established.

The Delhi High Court ruled that merely alleging intoxication of a pillion rider on a two-wheeler is **insufficient to establish contributory negligence** unless a direct causal connection with the accident is proved. The observation was made while hearing an insurer's appeal against compensation awarded by the Motor Accident Claims Tribunal.

SERVICE

***Smt. Lakshmi Devi & Anr. vs. Union of India & Ors.**, Dated: 27.01.2026 (MANU/DE/0527/2026; 2026:DHC:601-DB)*

Delhi High Court: Family pension is meant to provide financial support to family of deceased employee and cannot be withdrawn merely because widow has remarried.

The Delhi High Court upheld the **constitutional validity of rules allowing a childless widow of a deceased Central government employee** to continue receiving family pension even after remarriage, holding that the policy reflects a welfare-oriented approach of the State.

***XXX vs. State of Kerala & Ors.**, Dated: 27.01.2026 (MANU/SC/0088/2026; 2026 INSC 88)*

Supreme Court: Magistrates should ensure that report from the superior authority is sought whenever alleged offence involves public servant acting in their official capacity.

The Supreme Court clarified that under Section 175(4) of the BNSS, **magistrates must obtain a superior officer's report before ordering an investigation** against a public servant for offences committed in the course of official duties. Unlike Section 156(3) CrPC, which does not require such a report, the BNSS mandates it.

News

CIVIL

29.01.2026

The **Supreme Court** praised the Case Management System implemented by the Kerala High Court, aimed at achieving complete automation and establishing a paperless court environment. The court observed while hearing a Suo motu case concerning the non-functional CCTV cameras in police stations across Rajasthan.

The **Supreme Court** has observed that executing Letters Rogatory formal requests from foreign courts seeking judicial assistance must not undermine India's sovereignty. Chief Justice of India Surya Kant and Justice Joymalya Bagchi delivered the opinion while hearing an appeal against the Madras High Court's decision to decline a Letters Rogatory request.

28.01.2026

The **Delhi High Court** has asked the Directorate General of Civil Aviation to clarify its position on a petition challenging the decision to keep the new Flight Duty Time Limitation rules on hold amid widespread airline service disruptions.

CONSTITUTION

30.01.2026

The **Punjab and Haryana High Court** has directed the Haryana Government to reimburse a government employee's medical expenses incurred for his wife's emergency treatment at a non-empanelled private hospital. Justice Sandeep Moudgil held that denying reimbursement in life-threatening emergencies violates Article 21, as patients have no choice but to seek immediate treatment.

CRIMINAL

27.01.2026

The **Karnataka High Court** has refused to quash the FIR against a man accused of photographing a woman in a trial room, stressing that taking such acts lightly would endanger women's safety and calling it a clear case of voyeurism.

DIRECT TAXATION

27.01.2025

The **Supreme Court** has issued notice on an appeal challenging the Delhi High Court's ruling, which had held that PF and ESI contributions paid by employers beyond the statutory deadline are not eligible for tax deduction, even if remitted before filing the income tax return.

EDUCATION

29.01.2026

The **Supreme Court** has ordered the suspension of the University Grants Commission's newly notified regulations aimed at preventing caste discrimination in educational institutions. The UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026, notified on January 13, applies to all higher education institutions across India. The regulations have drawn legal challenges for allegedly excluding 'general category' students from accessing its grievance redressal mechanism. Till further orders, University Grants Commission (Promotion of Equity in Higher Education Institutions) Regulations, 2012, will continue to operate.

FINANCE

01.02.2026

Finance Minister Nirmala Sitharaman presented the **Union Budget 2026-2027** marking her ninth consecutive budget presentation. The budget is built around three core responsibilities: accelerating sustainable economic growth, fulfilling citizen aspirations and building capacity, and strengthening resilience amid global volatility.

INTELLECTUAL PROPERTY RIGHTS

28.01.2026

The **Madras High Court** has granted an ad-interim anti-piracy injunction to safeguard the copyright of the upcoming Hindi film *Mardaani 3*, starring Rani Mukerji.

