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MAY 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.

AWARDS & RECOGNITIONS



MAHESHWARI & CO.
Advocates & Legal Consultants



Internet &
E-Commerce



Sports &
Gaming

We're excited to share that MAHESHWARI & CO. has been recognized by India Business Law Journal as one of India's top law firms for 2025, with awards in two key practice areas: Internet & E-Commerce, where we help startups navigate complex regulations and build for long-term growth, and Sports & Gaming, where our focused legal expertise supports clients in a rapidly evolving space.

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Recommended Law
Firm in New Delhi



Recognised for
Commercial and Transactions

We're pleased to share that MAHESHWARI & CO. has been recognized in the Benchmark Litigation Asia-Pacific 2025 rankings. This recognition reflects our continued commitment as we pilot our way through complex legal disputes with strategic clarity, legal acumen, and unwavering integrity. We extend our heartfelt gratitude to our clients for their enduring trust, to our peers for their collaboration, and to our exceptional team for their relentless pursuit of excellence.

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FIRM BULLETIN

Proud Moment: Akhand Chauhan, Partner, Invited as Special Guest & Judge at Prestigious Moot Court Competition



MAHESHWARI & CO. is proud to share that Akhand Chauhan, Partner, was invited as a Special guest and Judge for the Final Round of the VII Smt. Nirmala Devi Bam Memorial International Moot Court Competition. The event brought together law students from across the country, showcasing their advocacy skills, legal reasoning, research acumen, and oral argumentation—fundamental pillars of the legal profession.

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FIRM BULLETIN

MAIMS Hosts Guest Lecture by Mr. Ketan Joshi on Intellectual Property and Gaming Laws



We're pleased to announce that Mr. Ketan Joshi from MAHESHWARI & CO. recently delivered an insightful guest lecture at Maharaja Agrasen Institute of Management Studies (MAIMS Delhi). The session covered a comprehensive overview of IP Rights, including various forms, landmark judicial decisions, and practical challenges in IPR management.

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Insightful Session on the Waqf (Amendment) Bill, 2025 & Mussalman Wakf (Repeal) Bill, 2024



An insightful Knowledge Management session was conducted by Shantanu Garg (Senior Associate) and Adv. Namanveer Sodhi (Associate) on the Waqf (Amendment) Bill, 2025 and the Mussalman Wakf (Repeal) Bill, 2024.

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Insightful Session on Legal Trends in Online Gaming and Data Protection



An insightful session was conducted by Advocate Ketan Joshi, focusing on the latest legal developments in the online gaming sector in India. The discussion covered key topics, including the rise of real-money platforms, the distinction between games of skill and chance, and the varying state laws on gambling.

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Inspiring Session on Career Growth and Professional Development by Shantanu Garg

Shantanu Garg recently conducted an insightful session on career development and professional growth. With a focus on the legal and corporate sectors, Mr. Garg shared valuable guidance on building a successful career—emphasizing the importance of skill development, strategic resume building, consistency, proactive engagement, and authentic networking.

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Insightful Knowledge Management Session on Execution of International Arbitration Awards by Partner Akhand Chauhan



We hosted an engaging Knowledge Management session led by Akhand Chauhan, Partner, on the Execution of International Arbitration Awards. The session offered a nuanced exploration of the legal and practical facets of enforcing international awards, addressing key challenges and strategic considerations. Mr. Chauhan's insights added depth to the ongoing dialogue around effective cross-border dispute resolution.

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Mr. Vipul Maheshwari Meets H.E. Ambassador Omar Castañeda Solares to Strengthen Bilateral Engagement

We are pleased to share that our Managing Partner, Mr. Vipul Maheshwari, had the privilege of meeting H.E. Mr. Omar Lisandro Castañeda Solares, Ambassador, and Mr. Josue Abel Diaz Villegas, First Secretary & Consul of the Embassy of Guatemala to India.

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Legal 500 Publication: Senior Associate, Mr. Ketan Joshi's Article on Navigating the Digital Data Regime – Analysis of the DPDP Act & Draft Rules 2025



Ketan Joshi (Senior Associate), has authored an insightful analysis for Legal 500 titled "Navigating the Digital Data Regime: An Analysis of the DPDP Act & DPDP Rules 2025". This article breaks down India's Digital Personal Data Protection Act, 2023, and the Draft Rules 2025—ushering in a modern data privacy regime. Replacing the outdated IT Act, 2000, the new law introduces clear consent norms, mandatory security safeguards, and penalties of up to ₹250 crores.

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IRCCL Publication: Associate, Mr. Namanveer Sodhi's Article on India's Personal Insolvency Law Evolution

Adv. Namanveer Sodhi (Associate) and Aryansh Shukla (Intern) have authored a thought-provoking piece for IRCCL (The Indian Review of Corporate and Commercial Laws) titled "Examining the Legal Framework Governing Insolvency of Individuals, Sole Proprietors and Partnership Firms in India."

