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JUNE 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.



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FIRM BULLETIN

Maheshwari & Co. Honoured as "Law Firm of the Year (Above 10 Years)" at the Gavel Glory Awards – Law Conclave 2025



We are delighted to share that MAHESHWARI & CO. was recognised as the "Law Firm of the Year (Above 10 Years)" at the Gavel Glory Awards during the prestigious Law Conclave 2025 at The Leela Palace, New Delhi.

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Knowledge Management Session on Recent Developments in GST Law and Compliance by CA Akhil Agarwal



An insightful Knowledge Management session was conducted by CA Akhil Agarwal on the latest developments in GST law and compliance. The discussion covered recent amendments, key rulings, and practical challenges faced by businesses in navigating the GST framework.

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Understanding Court Jurisdiction in India: Interactive Session by Mr. Himanshu Sachdeva



An engaging session on the Jurisdiction of Courts in India was conducted by Mr. Himanshu Sachdeva, Adv. offering interns valuable insights into the structure and functioning of the Indian judiciary.

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Insightful Session on Legal Trends in Online Gaming and Data Protection



We recently hosted an interactive session with Mr. Ketan Joshi on the legal developments in online gaming, gambling, and the Digital Personal Data Protection Act (DPDP Act). The session covered key issues such as the outdated Public Gambling Act, state-wise regulatory inconsistencies, and the legal grey areas between games of skill vs. chance

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Empowering Future Lawyers: Title Drafting and Career Insights Session by Ms. Jyotsna Chaturvedi

We recently had the opportunity to attend a dynamic session on Title Drafting Skills, led by Ms. Jyotsna Chaturvedi, our Head of Corporate team, designed for our intern cohort. The session went beyond drafting techniques to explore broader career-building insights — from choosing between litigation and corporate law to understanding the intersections between the two.



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Strengthening Ties: Mr. Vipul Maheshwari Meets H.E. Ms. Diana Mickevičienė, Ambassador of Lithuania to India



We are pleased to share that our Managing Partner, Mr. Vipul Maheshwari, had the honour of meeting H.E. Ms. Diana Mickevičienė, Ambassador of the Republic of Lithuania to India at our office. The meeting featured insightful discussions on opportunities for mutual collaboration and the strengthening of bilateral relations between India and Lithuania.

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Legal 500 Publication: Head – Corporate Practice, Ms. Jyotsna Chaturvedi’s Article on RBI’s 2025 FPI Reforms – Recalibrating India’s Corporate Debt Market



Jyotsna Chaturvedi (Head – Corporate Practice) and Shreya Mazumdar (Associate) explore key regulatory changes in their latest Legal 500 article titled “Recalibrating India’s Corporate Debt Market: Analyzing RBI’s 2025 Relaxations for Foreign Portfolio Investors.”

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NEWS

Delhi High Court Denies Registration of Trademark “ONE FOR ALL

Oswaal Books and Learnings Pvt. Ltd., a well-known educational book publishing house, applied for registration of the mark “ONE FOR ALL” on 20 October 2020 in Class 16, which includes printed matter like books. The mark would be used as a mark of identification for its whole line of educational books for different boards like CBSE, ICSE, ISC, and competitive examinations like JEE, NEET, CLAT, etc. But the Registrar of Trademarks objected under Section 9(1)(a) of the Trademarks Act, 1999, that the applied for mark was not of distinctive character. Upon reply to the Examination Report and submission of evidence, the application was refused by the Registrar on 14 December 2023. The applicant further appealed under Section 91 of the Trademarks Act and Rule 156 of the Trademarks Rules, 2017 to the Delhi High Court.

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Haryana Enacts Robust Anti-Gambling Law Amid Growing Online Betting Concerns

The Government of Haryana has officially made the Haryana Prevention of Public Gambling Act, 2025, to replace the ancient colonial Public Gambling Act of 1867. This law reform is aimed at capturing the evolving nature of gambling, which presently mostly involves digital assets and internet-based platforms. The law was made to deal with issues like match-fixing, spot-fixing, and betting activities by syndicates. It took effect on 21st May 2025, as per notification in the Official Gazette. Haryana’s Chief Minister Nayab Singh said that the old gambling laws had not kept up with technology-based betting networks, which were critical financially for citizens.

