

LEXPORT NEWSLETTER

MARCH 2026 | WEEK 2

Dear Readers,

This weekly newsletter offers you a concise analysis of important developments, notable judgments, and noteworthy regulatory amendments and developments in the corporate and financial sectors.

This newsletter will cover updates inter alia from **Banking Laws & FEMA, Corporate Laws, Securities Laws and Capital Markets, Competition Laws, Indirect Taxes, Customs and Foreign Trade, Intellectual Property Laws, and Arbitration Laws.**

Acknowledging the significance of these updates and the need to stay informed, this newsletter provides a concise overview of the various changes brought in by our proactive regulatory authorities and the courts.

Feedback and suggestions will be much appreciated. Please feel free to write to us at mail@lexport.in.

Regards,
Team Lexport



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Intellectual Property Rights

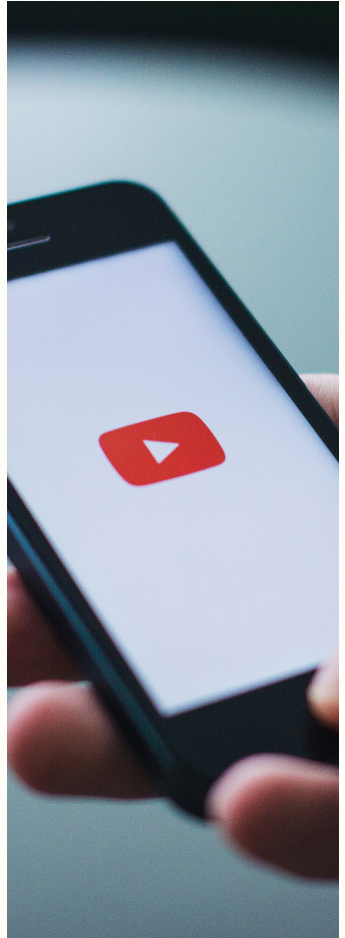
Delhi High Court Shields TV9 From YouTube Copyright Strikes, Holds News Footage Use is Fair Dealing

The Delhi High Court granted summary judgment in favour of Associated Broadcasting Company Limited, which operates the TV9 network, holding that its use of short video clips of global events in news programmes does not amount to copyright infringement. The dispute arose after several entities issued copyright strike notices on YouTube claiming that TV9's videos covering events such as hurricanes, floods and geopolitical incidents had used their footage without authorisation. Justice Tejas Karia held that the clips used by TV9 were brief and embedded within longer news broadcasts containing commentary, analysis and reporting. Such use, the Court found, falls within the fair dealing exception under Section 52(1)(a)(iii) of the Copyright Act for reporting current events and also qualifies as de minimis use. The Court further held that the defendants' copyright strike notices, without properly pursuing infringement proceedings, amounted to groundless threats. It therefore declared that TV9's videos did not infringe copyright and restrained the defendants from issuing similar threats.

Associated Broadcasting Company Limited v
Google LLC & Ors., CS(COMM) 9/2024 (Delhi
High Court)



Anushka Tripathi



Intellectual Property Rights

Delhi High Court Injuncts Former “Moti Mahal” Franchisee from Using Mark After Licence Termination

The Delhi High Court granted interim relief in favour of Moti Mahal Legendary Hospitality Pvt Ltd and its group entities, restraining Sant Foods from using the “Moti Mahal” mark after termination of a franchise and trademark licence agreement. The defendants had been authorised to operate a restaurant under the plaintiffs’ brand pursuant to the licence. However, disputes arose when the defendants allegedly defaulted on payment of licence fees and failed to comply with the terms of the franchise arrangement. The plaintiffs consequently terminated the licence. Despite termination, the defendants continued operating the restaurant under the “Moti Mahal” name and associated branding. The Court held that once the licence stood terminated, the defendants had no right to use the mark, and continued use by a former licensee was prima facie dishonest and likely to mislead consumers into believing that the outlet remained connected with the plaintiffs’ well known restaurant chain. Finding a strong prima facie case of infringement and passing off, the Court restrained the defendants from using the impugned mark pending final adjudication.