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Examining the Legal
Framework Governing
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NEWS

Supreme Court Rules on Strict Compliance with Caste Certificate Format to claim Reservation

The Supreme Court of India, in *Mohit Kumar v State of Uttar Pradesh & Ors* [Civil Appeal No. 5233 of 2024] recently held that candidates cannot claim reservation if the caste certificate is not submitted in the prescribed format. The appeals arose from orders passed by the Allahabad High Court on separate Writ Petitions related to the same recruitment process but outcomes of the said Writ Petitions were different. The Uttar Pradesh Police Recruitment and Promotion Board (“UPPRPB”) had issued notifications for direct recruitment to several posts for which the candidates had applied. The Appellants therein had applied for the posts under the Other Backward Classes (“OBC”) category.

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Expedition of POCSO Justice Delivery: Supreme Court’s Directives for Swift Adjudication

In a landmark judgment dated May 15, 2025, the Hon’ble Supreme Court of India addressed the alarming rise in child rape cases under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) through Suo Moto Writ Petition (Criminal) No. 1/2019 (In Re: Alarming Rise in the number of reported child rape incidents). The said case was initiated in 2019 after taking into account the media reports that highlighted the surge in such incidents. The Hon’ble Apex Court, led by Justice Bela M. Trivedi, issued critical directives to expedite investigations and trials.

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NEWS

Clubbing of FIRs: Elevating the First FIR to a 161 CrPC Statement

The case at hand i.e. Ravinder Singh Sidhu vs. The State of Punjab is filed by way of a Criminal Writ Petition in the Hon'ble Supreme Court which deals with the issue of clubbing of FIR's. The Applicant herein seeks for issuance of writ petition for clubbing of multiple FIR's filed against him in each of the States to one district within the respective States. The Applicant namely Ravinder Singh Sidhu is the Managing Director of KIM Infrastructure and Developers Limited (for short 'KIDL) an entity accused of floating two schemes for the allotment of developed land where customers were lured to be part of a lump sum payment plan or a deferred payment plan.

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MCA's Mandatory CSR Reporting Update: A New Era in Corporate Accountability

The Ministry of Corporate Affairs (MCA)'s latest notification, issued in February 2024, marks a pivotal shift in India's corporate social responsibility (CSR) landscape. This amendment to the Companies (Corporate Social Responsibility Policy) Rules, 2014 introduces a refined framework for CSR disclosures, compelling greater transparency and strategic alignment in corporate philanthropy. The update mandates companies with an average CSR obligation of ₹10 crore or more in the preceding three financial years to undergo CSR impact assessments.

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NEWS

SEBI Circular for Enhanced Disclosure by Real Estate Investment Trusts

The Securities and Exchange Board of India, on 07th May 2025 issued a circular to review and revise the norms for enhanced disclosure of financial information in offer documents and other disclosures for Real Estate Investment Funds (REITs). These revisions aim at enhancing transparency, bolster investor protection and improve the ease of compliance requirements for REITs. REITs are pooled investment vehicles which offer individual investors an opportunity to participate in the real estate market, just like mutual funds. The market of REITs is rapidly growing in India with more than Rs. 90,000 crores net asset being managed by four listed REITs as on 30th September 2023.

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Niveshak Shivir: Revolutionising Reclaim Process of Unclaimed Dividends and Shares

A strategic preparatory meeting between the Investor Education Protection Fund Authority (IEPFA) and the Securities and Exchange Board of India has paved the way for the launch of Niveshak Shivir – a nationwide initiative to simplify the complex processes for reclaiming unclaimed dividends and shares from the companies. It offers a direct pathway to recover long-forgotten investments along with an aim to enhance financial literacy of the investors and reduce their dependence on intermediaries. The Indian financial landscape is marked by significant accumulation of unclaimed investor assets over Rs. 50,000 crores as of 2023.

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NEWS

Power Of Courts To Modify Arbitral Awards

The arbitration landscape in India is evolving, and a five-judge Constitution Bench of the Hon'ble Supreme Court of India has delivered a significant judgment in *Gayatri Balasamy v. M/s ISG Novasoft Technologies Ltd.*, upholding the courts' power to modify arbitral awards under limited circumstances. The Hon'ble Court in this case examined the scope of judicial intervention with respect to the modification of arbitral awards under sections 34 and 37 of the Arbitration and Conciliation Act, 1996. The case was initially heard by a three-judge Bench of the Hon'ble Supreme Court, which referred the matter to a Constitution Bench to resolve conflicting precedents and provide clarity on the issue.

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The Hon'ble Supreme Court of India Mandates 3-year Advocacy for Judicial Posts

On May 20, 2025, the Hon'ble Supreme Court of India delivered its judgement in the case of *All India Judges Association vs. Union of India*. Through this judgement, the Hon'ble Court mandated a minimum of three years of practice as an advocate for candidates applying for entry-level posts in judicial services. This criterion is mandatory for all future recruitment processes. According to the judgement, a candidate must furnish a certificate duly signed by either the Principal Judicial Officer of the respective court or an advocate with a minimum standing of ten years, duly endorsed by the Principal Judicial Officer of that district.

