



SAGA LEGAL

COMMUNIQUE

APRIL 2026

Delhi | Bengaluru | Mumbai | Hyderabad



SAGA LEGAL

TABLE OF CONTENTS

Courts this Month:

(i) Supreme Court..... **1**

(ii) High Courts..... **3**

Notifications/Amendments Insight..... **6**

Deals of the Month..... **8**



SAGA LEGAL

SUPREME COURT THIS MONTH

- The Hon'ble Supreme Court in the case *J. Sri Nisha vs. Special Director, Adjudicating Authority, Directorate of Enforcement & Anr.* (SLP (C) No(s). 23415 of 2025) held that seizure under Section 37A of the Foreign Exchange Management Act, 1999, depends on a valid "reason to believe" and when a competent authority refused validity to such seizure, the adjudicating authority cannot reverse such order while appeal remains pending. The Bench comprising Justice Vikram Nath and Justice Sandeep Mehta observed *"the Competent Authority declined to confirm the seizure by a well-reasoned order, thereby indicating that the material did not meet even this preliminary threshold. The refusal to confirm the seizure, therefore, reflects a considered finding that the foundational requirement of a "reason to believe" was not satisfied on the material available ... The Adjudicating Authority has undone the order of the Competent Authority even while the appeal against the said order is pending, ... Such a course of action, in the opinion of this Court, tantamounts to abdicating the powers of the Appellate Authority, even when the order of the Competent Authority was still under challenge in appeal at the instance of the department."*
- The Hon'ble Supreme Court in the case *Nikhat Parveen @ Khusboo Khatoon vs. Rafique @ Shillu* (SLP (CrI.) No. 15256 of 2023) ruled that a man is not liable to pay maintenance for a child if a scientifically accurate DNA test report, which has attained finality, establishes that he is not the biological father. The Court added that while Section 112 of the Indian Evidence Act, 1872 (now Section 116 of the Bharatiya Sakshya Adhinyam, 2023) provides a conclusive presumption of legitimacy for children born during a valid marriage, the Court affirmed that such a presumption is rebuttable and must yield to scientific proof when the two are found in conflict. The Bench comprising Justice Sanjay Karol and Justice N. K. Singh observed *"The common thread that has run through all these judgments is a well-placed hesitation to order or to give an imprimatur to orders directing DNA test to be conducted. We entirely agree with this position ... when there is a conflict between a conclusive proof envisaged under law and a proof based on scientific advancement accepted by the world community to be correct, the latter must prevail over the former."*
- The Hon'ble Supreme Court in the case *Vinay Raghunath Deshmukh vs. Natwarlal Shamji Gada & Anr.* (SLP (C) No. 8991 of 2025) held that High Courts cannot exercise supervisory jurisdiction under Article 227 of the Constitution to interfere in the findings of subordinate courts where such findings are known to be on merit. The appeal before the Apex Court came in light of the High Court interceding into the merits of the case found by the Appellate Court by reassessing and re-examining the Appellate Court's findings. The Bench comprising Justice J.K. Maheshwari and Justice Atul S. Chandurkar observed *"the discretion exercised by the Appellate Bench while allowing the amendment was not liable to be interfered with in exercise of the Article 227 of the Constitution of India, especially when there was no error of jurisdiction nor a statutory bar for permitting the plaint to be amended based on subsequent events ... It is well settled that in exercise of such jurisdiction, it would not be open for the High Court to review or reassess the material that was taken into consideration by the Court while passing the impugned order."*
- The Hon'ble Supreme Court in the case *State of Punjab vs. Sukhwinder Singh @ Gora* (SLP (CrI.) No. 5020 of 2026) held that while Article 21 maintains the right to a speedy trial, this cannot override the statutory requirements for grant of bail under Section 37 of the National Drugs and Psychotropic Substances Act, 1987 ("NDPS Act"), which are stringent in nature. The Bench of Justice Sanjay Karol and Justice Augustine George Masih observed *"The right to speedy trial under Article 21 of the Constitution is undoubtedly a valuable constitutional guarantee; but in the*



SAGA LEGAL

context of a special statute such as the NDPS Act dealing with commercial quantity, that right has to be read alongside, and not in displacement of, the mandate of Section 37 ... The impugned order, on its own showing, does not record the satisfaction mandated under Section 37(1)(b) (ii) of the NDPS Act. Far from recording such satisfaction, the High Court has gone on to observe that 'the rigours of Section 37 of the NDPS Act can be diluted bearing in mind the right to a speedy trial.' Such an approach is plainly contrary to the settled law laid down by this Court and deserves to be set aside on this ground alone."