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NEWS

Bombay High Court Upholds Karan Johar's Personality Rights, Halts Release of Film Using His Name Without Consent

In a landmark decision affirming the enforceability of personality and publicity rights in India, the Bombay High Court delivered a significant judgment in the case *Sanjay S/o Girish Kumar Singh v. Karan Johar a.k.a. Rahul Johar*. The Court issued an injunction to restrain the release and marketing of a Hindi film called “Shaadi Ke Director Karan Aur Johar”, holding that the reference to the names “Karan” and “Johar” in the title of the film—coupled with allusions to cinema and wedding subjects—constituted an unauthorized exploitation of celebrity filmmaker Karan Johar’s personality and brand. The case has implications for the intricate interface between freedom of expression, creative endeavor, and personality-based intellectual rights of public persons.

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SC Curtails NCLAT's Jurisdiction, Questions Procedural Lapses in Bhushan Power Resolution

The current case concerns the insolvency proceedings instituted against Bhushan Power and Steel Ltd. (BPSL), one of the bigger defaulters cited by the Reserve Bank of India in its so-called “Dirty Dozen” list of non-performing asset accounts. The CIRP was initiated on Punjab National Bank’s application, and the petition was admitted on 26 July 2017 by the NCLT. After that, claims of financial and operational creditors were invited and admitted for over ₹47,000 crore and ₹621 crore, respectively. The Committee of Creditors (CoC) shortlisted three resolution applicants, namely JSW Steel, Tata Steel, and Liberty House. Following lengthy deliberations and talks, the CoC sanctioned JSW Steel’s resolution plan in October 2018.

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Delhi HC Rules Online Listings Alone Don't Confer Jurisdiction in Trademark Infringement Suit

The plaintiff, Kohinoor Seed Fields India Pvt. Ltd., is a seed-producing company whose registered office is in New Delhi. It created and marketed several hybrids of cotton, namely "TADAAKHA," "SADANAND," and "BASANT," from 2014 to 2015. The defendant, Veda Seed Sciences Pvt. Ltd., which is situated in Guntur, Andhra Pradesh, was co-marketing the hybrids under a non-exclusive marketing agreement that was signed with the plaintiff. This arrangement, entered in Delhi, was renewed from time to time, and the previous arrangement was effective from 1st January 2022 through 31st December 2022. In September 2022, notice of non-renewal was served by the plaintiff to the defendant and distributors stating that it would market its hybrids independently from the 2023 Kharif season.

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Supreme Court Prioritizes Investor Protection over Secured Creditors in ₹5,600 Crore NSEL Scam

The National Spot Exchange Ltd. (NSEL), a company incorporated in 2005 and promoted by 63 Moons Technologies Ltd., operated as a commodities exchange platform under an exemption from the Forward Contracts (Regulation) Act, 1952. The exchange arranged trades between buyers and sellers via registered brokers and had contracts with certain settlement periods. NSEL in 2013 shut down operations after receiving a direction from the Department of Consumer Affairs, revealing a gigantic payment default fraud involving more than 13,000 traders and an estimated loss of ₹5,600 crore.

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Limits of Judicial Discretion: Revisiting Suo Motu Revision Powers in Nagarajan vs State of Tamil Nadu

The case is between Nagarajan and State of Tamil Nadu, embodying a critical question of Law, i.e., whether the High Court exercises Suo Motu Revision Power to enhance the Sentence? Whether the High Court has the Power to enhance the Sentence when the same is not prayed for by the State, a complainant or a victim? The facts of the case were that the deceased person committed suicide, and it was suspected that the Accused had instigated the deceased to commit suicide. For the same, a FIR No. 239/2003 and a charge sheet were filed on 30.10.2003 under Section 306 of the IPC.