MEDIA AND ENTERTAINMENT

29.01.2026

The **Delhi High Court** has dismissed a defamation lawsuit filed by IRS officer Sameer Dnyandev Wankhede against the Netflix series Ba***ds of Bollywood, ruling that it lacked territorial jurisdiction. The court reiterated that the mere accessibility of online content across different jurisdictions does not give plaintiffs the unrestricted right to file suits in any court of their choice.

SERVICE

27.01.2026

The **Madhya Pradesh High Court** has ruled in favor of doctors rejected by MPPSC for Medical Officer and Specialist Doctor posts for lacking postgraduate additional registration certificates. The Court observed that candidates cannot be disqualified based on eligibility criteria not explicitly stated in the recruitment advertisement, as introducing new requirements during document verification amounts to unfairly changing the rules midway through the selection process.

Notification Updates

Ministry of Finance

Notification No.: 15/2026-Customs (N.T.), Dated: 01.02.2026, MANU/CUSN/0014/2026

The **Customs Baggage (Declaration and Processing) Regulations, 2026**, established by the Ministry of Finance, outline procedures for declaring and processing passenger baggage entering or leaving India. These regulations replace previous baggage regulations and introduce an automated system for declarations, define terms like "Green Channel" and "Red Channel," and specify procedures for handling prohibited or dutiable goods. They also detail the retention of records, penalties for non-compliance, and provide forms for various declarations related to baggage and currency.

Notification No.: 14/2026-Customs (N.T.), Dated: 01.02.2026, MANU/CUSN/0012/2026

The **Baggage Rules, 2026,** issued by the Ministry of Finance, outline the regulations for duty-free import of personal effects and household articles for passengers arriving in India. These rules specify allowances for residents, tourists, and foreigners with valid visas, detailing conditions for duty-free clearance of items, including special provisions for jewellery and transfer of residence. The rules also address the import of currency, pets, and unaccompanied baggage, with specific guidelines for crew members.

Press Information Bureau, Dated: 28.01.2026, MANU/PIBU/0103/2026

India and the European Union have concluded negotiations on a **Free Trade Agreement** focused on financial services, marking a significant milestone in their economic cooperation. The agreement aims to enhance market access, regulatory clarity, and collaboration in areas like digital payments and fintech, facilitating deeper integration of their financial systems. This FTA is expected to boost bilateral trade and investment in the financial services sector.

Press Information Bureau, Dated: 29.01.2026, MANU/PIBU/0121/2026

The **Economic Survey 2025-26** emphasizes the need for India to adopt entrepreneurial policy-making under uncertainty, balancing long-term growth with immediate challenges. It highlights India's resilience amid global geopolitical shifts and advocates for strategic reforms to enhance state capacity, societal engagement, and deregulation. The Survey underscores the importance of building resilience, fostering innovation, and aligning efforts across sectors to achieve national development goals.

Ministry of Coal

Notification No. : SO397(E), Dated: 28.01.2026, MANU/COAL/0001/2026

The Ministry of Coal, Government of India, exercising powers under the Mines and Minerals (Development and Regulation) Act, 1957, has notified **private entities accredited by the Quality Council of India-National Accreditation Board for Education and Training** (QCI-NABET) as Accredited Prospecting Agencies (APAs) for carrying out prospecting and exploration operations for coal and lignite mines.

Ministry of Environment, Forest and Climate Change

Notification No. : SO388(E), Dated: 28.01.2026, MANU/ENVT/0013/2026

The new **Solid Waste Management Rules, 2026,** mandate four-stream segregation of waste at source, define responsibilities for bulk waste generators, and introduce environmental compensation for violations. The rules emphasize online tracking, faster land allocation for waste processing, and the use of Refuse Derived Fuel by industries, while also addressing landfill restrictions and legacy waste remediation. Special provisions are included for waste management in hilly areas and islands.