Moti Mahal Legendary Hospitality Pvt Ltd & Ors. v Sant Foods & Anr., CS(COMM) 78/2026 (Delhi High Court)



Anushka Tripathi



Intellectual Property Rights

Hon'ble Delhi HC Issues Summons in GI Infringement Suit Over "Bidriware" Usage by Eyewear Brand

The Hon'ble Delhi High Court registered a commercial suit filed by authorised users of the Geographical Indication "Bidriware" against Lenskart alleging infringement and passing off. The plaintiffs, among the 181 authorised users of the GI registered in 2006 for traditional metal inlay handicrafts originating from Bidar, Karnataka, contended that the defendant used the term "Bidri" on eyewear products, stickers, and online listings, including the page "Bidri by Lenskart," along with patterns resembling Bidriware designs. It was argued that such use falsely suggests a geographical connection with authentic Bidriware products and misleads consumers regarding origin. The Hon'ble Court granted exemption from pre-institution mediation, permitted filing of additional documents, and issued summons to the defendant. The defendant was directed to file its written statement within 30 days, with subsequent timelines for replication and document inspection. Notice was also issued on the plaintiffs' application seeking interim injunction.

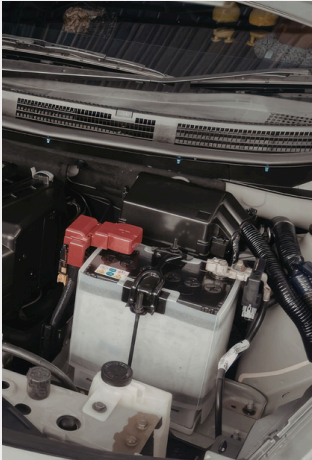
[Md Mohsin And Ors vs Lenskart Solutions Limited (CS(COMM) 185/2026)]



Ananya Singh



Litigation



Munir Kaushal Vs. Ford India Pvt. Ltd. and Others, DC/AB1/44/CC/294/2021

The District Commission, Chandigarh held that although the complainant alleged a manufacturing defect in the vehicle due to repeated battery drainage and starting problems, no expert or technical evidence was produced to prove an inherent manufacturing defect, and replacement of parts under warranty alone was insufficient to establish such defect. However, since the complainant had to repeatedly visit the service centre and several components were replaced during the warranty period, the Commission found that this caused inconvenience, harassment, and constituted deficiency in service. Accordingly, while refusing refund or replacement of the vehicle, the complaint was partly allowed, and the opposite parties were directed to pay Rs. 4,00,000 as lump-sum compensation including litigation costs within 45 days, failing which the amount would carry interest at 9% per annum until realization.



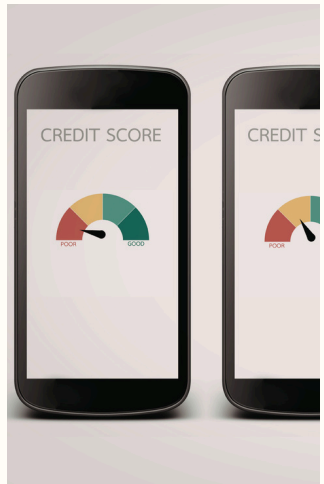
Shyam Kishor Maurya

V.V. Venkatesh Babu Vs. Standard Chartered Bank and Anr., SC/29/A/716/2024

The Karnataka State Commission observed that the complainant had closed the credit card account in 2010 after paying Rs. 15,500 and the bank had issued an endorsement confirming the closure, however, years later the bank issued an unexplained demand notice for Rs. 33.83 lakh, which was held to be an unfair trade practice. The Commission noted that the bank's actions adversely affected the complainant's CIBIL score for nearly ten years and caused mental agony due to repeated demands. Considering the harassment and reputational harm, the Commission enhanced the compensation and directed the bank to pay Rs. 5,00,000 as compensation, Rs. 1,00,000 as advocate's fee, and Rs. 50,000 as litigation costs within 30 days, failing which interest at 9% per annum would apply until realization.



Shyam Kishor Maurya



Litigation



Government servant cannot be dismissed without a departmental enquiry merely on presumptions that conducting the enquiry is not reasonably practicable

The Supreme Court of India held that a government servant cannot be dismissed without a departmental enquiry merely on presumptions that conducting the enquiry is not reasonably practicable. A bench of Justice J.K. Maheshwari and Justice Atul S. Chandurkar reinstated a Delhi Police constable who was dismissed while in custody in a criminal case. The Court ruled that invoking Article 311(2)(b) of the Constitution requires objective material showing why an enquiry cannot be held. Finding no evidence of witness intimidation, the Court quashed the dismissal, restored service with continuity, granted 50% back wages, and allowed authorities to initiate a regular departmental enquiry.

