



**KING STUBB & KASIVA**  
ADVOCATES AND ATTORNEYS

 [www.ksandk.com](http://www.ksandk.com)

# LEXZONE

YOUR LEGAL THOUGHT

**NOVEMBER**  
**2024**

NEW DELHI | MUMBAI | BANGALORE | HYDERABAD | CHENNAI | KOCHI | PUNE | MANGALORE

# Contents

**01. EMPLOYMENT & LABOUR**

---

**02. REAL ESTATE**

---

**03. BANKING & FINANCE**

---

**04. INTELLECTUAL PROPERTY**

---

**05. DISPUTE RESOLUTION**

---

**06. CORPORATE & COMMERCIAL**

---

**07. ENERGY, INFRASTRUCTURE &  
MOBILITY**

---





The Punjab and Haryana High Court reiterate the circumstances for judicial review of disciplinary proceedings



The court observed that petitioner was subjected to 52 disciplinary proceedings including multiple instances of embezzlement, misbehavior, etc. Repeated violations suggest a pattern of behavior that posted a nuisance to the employer.

[READ MORE](#)



The Delhi High Court holds that personal information of employees cannot be disclosed under the RTI Act



The PIO denied the disclosure on the grounds that the petitioner school does not fall within the purview of the RTI Act as it is not a public authority. An appeal was preferred by the respondent before the Central Information Commission ("CIC"), which directed the petitioner to provide the information.

[READ MORE](#)



The Madhya Pradesh High Court reiterates recovery of excess payment is impermissible



The Madhya Pradesh High Court relying on various decisions of the Supreme Court quashed the recovery order and directed employer to refund the recovered amount stating that there was no misrepresentation or fraud by the petitioner hence the recovery could not be enforced.

[READ MORE](#)



Resignation cannot be accepted later if previously turned down due to incomplete formalities



Since the resignation was rejected for non-compliance, the burden shifted on the employer to ensure all conditions were met before accepting the resignation. Considering the procedural lapses the court in this WA No. 655 of 2024 held resignation to be invalid.

[READ MORE](#)

## → Case Analysis: P Pappu v The Sub Registrar, 2024 Live Law (Mad) 379

”



This ruling highlights the judiciary's role in ensuring that legislative rules remain consistent with the underlying laws and accessible to the public, while also addressing concerns about potential fraud in property transactions.

[READ MORE →](#)

## → Supreme Court clears the air around Limitation Period in Adverse Possession cases

”



The Court's decision highlights that defendants seeking to establish adverse possession must provide precise evidence showing when their possession became adverse to the true owner, and that they maintained such possession for the required period under the Limitation Act.

[READ MORE →](#)

## → Justice in Flux: Supreme Court Reassesses Benami Law

”



The court determined that these provisions violated Article 20(1) of the Indian Constitution, which prohibits retrospective punishment. The ruling effectively halted many prosecutions and confiscation proceedings initiated under these provisions.

[READ MORE →](#)

## → The Impact of HYDRA's New Policies on Hyderabad's Real Estate Market in 2024

”



Investing in Hyderabad's real estate market presents vast opportunities, but it also requires careful due diligence to navigate potential risks. HYDRA's robust services provide essential support in identifying red flags and ensuring that every investment is protected from legal, environmental, and regulatory challenges.

[READ MORE →](#)





## Financing for Sustainable Agriculture



This approach advocates for environmentally protective methods, efficient resource use, and social equity among farmers. Achieving agricultural sustainability will require transforming traditional farming into technology-driven systems, improving processing techniques, and aligning crop production with climate-smart practices, all supported by adequate and timely financing.

[READ MORE](#)


## The Role of Artificial Intelligence (AI) in Banking: Insights from the RBI Bulletin



The RBI's insights illustrate a transformative period for the banking sector in India as it embraces AI technologies. While the advantages of AI are clear—enhancing efficiency, improving risk management, and broadening service accessibility—stakeholders must remain vigilant about the ethical considerations and potential biases that accompany these innovations.

[READ MORE](#)


## Government bond yields are expected to rise after the RBI governor ruled out a rate cut



Government bond yields are a critical component of the financial landscape, reflecting the return an investor can expect from holding a government bond until maturity. These yields serve as a benchmark for various interest rates throughout the economy, influencing borrowing costs for consumers and businesses alike.

[READ MORE](#)


## AI Adoption in Indian Banking – A New Era of Innovation



As AI continues to reshape the banking landscape, the need for an ethical framework surrounding data usage and AI implementation becomes ever more pressing. The implications of AI adoption extend far beyond the financial sector, influencing the broader economy and society as a whole.