Notification No. : GSR62(E), Dated: 27.01.2026, MANU/ENVT/0010/2026

The Ministry of Environment, Forest, and Climate Change (MoEFCC) has issued **amendments to the Control of Air Pollution Guidelines,** focusing on the granting, refusal, or cancellation of consent for industrial operations. These amendments introduce updated definitions, new procedures for application submissions, and inspection protocols.

Ministry of Personnel, Public Grievances and Pension

Notification No. : GSR60(E), Dated: 27.01.2026, MANU/PPGR/0010/2026

The Department of Personnel and Training (DoPT), Government of India, issued a **revised Cadre Allocation Policy** for All India Services through an Office Memorandum dated January 23, 2026, which supersedes the existing cadre allocation framework and comes into effect from the Civil Services Examination-2026 and Indian Forest Service Examination-2026 onwards for IAS, IPS, and IFoS officers.

Notification No. : GSR61(E), Dated: 27.01.2026, MANU/PPGR/0011/2026

The **Indian Police Service (Pay) Amendment Rules, 2026** propose changes to the pay structure and allowances for officers in the Indian Police Service (IPS). These amendments update the salary scales, enhance specific allowances, and introduce revised provisions for promotions and seniority. The changes aim to improve the financial well-being of IPS officers, address discrepancies in compensation, and align their pay with contemporary standards for law enforcement agencies across the country

Ministry of Power

Press Information Bureau, Dated: 29.01.2026, MANU/PIBU/0129/2026

The **draft Electricity (Amendment) Bill, 2025** proposes reforms to enhance financial sustainability, promote competition, and accelerate the transition to non-fossil fuel-based electricity. Key measures include cost-reflective tariffs, market-based instruments for renewable energy, and improved regulatory accountability. The bill is in the consultation stage with stakeholders.

Ministry of Health and Family Welfare

Press Information Bureau,
Dated: 28.01.2026,
MANU/PIBU/0111/2026

The Union Health Ministry has amended the **New Drugs and Clinical Trials Rules, 2019,** to simplify regulatory processes, reduce approval timelines, and promote ease of doing business in the pharmaceutical sector. Key changes include replacing the licensing requirement for non-commercial drug manufacture with a prior-intimation mechanism and waiving prior permission for certain low-risk studies. These reforms aim to expedite drug development and clinical research, benefiting stakeholders and enhancing India's pharmaceutical R&D ecosystem.

Ministry of Labour & Employment

Press Information Bureau,
Dated: 28.01.2026,
MANU/PIBU/0142/2026

The **Employees' Enrolment Campaign-2025** allows employers to voluntarily enroll eligible employees who were previously excluded from EPF coverage between July 2017 and October 2025. The scheme, operational from November 2025 to April 2026, waives the employee's contribution if not deducted from salary, while the employer must remit their share and other dues. Enrolment is conducted online with verification through Face Authentication Technology to enhance transparency and formalize the workforce.

Ministry of Corporate Affairs

Press Information Bureau,
Dated: 29.01.2026,
MANU/PIBU/0128/2026

The **Investor Education and Protection Fund Authority (IEPFA)** is seeking public comments on proposed amendments to simplify and expedite the refund process for low-value claims of investors. The amendments aim to reduce procedural requirements and timelines, improve efficiency, and introduce a streamlined mechanism for claims based on company verification. The initiative is part of efforts to make the refund framework more investor-centric and responsive.