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ED Issues Circular Reinforcing Lawyer–Client Privilege

On 20 June 2025, the Enforcement Directorate (ED) issued a circular that instructed all its field officers to refrain from issuing summons to practitioners/advocates/lawyers during investigation, without prior permission from the Director. The Circular makes it clear that unless the prevailing circumstances falls under the ambit of exceptions provided under S. 132 of Bhartiya Sakshya Adhinyam, 2023 i.e. where actions/communication is in furtherance of an illegal act or the advocate personally observes a crime or fraud – no summons shall be issued to any advocate.

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Balancing Consumer Protection and Judicial Restraint

The case is between Greater Mohali Area Development Authority (GMADA) Through Its Estate Officer (H) and Anupam Garg, embodying a critical question of Law, i.e., whether the Homebuyers have the Right to get compensated for delay in flat delivery? Whether the Developer is entitled to pay the homebuyer's bank loan interest for the delay in flat delivery? The Facts of the case were that GMADA launched a scheme of residential flats termed 'Purab Premium Apartments' to be constructed in the Sector 88 locality, at Mohali and in the said scheme, Mr. Anupam Garg has booked a flat. However, the scheduled date of delivery of possession was 21st May, 2015, but when Mr. Anupam Garg visited the development site in May, 2015, he found no development commensurate with the time that had passed.

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TRAI launches pilot project for Digital Consent Management, aiming to curb spam

In a significant move to empower consumers and curb the persistent menace of unsolicited commercial communications, the Telecom Regulatory Authority of India (TRAI) has launched a pilot project for Digital Consent Management. This initiative, undertaken in collaboration with the Reserve Bank of India (RBI) and select banks, aims to establish a robust and verifiable digital framework for consumer consent, with an initial focus on the highly sensitive banking sector. The pilot project comes in response to a surge in spam complaints, particularly from consumers who report receiving unwanted calls and messages from businesses with whom they have had prior interactions.

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FEMA Rules Amended to Permit Bonus Shares in FDI-Prohibited Sectors

On June 11, 2025, the Ministry of Finance notified an amendment to the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 (“NDI Rules”), allowing Indian companies engaged in FDI-prohibited sectors or activities to issue bonus shares to their pre-existing non-resident shareholders. FDI inflow in India increased from USD 36.05 billion in 2013–14 to a record USD 84.84 billion in 2021–22 thanks to the government’s efforts to reform FDI policies; provisional data indicates that inflows increased by 26% in the first half of FY 2024–25 compared to the same period in FY 2023–24. The Department for Promotion of Industry and Internal Trade (“DPIIT”) is responsible for formulating India’s FDI policy. It issues policy pronouncements through the Consolidated FDI Policy Circular, Press Notes, and Press Releases.

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Delhi High Court Bars Belated Arbitration in R.Santosh vs. One97 Communications Ltd.

On 12 June 2025, the Delhi High Court, before Hon’ble Justices Navin Chawla and Shalinder Kaur, gave a landmark order in R. Santosh vs One97 Communications Ltd, upholding the rejection of Mr. R. Santosh’s appeal. The case centred around whether a party could approach arbitration under Section 8 of the Arbitration and Conciliation Act when the time to file a written statement had expired. Mr Santosh had entered into a ticketing agreement in 2016 and, by an addendum in January 2017, agreed to an interest-free, refundable security deposit of ₹5 lakhs to be paid by One97. When the theatre closed in April 2022, One97 terminated the agreement and sued for refund.

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Supreme Court Rebukes Forced Narco-Analysis in Amlesh Kumar v. State of Bihar

On June 9, 2025, the Supreme Court gave a landmark judgment in the case of Amlesh Kumar v. State of Bihar rejecting the Patna High Court's order that had accepted the recommendation of the investigating officer to conduct narco-analysis tests on all accused persons during an investigation of a dowry-related case. The Bench of Justices Sanjay Karol and PB Varale declared that such a direction was unconstitutional and against settled judicial principles. The case arose from a FIR registered against the appellant and members of his family on charges of dowry harassment and suspected disappearance of his wife. While others secured bail, the appellant's plea was denied by the Sessions Court.

