



# INSIGNIA

## DISTINCT DETAILS DELIVERED

AUGUST LAW UPDATES

**MAHESHWARI AND CO.** is a full service Law Firm that represents its clients in a number of complex and high value transactions. The Firm has an expertise and vast experience across various areas of practise including Corporate & Commercial Law, mergers & acquisitions, intellectual property rights, taxation, Litigation and Arbitration, Insolvency & Bankruptcy and Immigration.

MAHESHWARI & CO. is a key player in India's Green Hydrogen Mission, and has been collaborating with various national and international groups, associations, organizations, forums, and chambers to provide our expert opinion on the existing and upcoming regulatory framework.



*Note: To read more about the news, please download the pdf file and click "Read More" or visit our website from the link given in the post. This is for Internal Circulation*

# FIRM BULLETIN

## Mr. Ketan Joshi Delivers Guest Lecture on Due Diligence at Symbiosis Law School, Nagpur



We're pleased to share that Mr. Ketan Joshi, Senior Associate at MAHESHWARI & CO., delivered a guest lecture at Symbiosis Law School, Nagpur on "Due Diligence Strategies for Mergers, Acquisitions, and Public Market Offerings." He shared practical insights that connected classroom learning with real-world corporate practice.

[READ MORE ➞](#)

# FIRM BULLETIN

## Navigating Legal Career Paths: Insights from Mr. Akhand Pratap Singh Chauhan, Partner



An insightful career counselling session was conducted by Mr. Akhand Chauhan, shedding light on key decisions faced by law students—litigation vs. corporate, Delhi vs. hometown practice, and whether to pursue an LL.M.

[READ MORE >>](#)

## Knowledge Session: Mr. Himanshu Sachdeva (Associate) on Demystifying the Insolvency and Bankruptcy Code, 2016



Mr. Himanshu Sachdeva recently led an engaging and informative session on the Insolvency and Bankruptcy Code, 2016. He guided students through the objectives of the Code, explained the difference between insolvency and bankruptcy, and broke down the CIRP process with clarity.

[READ MORE >>](#)

# FIRM BULLETIN

## Navigating Legal Career Paths: Insights from Mr. Akhand Pratap Singh Chauhan, Partner



An insightful Knowledge Management Session on Gaming Laws was conducted by Mr. Ketan Joshi. The session explored how gaming laws intersect with the DPD Act, IP laws, and the IT Act, while highlighting challenges with outdated legislation like the Public Gambling Act, 1867.

[READ MORE ➞](#)

## MAHESHWARI & CO. Strengthens Its IPR Practice with the Appointment of Associate Partner Akshi Seem

New Delhi, India: MAHESHWARI & CO. is proud to welcome Akshi Seem as an Associate Partner in its Intellectual Property Rights (IPR) team. With nearly a decade of dedicated experience in IP law, Akshi's joining marks a significant step in strengthening the firm's full-service IP offerings across domestic and international markets. "We are delighted to have Akshi join our team," said Vipul Maheshwari, Managing Partner at MAHESHWARI & CO. "Her reputation for managing cross-border trademark portfolios and providing strategic advisory in complex IP matters will deepen the value we deliver to our clients."

Akshi has previously worked with several top-tier law firms, advising a wide range of Indian and international clients on complex IP matters. Her experience includes IP adoption strategy; trademark prosecution, maintenance, opposition, rectification, and commercialization; brand conflict resolution; copyright enforcement; domain name disputes; cross-border IP protection; and general advisory.

[READ MORE ➞](#)

## FIRM BULLETIN

### Insightful Session on Legal Trends in Online Gaming and Data Protection

MAHESHWARI & CO.  
Advocates & Legal Consultants  
TWC

Case name: Roop Chand Jayant & Ors. vs.  
Ram Chander & Ors.

Visit Our Website  
WWW.MAHEHWARIANDCO.COM



We are delighted to share that we have successfully secured a favourable judgement from Tis Hazari District Court in Roop Chand Jayant & Ors. vs. Ram Chander & Ors. The matter involved partition claims over multiple immovable properties in New Delhi. The Court reaffirmed that not every acquisition by a family member

during the existence of a Hindu joint family automatically becomes joint family property, ultimately dismissing the plaintiff's claims and upholding our clients' ownership rights. This matter was successfully argued by Adv. Akhand Chauhan (Partner), Adv. Shantanu Garg (Senior Associate), and Adv. Adv. Namanveer Sodhi (Associate).