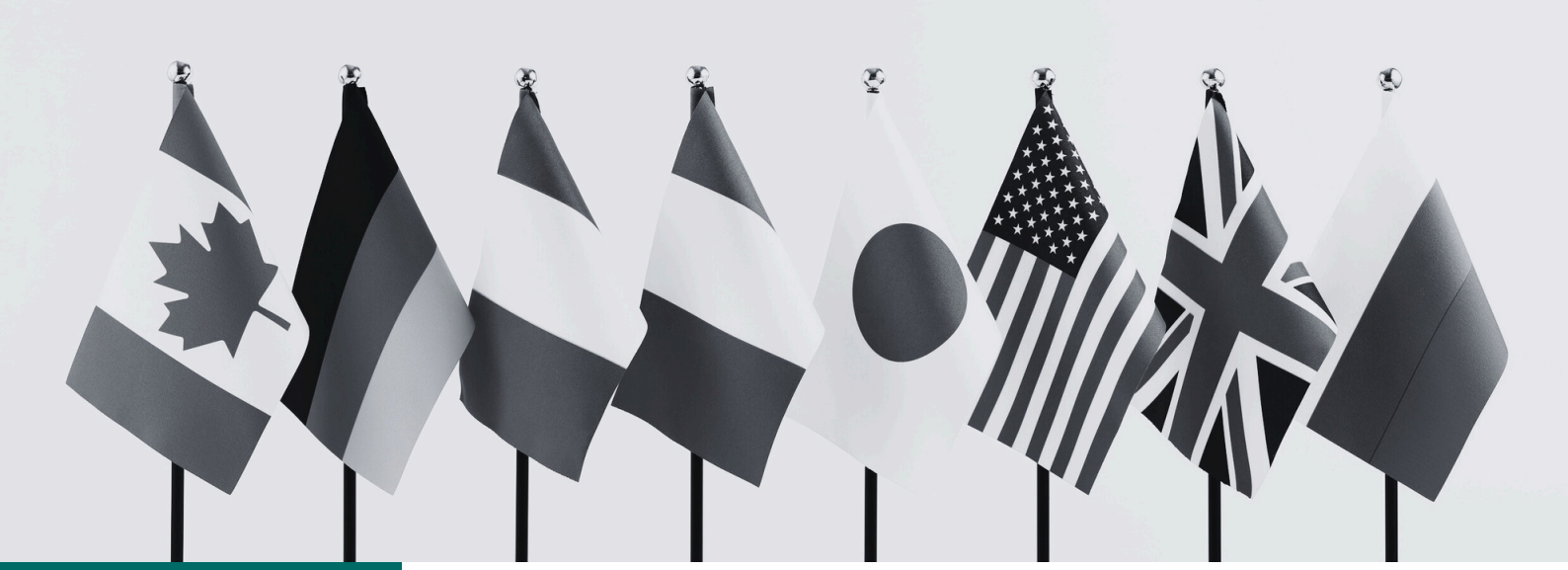
Ministry of Law and Justice

Press Information Bureau,
Dated: 29.01.2026,
MANU/PIBU/0118/2026

The **decline in conviction rates** in Fast Track Courts is influenced by various factors such as investigation quality, evidence, and stakeholder cooperation, rather than the courts' performance alone. Fast Track Courts are set up by States/UTs with High Court consultation, and the recruitment of judicial officers is managed by State/UT Governments and High Courts.

Press Information Bureau,
Dated: 29.01.2025,
MANU/PIBU/0133/2026

The government has launched **the Notary Portal** to provide online services related to the Notaries Act, 1952, and the Notaries Rules, 1956. The portal offers a faceless, paperless, and efficient system for notaries to interact with the government, including application submissions, eligibility verification, and issuance of digitally signed Certificates of Practice.



International Updates

AUSTRALIA

Arbitration and Alternative Dispute Resolution

English court blocks assignees from enforcing investment arbitration awards

The High Court of England and Wales has ruled that **assignees of arbitral awards cannot seek recognition or enforcement under the Convention on the Settlement of Investment Disputes**, marking a major shift in enforcement practice. The decision arose from proceedings involving claims against the Kingdom of Spain relating to renewable energy investments. Importantly, the English court **rejected the approach taken by the Federal Court of Australia in August 2025** and also departed from the position commonly followed in the United States. This ruling has serious implications for **secondary markets dealing in arbitral awards**, as assignment structures may no longer support enforcement actions in England. At the same time, **States facing enforcement proceedings may gain an additional defence**, at least within the English jurisdiction. Award creditors will now need to reassess forum selection and enforcement planning with greater caution.