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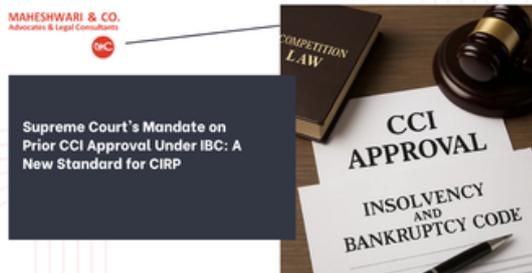
Supreme Court Clarifies Absconding as Relevant Conduct, Not Proof of Guilt, Under Section 8 Evidence Act in Chetan vs. State of Karnataka

On 30th May 2025, a bench of the Supreme Court of India comprising Justices Shri Surya Kant and Shri N. Kotiswar Singh delivered a landmark judgment in the case of Chetan vs State of Karnataka. The Hon'ble Apex Court upheld the conviction of the appellant on circumstantial evidence which included his disappearance after the alleged crime of murder. The Hon'ble Court noted that the accused was last seen in the company of the victim on 10 July 2006 but disappeared the next day and did was not seen by anyone until he was arrested on 22 July 2006. During this time, he misled the victim's family, gave false account of his whereabouts, and even convinced a friend to furnish false evidence on his behalf.

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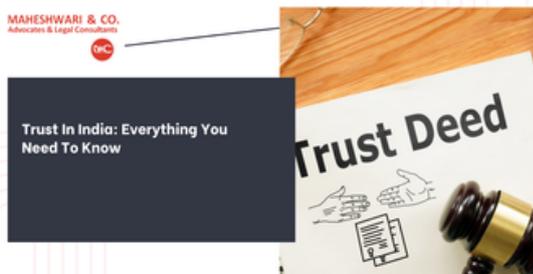
Supreme Court's Mandate on Prior CCI Approval Under IBC: A New Standard for CIRP



In January 2025, the Supreme Court of India passed a landmark judgment in Independent Sugar Corporation Ltd. v. Girish Sriram Juneja, resolving a long-pending doubt in India's insolvency law.

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Questions under ArtTrust In India: Everything You Need To Know



Trusts play a significant role in the legal and financial landscape of India, serving as essential tools for managing property, supporting charitable causes, and ensuring the orderly transfer of wealth. Governed by the Indian Trusts Act, 1882 ("Act"), the concept of a trust is legally defined under S. 3 of the Act as "trust is an obligation annexed to the ownership of property, and arising out of a confidence reposed in and accepted by the owner, or declared and accepted by him, for the benefit of another, or of another and the owner".

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Stealing Ideas: Intersection of AI-Generated Art and Copyright Law



AI-generated art learning models are trained on massive datasets of art has brought about a set of legal challenges at the intersection of technology and copyright. Though the Indian Copyright Act, 1957, protects original art, this act is not specifically clear on protecting AI-generated art and nor does it provide clarity on the authorship of a piece of art if it is created by a machine.

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Legality of 'combination' Between Indian Advocates and Foreign Lawyers: The Crux Of The Matter



The recent rulings of the Supreme Court have laid heavy emphasis on the lawfulness and limitations regarding “combinations” or collaborations between Indian advocates and foreign lawyers. While the BCI Regulations 2025 did create the concept of “Indian-foreign law firms”, hybrid entities where Indian advocates and foreign lawyers would work under one unified framework, the Court did not now go so far as to give clear, conclusive guidance as to the scope and nature of such partnerships.

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Separate Mechanism For Voluntary Delisting Of PSUs



The Securities and Exchange Board of India on 06th May 2025 issued a consultation paper to propose a separate mechanism for voluntary delisting of Public Sector Undertakings which deviate from the provisions provided under SEBI (Delisting of Equity Shares) Regulations, 2021. This blog aims to analyse the proposal and its probable impact on different stakeholders in the market.

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🏠 B-7/1, Safdarjung Enclave Extn.
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☎ +911141354615

✉ info@maheshwariandco.com

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