[READ MORE >>](#)

### Legal 500 Publication: Partner, Mr. Akhand Chauhan & Assessment Intern, Mr. Sachin Sharma's Article on "Deadly Descent – Legal Ramifications of the Air India Flight 171 Disaster"



Mr. Akhand Chauhan (Partner) and Mr. Sachin Sharma, Assoc have co-authored a thought-provoking article featured in Legal 500, titled: "Deadly Descent – Legal Ramifications of the Air India Flight 171 Disaster."

[READ MORE >>](#)

# FIRM BULLETIN

## Strengthening India-Argentina Ties: Our Managing Partner, Mr. Vipul Maheshwari, Meets H.E. Mariano Caucino, Ambassador of Argentina to India



Our Managing Partner, Mr. Vipul Maheshwari, had the honour of meeting Mr. Mariano Caucino, Ambassador of Argentina Embassy to India. They had a meaningful discussion on the recent visit of Hon'ble Prime Minister Shri Narendra Modi to Argentina — a significant step in strengthening India-Argentina relations. The conversation also explored how legal and business communities can contribute to building long-term partnerships between the two countries.

[READ MORE ➞](#)

## Strengthening Indo-Swiss Business Ties: Meeting with Swiss Business Hub India



We are pleased to share that Ms. Jyotsna Chaturvedi, Head - Corporate Practice at Maheshwari & Co., Advocates & Legal Consultants, had an engaging meeting with Mr. Florin Müller, Head of the Swiss Business Hub India. The conversation focused on strengthening Indo-Swiss business relations, exploring opportunities for collaboration, and supporting international businesses with legal and regulatory frameworks in India.

[READ MORE ➞](#)

## NEWS

### **Testimony of Child Victim Requires No Corroboration if Credible and Trustworthy**

The present petition, in the case of Bhanei Prasad @ Raju v. State of Himachal Pradesh, is of a child victim, under the age of ten at the time of the incident, who was sexually assaulted by her own father, who was convicted for repeatedly committing aggravated penetrative sexual assault, under section 6 of the POCSO Act and 506 IPC. The Court held that such crimes must be strongly condemned and punished severely. Showing mercy in cases of such cruelty would go against the duty to protect children under the law.

It is now well settled that the testimony of a child victim, if found credible and trustworthy, requires no corroboration. Hence, the petition was dismissed.

[READ MORE >>](#)

### **Supreme Court Reaffirms Commission's Exclusive Authority Over Tariff Fixation and PPA Approval**

In KKK Hydro Power Ltd. v. HPSEB, the Supreme Court considered whether a supplementary PPA enhancing tariff to ₹2.95/kWh, executed without approval of the Himachal Pradesh Electricity Regulatory Commission, was valid under Section 86(1)(b) of the Electricity Act, 2003. The Court held that tariff fixation and PPA approval rest solely with the Commission, rendering the supplementary PPA invalid.

However, it upheld APTEL's direction applying a weighted average tariff of ₹2.60/kWh for the entire project, balancing the mandatory role of Commission approval with fairness and finality in tariff disputes.

[READ MORE >>](#)

## NEWS

### **Refining the “Pay and Recover” Doctrine in Cancelled Insurance Policies**

In National Insurance Co. Ltd. v. Sunita Devi, the Supreme Court examined whether an insurer is liable to pay third-party compensation when a policy is cancelled due to a dishonoured premium cheque. The Court held that cancellation relieves the insurer in principle, but to protect third-party victims, the insurer must first pay and then recover the amount from the vehicle owner.

Importantly, it clarified that compensation already received by claimants cannot be recovered from them, only from the owner, thereby refining the “pay and recover” doctrine and balancing insurer liability with third-party rights.

[READ MORE !\[\]\(6605b201d6f14d9b3bcb8ab5f274d107\_img.jpg\)](#)

---

### **Supreme Court Ruled That Colour Blindness Cannot by Itself Justify Job Termination**

In the recent judgement of Ch. Joseph Vs. Telangana State Road Transport Corporation & Ors. where the appellant challenged the denial of an alternative job opportunity when he was found unfit to work as a driver for the Telangana state transport cooperation and ors, due to his colour blindness during regular medical checkups, and, as an alternative, asked for another job if he was declared “medically unfit”.

The Supreme Court allowed the appeal, cancelled the earlier judgment, and ordered the employer to give the appellant a suitable job that matches his health condition, but with the same pay scale he had earlier, within 8 weeks. The court reaffirmed that, “The employer's discretion ends where the employee's dignity begins.