Insolvency and Restructuring

New South Wales Supreme Court clarifies limits of good faith defence in insolvency recoveries

The Supreme Court of New South Wales has provided important guidance on **director liability and the scope of the good faith defence under section 588FG of the Corporations Act 2001 (Commonwealth)**. The decision arose from proceedings concerning the release of a large property deposit shortly before insolvency. The Court confirmed that directors must **actively assess the company's financial capacity** before authorizing significant payments when insolvency risks are present. It also held that creditors seeking to rely on good faith must demonstrate more than honest belief and must show **reasonable commercial understanding of the transaction**. The judgment reinforces that **warning signs of insolvency cannot be ignored**, and failure to make proper inquiries may defeat statutory protections.

White Collar Crime

Australia announces transitional relief ahead of major anti money laundering reforms

The Department of Home Affairs and the Australian Transaction Reports and Analysis Centre have announced that **transitional rules will be introduced to ease the implementation of Australia's reformed anti money laundering and counter terrorism financing framework**. The relief is intended to assist existing and newly regulated entities in adapting to the new compliance regime commencing in 2026. Key measures include **temporary flexibility in customer due diligence requirements**, extended timelines for appointing compliance officers, deferred obligations for certain virtual asset services, and staggered deadlines for independent program reviews. A draft of the transitional rules is expected shortly, with a brief consultation period planned. These steps aim to ensure **continuity of operations while maintaining regulatory oversight**.

CHINA

Insolvency and Restructuring

Australian insolvency ruling offers guidance for cross border commercial risk assessment

Recent clarification from the Supreme Court of New South Wales on deposit funded property transactions carries relevance for cross border investors and restructuring professionals operating in the Asia Pacific region. The Court confirmed that **substantial deposits released before insolvency may be recoverable** where the transaction lacks commercial justification. It also narrowed the circumstances in which counterparties can rely on statutory good faith protections. The ruling highlights that **commercial awareness and reasonable inquiry obligations apply even outside Australia**, particularly where sophisticated entities are involved. This development reinforces the importance of **risk diligence in pre-insolvency transactions**.

Information Technology and Data Protection

China updates pharmaceutical regulations to strengthen innovation and data protection

China has issued revised implementing regulations under its Drug Administration Law, which will take effect in May 2026. The new framework **enhances regulatory support for pharmaceutical innovation**, with clearer pathways for accelerated approvals such as priority review and conditional authorisation. A key feature is the introduction of **stronger data protection and data exclusivity mechanisms**, particularly for innovative and paediatric medicines. Eligible paediatric drugs may receive **up to two years of market exclusivity**, encouraging targeted research and development. These changes provide greater certainty for companies planning **long term investment and intellectual property strategies** in the Chinese market.

Patent

China tightens rules on patent invalidation and agency conduct

The China National Intellectual Property Administration has amended its Patent Examination Guidelines to **curb misuse of patent invalidation procedures**. Under the revised rules, invalidation requests that do not reflect the genuine intent of the petitioner may be rejected outright. The amendments also expressly prohibit **patent agencies and patent attorneys from filing applications or invalidation requests in their own names**, treating such conduct as a regulatory violation. These measures aim to improve procedural discipline and prevent abuse of the patent system. The changes reflect China's broader effort to **enhance examination quality, procedural integrity, and enforcement credibility**.

Trademark

China moves closer to trademark law reform with refined draft legislation

China has released a near final draft of its amended Trademark Law, marking a significant step in the country's trademark reform process. The draft focuses on **curbing bad faith trademark filings**, strengthening genuine use requirements, and improving procedural efficiency. Notably, it introduces **explicit recognition of motion marks**, expands protection for well known trademarks, and shortens opposition timelines. The draft also clarifies penalties for malicious filings and misleading trademark use, while strengthening coordination between administrative and judicial enforcement bodies. Several controversial proposals from earlier drafts have been removed, signalling a more **balanced and practical legislative approach**.