- The Hon'ble Supreme Court in the case *State of Assam vs. Moinul Haque @ Monu* (SLP (Crl.) No. 8846 of 2025) ruled that appellate courts have the authority to alter or reverse conviction orders even in the absence of an appeal by the accused challenging such conviction under Section 386 of the Code of Criminal Procedure, 1973 (or Section 427 of the Bharatiya Nagarik Suraksha Sanhita, 2023). The Apex Court had acquitted an accused convicted of murder, rape, and destruction of evidence by the trial court, after the High Court had already acquitted him of his murder and rape charges that had originally resulted in a death sentence. The Bench comprising Justice Vikram Nath and Justice Sandeep Mehta observed *"the appellate Court is vested with the power to examine the correctness of the findings and sentence recorded by the Court below and to reverse, alter or affirm the same, as the interests of justice may require ... the absence of an appeal by the accused-respondent does not, by itself, denude this Court of its appellate jurisdiction."*
- The Hon'ble Supreme Court in the case *Anand Jakkappa Pujari @ Gaddadar vs. State of Karnataka* (SLP (Crl.) No. 3788 of 2022) ruled that joint or simultaneous disclosure statements under Section 27 of the Indian Evidence Act, 1872 are admissible only if they lead to the discovery of distinct facts from different places, as the law requires the information to relate "distinctly" to the fact

discovered. The Court in this case aside the convictions because the evidence was based on all four accused simultaneously pointing out the same location, which the Court characterized as a joint discovery of the same mental fact that failed to provide the necessary guarantee of truth required by the statute. The Bench comprising Justice J.B. Pardiwala and Justice K. V. Viswanathan observed *"In the case before us, the evidence is purely of a joint discovery of the same mental fact said to have been made by all the four accused simultaneously with the result that it is not possible to say which statement of a particular accused relates distinctly to the discovery of a particular mental fact."*

- The Hon'ble Supreme Court in the case *M/s. Marg Limited vs. Sushil Lalwani & Ors.* (SLP (C) No. 25132 of 2025) reiterated that a plaint cannot be rejected for undervaluation or insufficient court fees under Order 7 Rule 11 of the Code of Civil Procedure, 1908, without first affording the plaintiff an opportunity to rectify the defect within a fixed time. The Court emphasized that the statutory scheme mandates a two-step process where rejection is conditional upon non-compliance with a court direction to correct the valuation, ensuring that litigants are not non-suited due to curable procedural defects. The Bench comprising Justice Alok Aradhe and Justice P.S. Narasimha observed *"The statutory scheme contemplates a two-step process. Firstly, the Court must form an opinion that the relief claimed is undervalued or that the court fee paid is insufficient. Secondly, upon such determination, the Court is obligated to require the plaintiff to correct the valuation and/or supply the requisite court fee within a time to be fixed by it. It is only upon failure of the plaintiff to comply with such direction within the stipulated time, that the consequences of rejection of the plaint can ensue."*