Manohar Lal v. Commissioner of Police & Ors.,
CIVIL APPEAL NO. 13860 OF 2024



Ananya Jain

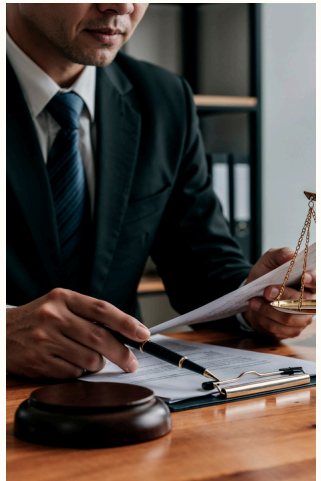
Seniority of Assistant Engineers in the Tamil Nadu Electricity Board must be counted from the date of their initial appointment, and not from the date of probation

The Supreme Court of India held that the seniority of directly recruited Assistant Engineers in the Tamil Nadu Electricity Board must be counted from the date of their initial appointment, including the training period, and not from the date they commenced probation. A bench comprising Justice Rajesh Bindal and Justice Vijay Bishnoi set aside the contrary ruling of the Madras High Court. The Court held that the Service Regulations do not link seniority to commencement of probation and that calculating it from that stage would create uncertainty. Accordingly, it directed recomputation of seniority from the initial appointment date.

M. THANIGIVELU AND ORS. VERSUS TAMIL NADU ELECTRICITY BOARD AND ORS. (with connected appeals), CIVIL APPEAL NO. 862 OF 2026



Ananya Jain



Litigation



Custody Cannot Be Ordered for Breach of Interim Bond During Preventive Proceedings

The Calcutta High Court held that a person cannot be detained merely for breaching an interim bond executed during preventive proceedings under the Bharatiya Nagarik Suraksha Sanhita, 2023. Justice Dr. Ajoy Kumar Mukherjee ruled that detention under Section 141 BNSS is permissible only after a final order directing security for good behaviour is passed following the statutory inquiry under Section 136. Since the Executive Magistrate cancelled the interim bond and ordered detention without completing the inquiry or recording evidence, the Court held the action without jurisdiction and set aside the custody order.

Rakesh Kumar Singh v. State of West Bengal & Anr., CRR 5090/2025



Ananya Jain

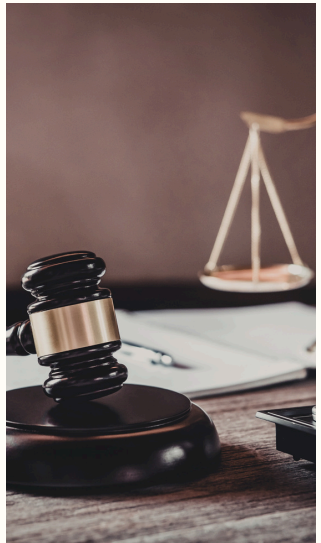
Interim Maintenance under Section 125 of the Code of Criminal Procedure should ordinarily be granted from the date of filing the application

The Delhi High Court held that interim maintenance under Section 125 of the Code of Criminal Procedure should ordinarily be granted from the date of filing the application unless cogent reasons exist to order otherwise. Justice Dr. Swarana Kanta Sharma modified a Family Court order that had directed maintenance only from January 2019 despite the petition being filed in March 2016. Relying on *Rajnish v. Neha* and *Shahjahan v. State of Uttar Pradesh*, the Court held that delays in adjudication are systemic and should not deprive wives and children of maintenance for the intervening period.

Sanyogita Gupta & Ors v. Ashok Kumar Gupta, CRL.REV.P. 520/2024



Ananya Jain



Litigation



Gurdeep Singh Manchanda Vs. Enforcement Directorate, CRM-32938-2024 in/and CRA-S 2788-2024

The Punjab and Haryana High Court suspended the sentence of 73-year-old Gurdeep Singh Manchanda, convicted under the Prevention of Money Laundering Act, 2002, considering his age, medical condition, acquittal in the predicate offence, and the fact that he had already undergone more than one year of custody while his appeal is unlikely to be heard soon. The Court allowed suspension of sentence under Section 389 of the Code of Criminal Procedure against the conviction dated 30.07.2024 and granted bail during the pendency of the appeal. As a condition, the Court directed the appellant to plant 20 saplings during the forthcoming monsoon season, maintain them for one year, and submit proof of plantation.