[READ MORE !\[\]\(e8fb589d58dad1692debababa5e928b6\_img.jpg\)](#)

---

## NEWS

### **Supreme Court Clarified Sole Proprietorship Is a Trade Name, Not a Juristic Person**

A property was leased to a sole proprietorship concern of Pilla Durga Prasad (P.D. Prasad), the defendant, in the case of Dogiparthi Venkata Satish and Anr. v. Pilla Durga Prasad and Ors. After the lease ended, the lessee did not leave, so the appellant sued for eviction, changing the name of the suit from Adity Motors to Pilla Durga Prasad. The issue was whether a proprietorship should be treated as a distinct legal entity for the purpose of being sued, or merely as the trade name of the individual proprietor?

The court held that, “A proprietorship concern is nothing but a trade name given by an individual for carrying on his business. A proprietorship concern is not a juristic person; it cannot sue but can be sued.

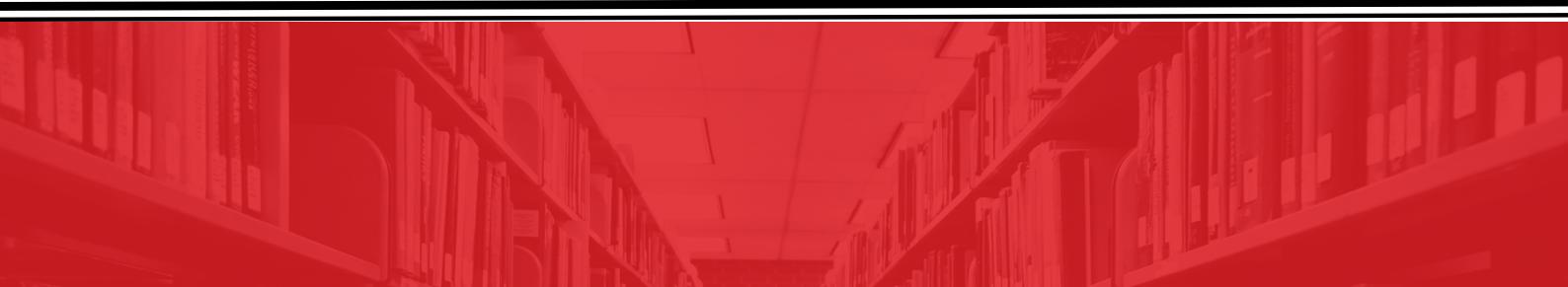
[READ MORE](#) >

### **Supreme Court Upholds Pollution Boards Power to Levy Environmental Compensation**

In the DPCC v. Lodhi property Co. Ltd. case, builders challenged the Pollution Control Committee’s practice of demanding fixed “environmental damages” or bank guarantees as a precondition for consents under the Water and Air Acts, which the Delhi High Court struck down in 2012 as lacking statutory authority.

The issue before the Supreme Court was whether Boards, under Sections 33A and 31A, can impose such monetary demands as restorative measures. The Court distinguished between penalties and compensatory/restorative directions. It held that DPCC and other Boards can require compensation or guarantees under the Polluter Pays principle, treating pollution as a civil wrong, but such powers must be exercised judiciously, though no relief was granted in the old refund cases.

[READ MORE](#) >



## NEWS

### **Travel Blue Products India Pvt. Ltd. & Anr. v. Miniso Life Style Pvt. Ltd. & Anr.**

The Bombay High Court dealt with a dispute over the “Tranquility Neck Pillow,” holding that Miniso’s version was a clear imitation of Travel Blue’s registered design. The Court noted a striking similarity between the two products and found the rival design to be misleading and infringing. It confirmed that the design was novel, distinctive, and not dictated by functionality, making it validly registrable under the Designs Act. Travel Blue’s continuous use for over nine years further supported its claim. Accordingly, the Court granted an interim injunction restraining Miniso from manufacturing or selling the infringing pillows.

[READ MORE !\[\]\(6e934896f25e6ce1b0dbb50c23abc197\_img.jpg\)](#)

---

### **Another attempt at claiming exclusivity over the red and white colour combination - Exide Industries Ltd. v. Amara Raja Energy and Mobility Ltd.**

The Calcutta High Court examined the protectability of colour combinations as trade dress. Exide claimed rights over its longstanding red-and-white packaging for batteries, alleging Amara’s similar packaging caused confusion. Amara argued that red and white were common industry colours lacking distinctiveness. The Court reiterated that colours alone are not monopolizable unless they acquire secondary meaning.