[READ MORE](#)

## → Sporta Technologies Pvt. Ltd. And Another V. Hong Yi F35 And Others

”



The defendants' failure to respond to the suit and their continued use of the plaintiffs' intellectual property underscored a deliberate attempt to mislead the public. The DHC noted several previous orders protecting DREAM11's trademarks, further establishing the plaintiffs' strong precedent for similar injunctive relief.

[READ MORE →](#)

## → Auction For 'Fortis' Says Delhi High Court

”



The DHC provided a series of specific instructions to ensure the auction's efficiency and transparency, and scheduled a follow-up for January 17, 2025, to review the outcome of the auction process. This ruling allowed the parties for a prompt execution of the judgment debt while adhering to procedural safeguards which could secure an equitable outcome for all.

[READ MORE →](#)

## → AI, Defamation, and Digital Rights: Delhi High Court Sets a Precedent in the case of Manchu Vishnu Vardhan Babu v. Arebumdum & Ors.

”



The Court granted an interim injunction in favor of the Plaintiff, prohibiting the Defendants from using Vishnu's name, image, voice, or likeness without his consent. YouTube was directed to remove any infringing content within 48 hours of non-compliance by the Defendants.

[READ MORE →](#)

## → Upholding Brand Integrity: The Case Of New Balance Athletics

”



The Court noted that the defendant had agreed not to engage in counterfeit activities resembling New Balance's trademarks. By October 21, 2024, Kiran Shoe Company consented to a decree of injunction, permanently halting their dealings in infringing products.

[READ MORE →](#)





## No Second Chance: SC Bars Re-Filing Of Arbitrator Appointment Applications Post Unconditional Withdrawal



The Court emphasized that this does not prevent invoking the same arbitration clause for disputes arising from a different cause of action that occurs after the initial invocation. This judgment reinforces procedural discipline while balancing flexibility to address fresh disputes within the framework of the Arbitration Act.

[READ MORE](#) 

## Motor Accident Cases – Future Prospects To Be Included In Computation Of Compensation



This ruling not only aligns compensation with real-world conditions but also reinforces fairness and consistency in motor accident claims. It provides a strong precedent for balancing procedural discipline with the evolving financial dynamics faced by claimants and their families.

[READ MORE](#) 

## Reconciling Conflicts In Arbitration Jurisdiction: Seat, Venue, And Exclusive Jurisdiction In Cross-Border Transactions



The court noted that Part I of the Act of 1996 automatically applies to both domestic and international arbitrations when the seat of arbitration is in India. However, it does not extend to arbitrations seated outside India.

[READ MORE](#) 

## Uniformity In Arbitration Proceedings: No Exceptions For Government Entities



The apex court has held that the law governing arbitration proceedings cannot be applied differently solely based on the respondent's status as a government entity. Therefore, the bench modified the order of the Madras High Court and directed the respondent to deposit the arbitral amount inclusive of interest.

[READ MORE](#)



## SEBI Introduces Liquidity Window Facility To Enhance Liquidity In Corporate Bond Market



SEBI has introduced measures such as the Electronic Book Provider Platform for private placement of large issues, the Request for Quote ("RFQ") Platform for secondary transactions, and frameworks for Online Bond Platforms and corporate bond repo operations. Building on these initiatives, the introduction of the Liquidity Window Facility is a significant step forward.

[READ MORE](#)


## SEBI's New SOP for MII: Enhancing Accountability and Technological Resilience in Market Infrastructure



The focus has largely been on ensuring that institutions like stock exchanges, depositories, and clearing corporations keep more robust technological frameworks in place to minimize undue disruptions in the marketplace.

[READ MORE](#)


## SEBI Strengthens Regulatory Framework For Mutual Funds To Prevent Insider Trading



This circular introduces a more stringent regulatory framework for mutual funds. The new disclosure norms for designated persons and stricter reporting requirements for large transactions aim to enhance transparency and deter insider trading. The alignment of the Master Circular with the PIT Regulations further strengthens oversight of employee transactions.

[READ MORE](#)


## SEBI's Updated FVCI Guidelines: Strengthening Investor Protection And Compliance



The focus on periodic reviews, data security, and efficient registration renewal mechanisms provides a streamlined yet secure environment for venture capital inflows. These regulations not only enhance regulatory oversight but also foster greater confidence in India's investment landscape, potentially attracting more foreign capital.