INDONESIA

Immigration

Indonesia introduces long term residence pathway for its global diaspora

Indonesia has developed a new immigration framework under the Global Citizenship Indonesia initiative to address the needs of its growing global diaspora. The programme provides a **dedicated residence visa for former Indonesian citizens and their descendants**, allowing long term or permanent stay without restoring Indonesian nationality. While Indonesia continues to prohibit dual citizenship, the new visa offers a **formal legal connection through immigration law** rather than nationality status. This approach reflects the government's effort to balance sovereignty with global mobility realities and to **re engage skilled diaspora communities** with strong cultural and economic ties to Indonesia.

MALAYSIA

Competition and Antitrust

Malaysia issues provisional findings in major public procurement bid rigging case

The Malaysia Competition Commission has issued a proposed decision against two enterprises for **alleged bid rigging in a public infrastructure tender valued at two hundred eighty five million Malaysian Ringgit**. The Commission provisionally found that the parties coordinated their bidding strategies and shared confidential information, potentially infringing section 4 of the Competition Act 2010. The findings are not final, and the enterprises have been given the opportunity to submit written and oral representations. The Commission will issue a final determination after reviewing all responses and evidence. The case highlights **continued regulatory focus on cartel conduct in public procurement**.

Insolvency and Restructuring

Malaysian courts reaffirm use of retrospective orders to prevent procedural injustice

Malaysian courts continue to recognise the doctrine of nunc pro tunc, which allows court orders to **take effect retrospectively where necessary to prevent unfairness**. The doctrine is commonly applied to correct procedural defects or administrative delays that would otherwise invalidate legal actions. Courts have used it to retrospectively validate filings or approvals where leave should have been obtained earlier. Rooted in common law principles, the doctrine reflects a judicial preference for **substance over technicality**, ensuring that procedural missteps do not defeat legitimate claims.

SINGAPORE

Capital Market

Singapore proposes new global listing board to support dual listings with United States

The Monetary Authority of Singapore and Singapore Exchange Regulation have proposed rule changes to establish a new Global Listing Board. The initiative is designed to support **dual listings between Singapore Exchange Limited and Nasdaq in the United States**. The framework would allow issuers to rely primarily on their home exchange disclosure obligations, subject to safeguards. Enhanced regulatory cooperation between Singapore and United States authorities is also proposed to ensure investor protection. The move aims to attract **high growth Asian companies seeking international capital access**.

Employment and Labour

Singapore High Court confirms implied duty of trust in employment relationships

The High Court of Singapore has confirmed that employment contracts in Singapore include an **implied term of mutual trust and confidence**. The ruling establishes that employers must not act in a manner likely to seriously damage the employment relationship without proper cause. The case arose from allegations of workplace conflict and management conduct leading to termination. The decision provides judicial clarity on a long debated issue and reinforces **employer obligations around fairness, professionalism, and internal process**.

SOUTH KOREA

Patent

Supreme Court narrows scope of functional claims in divisional patents

The Supreme Court of South Korea has clarified how **functional claim language in divisional patent applications should be interpreted**, particularly where the parent application prosecution history limits scope. The Court held that where functional terms lack concrete structural disclosure, claims must be interpreted narrowly. Arguments made during prosecution of the parent application can restrict later divisional claims, even if those claims appear broader on their face. The ruling exposes risks in filing strategies that rely on **broad functional language following narrow parent approvals**.