Considering Exide’s long use, consumer recognition, and overall trade dress, the Court granted an interim injunction restraining Amara. The ruling balanced goodwill protection with caution against monopolizing generic visual elements.

[READ MORE !\[\]\(f80254b170d0ecdc443847276e625120\_img.jpg\)](#)

---

## BLOGS

### Legal Frameworks for Emerging Aviation Technologies and Liability

MAHESHWARI & CO.  
Advocates & Legal Consultants

How Do Aviation Laws  
Address Emerging  
Technologies and  
Liability Challenges?



The aviation industry is undergoing a seismic shift and transformation. Once dominated by the manned aircrafts and centralized air traffic control, the 21st century skies are now shared with unmanned aircrafts including drones, electric vertical take-off and landing (eVTOL) vehicles, and AI-powered autopilot systems.

While these innovations hold transformative promises from urban air mobility, enhanced efficiency, reduced carbon footprints and critical medical drone deliveries. However, they also come with unprecedented legal and regulatory challenges.

[READ MORE >>](#)

### Understanding Section 21 Of The Arbitration And Conciliation Act

MAHESHWARI & CO.  
Advocates & Legal Consultants

Understanding Section  
21 of the Arbitration  
and Conciliation Act



Section 21 of the Arbitration and Conciliation Act, 1996, exists at the nucleus of the arbitral process in India, providing the procedural anchor for the commencement of arbitration proceedings. While the statutory language may appear sharply defined, the interpretation and application of Section 21 involve several nuanced considerations for parties engaged in the procedure.

[READ MORE >>](#)

## BLOGS

### From Roots to Riches – The Economic and Cultural Value of Geographical Indications

MAHESHWARI & CO.  
Advocates & Legal Consultants  
WPC

From Roots to Riches -  
The Economic and  
Cultural Value of  
Geographical Indications



Geographical Indications (“GIs”) have often been referred to as the ‘Sleeping Beauty’ of the intellectual property world,” as aptly described by Marcus Höpperger, a legal expert and speaker representing the World Intellectual Property Organization (“WIPO”) during the 2007 Beijing Symposium.

[READ MORE ➞](#)

### Pernod Ricard case reaffirms limits of trademark infringement claims in case of isolated similarities

MAHESHWARI & CO.  
Advocates & Legal Consultants  
WPC

Pernod Ricard Case  
Reaffirms Limits of  
Trademark Infringement  
Claims in Case of Isolated  
Similarities



On 14 August 2025, the Supreme Court of India ruled that isolated similarity is insufficient to establish trademark infringement, dismissing an appeal in Pernod Ricard India Pvt. Ltd. v. Karanveer Singh Chhabra. The judgment upheld earlier decisions of the Commercial Court and the High Court, which had refused interim injunctions in favour of Pernod Ricard.

[READ MORE ➞](#)

## BLOGS

### Inheritance Rights of Stepchildren in India

MAHESHWARI & CO.  
Advocates & Legal Consultants  
QPC

Inheritance Rights  
of Stepchildren in  
India



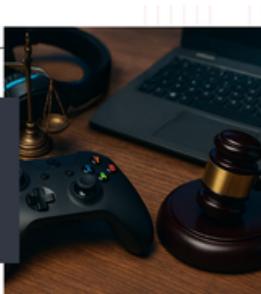
Inheritance is a legal process of bequeathing of property to the legal heirs of the person. The term “legal heirs” has a very wide ambit. The Hindu Succession Act of 1956 provides a comprehensive list of legal heirs recognised by the law under Schedule I(First Class Heirs) and Schedule II(Second Class Heirs).

[READ MORE ➞](#)

### Online Gaming Bill 2025

MAHESHWARI & CO.,  
Advocates & Legal Consultants  
QPC

Online Gaming Bill 2025



The Promotion and Regulation of Online Gaming Bill, 2025 (hereinafter referred to “Proposed Bill”), introduced in the Lok Sabha by Union Minister Ashwini Vaishnav aims to prohibit online money games while simultaneously providing a framework for the promotion and regulation of e-sports, educational games, and social games. The proposed legislation seeks to establish a uniform, national-level framework.

[READ MORE ➞](#)

## BLOGS

### Fashion Piracy in India: The conjunction of Design Law and Copyright

MAHESHWARI & CO.  
Advocates & Legal Consultants

Fashion Piracy in India: The conjunction of Design Law and Copyright



In India's burgeoning fashion industry, piracy of designs is an evolving problem. Original designers have struggled to protect their work because of the rapid alterations in fashion, the rise of fast fashion, and the ease with which designs can be replicated. With its seasonal and cyclic demand, the fashion business requires a great deal of innovation within relatively short periods of time.