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NEWS

DVD Makers Liable for Patent Infringement, Rules Delhi High Court in Favor of Philips

Koninklijke Philips N.V., headquartered in Amsterdam and owner of Indian Patent No. 218255 covering the EFM+ encoding method essential for DVD duplication, alleged that Maj. (Retd.) Sukesh Behl of M/s Pearl Engineering and others in India were infringing this patent by manufacturing DVDs using EFM+ without a license. Although these defendants had licensed Philips' patents for VCD replication, they failed to obtain a required DVD replication license despite multiple notices from Philips between 2005 and 2010. After discovering infringing DVDs in the market and confirming through expert analysis that they used the patented EFM+ technology, Philips filed suits in the Delhi High Court in 2012 seeking injunctions, damages, and relief for patent infringement.

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NCLAT Upholds CCI's Dismissal of Anti-Competition Complaint Against Asian Paints

In an appeal filed under Section 53B of the Competition Act, 2002, the appellant, a partnership firm called Sri Balaji Traders, contested the Competition Commission of India's (CCI) ruling dated September 8, 2022. The information against Asian Paints Ltd. filed under Section 19(1)(a) of the Act was rejected by the ruling. (Respondent No. 2) alleging contravention of Section 3(4) and Section 4 of the Act. Sri Balaji Traders, classified as a "Critical Retailer (CR)" by Asian Paints since 2010, alleged that its CR status was revoked after it took a dealership of JSW Paints (Respondent No. 3) on 24 February 2021.

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NEWS

CCI Orders Probe into UFO Moviez for Alleged Anti-Competitive Practices in Digital Cinema

In a major development for India's cinema technology and content delivery space, the Competition Commission of India (CCI) has directed an investigation against UFO Moviez India Ltd. and its subsidiary Scrabble Digital Ltd., on allegations of anti-competitive behaviour. The issue had originated from a complaint under Section 19(1) (a) of the Competition Act, 2002, by PF Digital Media Services Ltd. (Informant No. 1), a digital post-production processing of films company, and Mr. Ravinder Walia (Informant No. 2), a producer of films. Complainants alleged that UFO Moviez, a dominant supplier of Digital Cinema Equipment (DCE) on lease to cinema theatre owners (CTOs), was misusing its position in the market by imposing exclusivity in favor of its subsidiary Scrabble Digital, which also provides post-production services in direct competition with PF Digital.

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Clarifying Arbitral Jurisdiction on Interest

The case is between Interstate Construction & National Projects Construction Corporation Ltd, embodying a critical question of Law, i.e., whether the Arbitral Tribunal has the Power to Award Interest for Pre-Reference, Pendente Lite and post-award? Whether the Interest on previously awarded interest is permissible or not? The Facts of the case were that the National Projects Construction Corporation Ltd had engaged the services of Interstate Construction for executing a contract relating to the Ramagundam Super Thermal Power Project, Ramagundam, District Karimnagar, Andhra Pradesh.

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NEWS

Supreme Court's Mandate on the Establishment of POCSO Courts

The Supreme Court of India vide the order dated 12.07.2019 had directed the Registry to register a *Suo Moto Writ Petition* under the caption “In Re Alarming rise in the number of reported child rape incidents,” and requested the Learned Senior Counsel Mr. V. Giri to assist the Court in formulating the directions that may be required to be issued. The Facts of the case were that the Protection of Children from Sexual Offences (POCSO) Act was enacted in 2012. The POCSO Act aims to comprehensively address the issue of sexual offences against children, providing both punishment for perpetrators and support for victims. Nevertheless, there is being an increase in the Number of reported child rape incidents wherein the investigation is going on.

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BLOGS

Decoding The Overlap: CPC Provisions VIS-À-VIS Judicial Interference In Arbitral Proceedings



The Arbitration and Conciliation Act (hereinafter referred as “Arbitration Act”) was passed in the year 1996 with a view to reduce the burden on the courts and expedite speedy disposal of cases. It was passed to reduce the time spent in the lengthy process of litigation.

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Questions under Article 143: Mere Opinion or Appeal in Disguise?



The President of India, Droupadi Murmu, in a letter dated 13th May 2025 forwarded a list of fourteen questions to the Hon’ble Supreme Court of India, requesting their advice and opinion upon the questions of law. These opinions were sought under Art. 143 of the Constitution of India which empowers the President to seek opinion of the Hon’ble Supreme Court.

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BLOGS

Taxing Online Games in India: A Legal and Fiscal Crossroads



India's online gaming sphere faces unprecedented legal and fiscal scrutiny currently. At the core of the continuous struggle is a Rs. 21,000 crore Goods and Services Tax demand on Gameskraft Technologies Private Limited, a stage offering ability-based games, for example Rummy.

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CSR and Rural Governance: A Collaborative Approach



Corporate Social Responsibility (CSR) and rural governance are two pivotal elements in the developmental matrix of India. While CSR brings in corporate efficiency, financial support, and innovation, rural governance—through institutions like Panchayati Raj—ensures participatory decision-making and grounded implementation.

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