USA

Capital Market

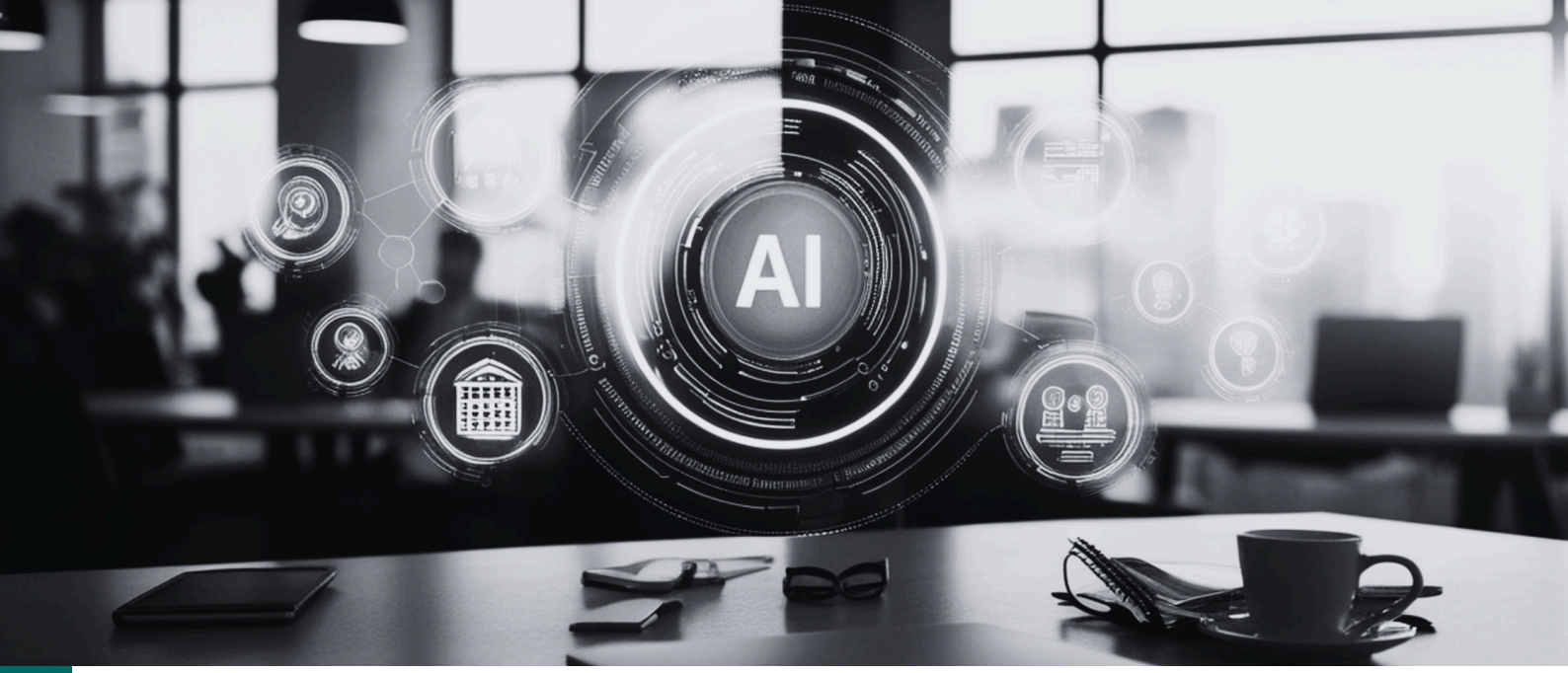
Securities regulator relaxes timing expectations for proxy broker searches

The United States Securities and Exchange Commission has issued guidance easing the strict timing requirements for broker searches related to proxy material distribution. Companies were previously required to initiate broker searches at least twenty business days before the record date. The regulator acknowledged that technological advances now allow the process to be completed more efficiently. As long as issuers reasonably believe proxy materials will be distributed on time and comply with disclosure rules, **shorter lead times will not attract regulatory objection**. The change reduces administrative burden for listed companies.

Financial Regulation

State regulators push back against federal preemption in digital asset legislation

The North American Securities Administrators Association has opposed proposed federal digital commodity legislation, warning that it may **undermine state enforcement powers against fraud**. The association argued that granting exclusive federal jurisdiction could weaken investor protection and limit states' ability to pursue civil, criminal, and administrative actions. Concerns were also raised about inconsistent definitions of digital tokens, which could create legal uncertainty. State regulators urged lawmakers to include clear provisions preserving **state level anti fraud authority**.



AI in Use

Use plain English, not legalese

You do not need to sound like a pleading to get good research results.
AI understands everyday language better than long, formal drafting.

Instead of typing something like:
"Whether the alleged intoxication of a pillion rider constitutes contributory negligence under motor vehicle jurisprudence"

Try this:
"Can a pillion rider be blamed for an accident just because they were drunk?"

Try this on Manupatra search and let us know how it worked for you.