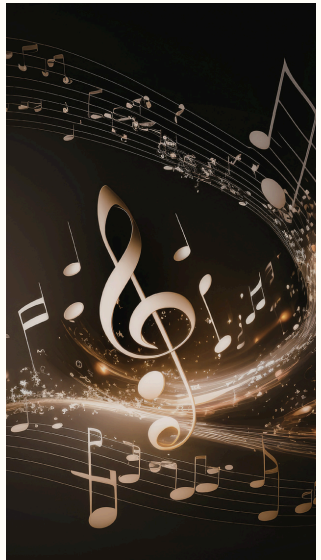
Shyam Kishor Maurya

Phonographic Performance Limited Vs. Absolute Legends Sports Private Limited and Others, Commercial IP Suit (L) No. 27133 of 2025, and Interim Application (L) No. 27758 of 2025

The Bombay High Court granted ad-interim relief restraining Absolute Legend Sports Pvt. Ltd., organisers of Legends League Cricket, from using songs owned by Phonographic Performance Limited without obtaining the required licence. The Court noted that the organisers had taken licences in previous years and even given an undertaking in 2023 but failed to obtain one this year or respond to PPL's notice. Considering the urgency and likelihood of copyright infringement during the ongoing tournament, the Court passed an ad-interim injunction restraining the use of PPL's copyrighted sound recording.



Shyam Kishor Maurya



Corporate

The Supreme Court expressed strong displeasure over the manner in which the Railways assisted the Court in proceedings concerning railway safety and budgetary priorities, observing that the affidavit filed failed to clearly explain allocation and utilisation of funds. The Court also questioned the disparity in railway travel insurance, noting that the facility is available for online ticket passengers but not for those purchasing tickets at counters. The Union government was directed to file a detailed affidavit explaining safety measures, fund allocation and policy priorities, failing which the Court warned that it may take judicial notice and issue stringent directions.

Case: Union of India v. Radha Yadav
Case No.: Misc. Application No. 741–742/2019



Siddharth Dewalwar



The Supreme Court emphasised the urgent need for comprehensive legislation governing passive euthanasia, observing that the continued legislative vacuum has compelled the Court to frame guidelines from time to time out of constitutional necessity. While permitting withdrawal and withholding of life-sustaining treatment for a patient who had remained in a persistent vegetative state for over 13 years, the Court reiterated that the guidelines laid down in Common Cause (2018) recognising the right to die with dignity under Article 21 were intended only as interim safeguards and not as a permanent substitute for legislation. The Court therefore urged the Union Government to consider enacting a comprehensive statutory framework to regulate end-of-life care and passive euthanasia.

Case: Harish Rana v. Union of India
Citation: 2026 LiveLaw (SC) 229



Siddharth Dewalwar

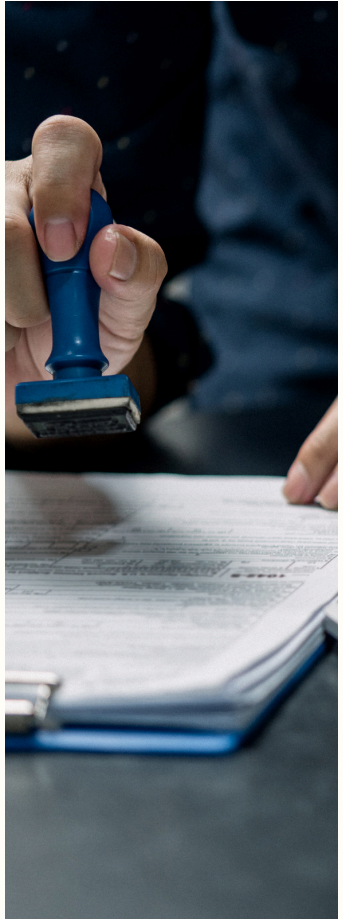
Corporate

The Telangana High Court held that mere mention of the word “consideration” instead of “market value” in a partition deed cannot by itself justify treating the instrument as a conveyance and demanding additional stamp duty. The Court observed that where there is no evidence of actual transfer of consideration between co-owners, the character of the document remains that of a partition under Article 40 of Schedule I-A of the Indian Stamp Act, 1899. Setting aside the District Registrar’s demand for deficit stamp duty, the Court directed the registering authorities to process and register the document as a partition deed without insisting on additional stamp duty or related charges.

Case: Salguti Vishnuvardhan Reddy & Ors. v. State of Telangana & Ors.
Case No.: W.P. No. 36821 of 2025



Siddharth Dewalwar



About Us

Lexport is a full-service Indian law firm offering consulting, litigation and representation services to a range of clients.

The core competencies of our firm's practice *inter alia* are Trade Laws (Customs, GST & Foreign Trade Policy), Corporate and Commercial Laws and Intellectual Property Rights.

The firm also provides Transaction, Regulatory and Compliance Services. Our detailed profile can be seen at our website www.lexport.in.

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