[READ MORE](#)





## KERC Introduces Draft Intra-State Deviation Settlement Mechanism and Related Matters Regulations, 2024



The primary goal of the regulations is to create a commercial mechanism that ensures grid users do not deviate from their scheduled electricity drawl and injection. The regulation applies to all intra-state entities, including state-owned power stations, conventional fuel-based plants, renewable energy plants, captive generating plants, and distribution licensees.

[READ MORE](#)


## Draft Regulations for Rooftop Solar Systems in West Bengal: Empowering Consumers and Ensuring Grid Stability with 5 kW Capacity Limit



This framework empowers consumers by giving them the right to generate renewable energy on their premises, transforming traditional consumers into active participants in energy generation. Prosumers maintain their consumer rights and obligations and have full flexibility to set up rooftop solar systems either by themselves or through service providers.

[READ MORE](#)


## Meghalaya State Electricity Regulatory Commission's 2024 Amendment on Rooftop Solar Net Metering Regulations: A Comprehensive Overview



By clarifying guidelines, setting standards, and addressing potential challenges, the amendment aims to create a conducive environment for individuals and businesses to invest in rooftop solar systems. This initiative is expected to contribute to the state's energy security, reduce carbon emissions, and promote sustainable development.

[READ MORE](#)


## MNRE Introduces Quality Control Measures for Solar Thermal Products



By ensuring the quality and reliability of these products, the government aims to boost consumer confidence and accelerate the growth of the solar thermal industry. This will contribute to India's efforts to achieve its renewable energy targets and reduce its reliance on fossil fuels.

[READ MORE](#)

# KEY CONTACTS



**Jidesh Kumar**  
Managing Partner



**Rajesh Sivaswamy**  
Senior Partner



**Asha Kiran Sharma**  
Partner



**Aurelia Menezes**  
Partner



**Deepika Kumari**  
Partner



**Himanshu Deora**  
Partner



**Krusch P Antony**  
Partner



**Karthik A**  
Partner



**Prithiviraj S Nathan**  
Partner



**Pooja Chatterjee**  
Partner



**Siddartha Karnani**  
Partner



**Sindhuja Kashyap**  
Partner



**Smita Paliwal**  
Partner



**Sukrit Kapoor**  
Partner



**Rohitaashv Sinha**  
Partner



**Sunayana Basu Mallik**  
Partner



**Vatsal Gaur**  
Partner



**Vivek Boray**  
Partner



**Zeeshan Farooqui**  
Partner



**Anand Mohan Murthy**  
Partner





# CONTACT US

## NEW DELHI

RNM Tower, 5th Floor, Metro pillar no 331, i4, B 1, NH-19, Mohan Cooperative Industrial Estate, New Delhi, 110044

Tel: +911141318190/41032969

Email: delhi@ksandk.com

## MUMBAI (1)

61, Atlanta Building, Jamnalal Bajaj Road, Nariman Point, Mumbai

Tel: +91 22 62372076/22020080

Email: mumbai@ksandk.com

## KOCHI

1st Floor, Manavalan Building, Banerji Road, Ernakulam, Kochi

Tel: +91 484-3592950

Email: kochi@ksandk.com

## CHENNAI

211, Alpha Wing, Second Floor, Raheja Towers, #177, Anna Salai, Chennai

Tel: +91 44 28605955/28606955

Email: chennai@ksandk.com

## HYDERABAD

609, Shangrila Plaza, Road no. 2, Banjara Hills, Hyderabad, Telangana

Tel: +91 40 48516011/+91 40 48506011

Email: hyderabad@ksandk.com

## BANGALORE

1A, 1B, 2B & 3B Lavelle Mansion, 1/2, Lavelle Road, Bangalore

Tel: +91 80 41179111/41179222,

Email: bangalore@ksandk.com

## MUMBAI (2)

301A, 3rd Floor, Piramal Tower, Peninsula Corporate Park, Lower Parel, Mumbai -400013

Tel: +91 22 62372076/22020080

Email: mumbai@ksandk.com

## PUNE

Bootstart Cowork, 1st Floor, Arcadian Building Plot No 12, Lane 5A, Koregaon Park, Pune

Tel: +91 9833555232

Email: pune@ksandk.com

## MANGALORE

Office No. 406, 4th Floor, Ajanta Business Center, Kapikad, Bejai, Mangalore- 575004

Tel: +91 8244634375

Email: mangalore@ksandk.com

[www.ksandk.com](http://www.ksandk.com)

[Linked in](#)