[READ MORE >>](#)

### Raanjhanaa's Vision to Raanjhanaa's Revision – The Legal Exclusion of Directors in Indian Cinema

MAHESHWARI & CO.  
Advocates & Legal Consultants

Raanjhanaa's Vision to Raanjhanaa's Revision – The Legal Exclusion of Directors in Indian Cinema



The fundamental objective of the Indian Copyright Act, 1957 ("Copyright Act") is to safeguard intellectual creativity by granting creators exclusive rights over the use and dissemination of their works, thereby protecting such works from unauthorized exploitation. However, in the context of cinematographic works, this protection does not extend to the actual creators such as directors – but rather to the producer, who is typically the investor and financial risk-bearer.

[READ MORE >>](#)

## BLOGS

### Land Registration Alone Does Not Confer Ownership



The 2025 case of K. Gopi v. Sub-Registrar, 2025 SCC OnLine SC 740 has left people unsure and uneasy about land registration, particularly whether they are the rightful owners of the property after going through the long and tedious process of finding the right property, conducting document checks, checking for encumbrances, and finally registering the property.

[READ MORE >>](#)

### Fashion Law in India: Weaving Legal Threads into the Fabric of Style



Indian fashion is a textile of wealth, detail, and elements of heritage, craftsmanship, and history. From the dress of the saree to the cut of the sherwani, Indian fashion speaks for diversity in its population and deep traditions. Western wear, such as gowns, jackets, or denim pants, shall take part in this combination of Indo-Western Fashion that has developed mainly in urban cities of India.

[READ MORE >>](#)

## BLOGS

### Reaffirming the Rule of Law and the Need for Specific Evidence by Enforcement Directorate in PMLA



The Prevention of Money Laundering Act, 2002 (PMLA) (hereinafter referred to as the “Act”) was enacted for the objective of curbing the serious economic threat of money laundering. The Enforcement Directorate (ED) has been the official body/authority responsible for the enquiries and prosecution of offences under the Act for the past decades.

[READ MORE >>](#)

## THANK YOU FOR READING !

We will be back in your inbox next month with more updates. Till then, follow us on LinkedIn and Facebook to get regular updates

### AWARDS & RECOGNITIONS

**ASIAN LEGAL BUSINESS**

**IFLR1000**

**a asialaw**

**Forbes INDIA**

**The  
LEGAL  
500**

**INDIA BUSINESS  
LAW JOURNAL**

**AWARD WINNING  
LAW FIRM**

**2023**

**LAW  
ASIA**

**WITNESS**  
INDIA'S FIRST MAGAZINE ON LEGAL  
AND CORPORATE AFFAIRS

**BENCHMARK  
LITIGATION  
ASIA-PACIFIC**

**WORLDWIDE FINANCIAL  
ADVISOR AWARDS MAGAZINE**

**House** B-7/1, Safdarjung Enclave Extn.  
New Delhi - 110029  
INDIA

**Phone** +911141354615

**Email** info@maheshwariandco.com

### BRANCH OFFICES

Mumbai | Lucknow | Gurugram

### NETWORK OFFICES

Ahmedabad - Bangalore - Chandigarh -  
Chennai - Goa - Gurugram - Hyderabad -  
Kochi - Kolkata - Pune - Shimla - Surat

### DISCLAIMER

The material and contents of this Newsletter are confidential and for the purpose of informative summary or knowledge sharing among the clients, associates, professionals and friends and shall not be treated as a solicitation in any manner or for any other purpose whatsoever. The material and contents of this Newsletter have been compiled with due care and caution before their publication and are provided only for information of clients, associates and friends without any express or implied warranty of any kind. The Newsletter does not constitute professional guidance or legal opinion. No claim is made as to the accuracy or authenticity of the contents of this Newsletter and are advised to make appropriate enquiries and seek appropriate professional advice and not take any decision based solely on the contents of this Newsletter. In no event shall this Newsletter shall be liable for any damages whatsoever arising out of the use of or inability to use the material or contents of this Newsletter or the accuracy or otherwise of such material or contents. The views expressed in this Newsletter do not necessarily constitute the final opinion of MAHESHWARI & CO. and should you have any queries, please feel free to contact us at info@maheshwariandco.com