SAGA LEGAL

HIGH COURTS THIS MONTH

- The High Court of Karnataka in the case *Smt. Rathna P vs. Sri Chikkamanchaiah* (WP No. 33261 of 2025) ruled that a petition for a decree of divorce under the Special Marriage Act, 1954, is maintainable even if the marriage has not been registered under the provisions of the Act. The Court added that while Section 15 of the Act prescribes conditions for the registration of marriages celebrated in other forms, Section 27 does not contemplate a requirement for registration as a prerequisite for maintaining a divorce application. The Single Bench comprising Dr. Justice K. Manmadha Rao observed *"it is held that there is no specific provisions in the Special Marriage Act 1954, which contemplates that petition for decree of divorce is not maintainable unless marriage is registered under the Act."*
- The Delhi High Court in the case *Prof. Rasal Singh vs. University of Delhi & Ors.* (WP(C) No. 14760 of 2025) ruled that the constitution of an ad hoc fact-finding committee to investigate sexual harassment allegations prior to an Internal Complaints Committee (ICC) inquiry is de hors the PoSH Act and impermissible under law. The Court further held that while an employer retains an inherent right to suspend an employee pending a PoSH inquiry, such an order is liable to be set aside if it is stigmatic by prematurely characterizing allegations as serious misconduct before a final determination is reached by the ICC. The Single Bench comprising Justice Purushendra Kumar Kaurav observed *"If, however, there is another committee such as the fact finding formed in the instant case, which is given the mandate of inquiring into the complaint of sexual-harassment, the same would be de hors the PoSH Act, and in complete violation of it. If such a committee is allowed to be formulated before the complaint is sent to the ICC, the same would violate the express words of the statute, which state that the ICC/Local Committee shall inquire into the said complaint"*.
- The High Court of Uttarakhand in the case *Sunil Singh vs. Anju Gupta Singh and Anr.* (Appeal From Order No. 25 of 2026) reiterated that DNA testing cannot be ordered as a matter of routine to prove adultery, as the statutory presumption of legitimacy under Section 112 of the Evidence Act, 1872 (now Section 116 of the Bharatiya Sakshya Adhinyam, 2023), remains intact unless non-access between spouses is specifically pleaded and established. The Court added that the balance of interest favors protecting a child's legitimacy and fundamental rights to privacy and dignity under Article 21 of the Constitution over permitting a roving inquiry through scientific examination to substantiate matrimonial misconduct. The Division Bench comprising Justice Manoj Kumar Tiwari and Justice Pankaj Purohit observed *"DNA testing cannot be ordered as a matter of routine or merely on the asking of a party. Such a direction can be issued only in exceptional circumstances where strong prima facie material is available to show non-access or where the interests of justice so demand. A direction for DNA examination, if granted, may have the effect of bastardising the child by conclusively determining nonpaternity. Therefore, Courts are required to exercise utmost caution and restraint while dealing with such requests. In the present case, having perused the record, it is evident that appellant has neither specifically pleaded nor attempted to establish non-access between himself and respondent no.1 during the relevant period. In absence of such foundational pleading and material, statutory presumption under Section 112 of the Evidence Act remains intact."*
- The Bombay High Court in the case *Kashinath Ramji Shinde vs. Pradip s/o. Madhavrao Shinde* (WP No. 12195 of 2024) ruled that the deletion of a defendant under Order 1 Rule 10 of the Code of Civil Procedure, 1908 ("CPC") does not constitute a perpetual abandonment of a claim, distinguishing it from the formal withdrawal of a



SAGA LEGAL

suit under Order 23 Rule 1. The Court also held that a purchaser pendente lite remains a *"person bound by the decree"* for the purpose of execution under Order 21 Rule 35, even if their name was struck out of the suit, as procedural deletion does not result in the forfeiture of substantive rights against the transferee. The Single Bench of Justice Ajit Kadethankar observed *"Unlike Order 23 Rule (1) of the Civil Procedure Code 1908, a deletion of a Defendant in a Suit under Order 1 Rule 10 does not perpetually abandon/forfeit the plaintiff's claim against the deleted Defendant."*

- The High Court of Kerala in the case *P. Lakshmikutty Amma & Ors. vs. V. K. Indira & Anr.* (MFA (Indian Succession Act) No. 18 of 2019) ruled that probate proceedings converted into a suit under Section 295 of the Indian Succession Act, 1925, retain their limited scope, and the court is authorized to examine whether alterations in a Will comply with Section 71. The Court affirmed that determining whether a Will is the last testament and if it was properly executed and attested, including the effect of unauthenticated overwriting, falls within the probate court's authority and does not equate to adjudicating substantive rights. The Single Bench of Justice S. Manu observed *"Examining whether there is any obliteration, interlineation, or alteration and deciding its effect in tune with the provisions of Section 71 of the Succession Act is necessarily a matter falling within the scope of enquiry by the probate court. Such an exercise cannot be equated with the examination of rights under the will."*
- The Delhi High Court in the case *Panchanan International Private Limited vs. The Oriental Insurance Company Limited* (OMP (COMM) No. 8 of 2024) ruled that the unreasoned denial of pre-reference interest and the failure to adjudicate specific claims, such as tax liabilities on an awarded amount, constitute patent

illegality under Section 34 of the Arbitration and Conciliation Act, 1996. The Court also stated that an arbitral award must contain reasons to satisfy the mandate of Section 31(3), and a complete lack of adjudication on a specific claim is a violation of the statute that renders the award legally flawed. The Single Bench comprising Justice Mini Pushkarna observed *"The requirement of reasons in support of the award under Section 31(3) is not an empty formality. It guarantees fair and legitimate consideration of the controversy by the Arbitral Tribunal. It is true that the Arbitral Tribunal is not expected to write a judgment like a court nor is it expected to give elaborate and detailed reasons in support of its finding(s) but mere noticing the submissions of the parties or reference to documents is no substitute for reasons which the Arbitral Tribunal is obliged to give. Howsoever brief these may be reasons must be indicated in the award as that would reflect the thought process leading to a particular conclusion. To satisfy the requirement of Section 31(3), the reasons must be stated by the Arbitral Tribunal upon which the award is based; want of reasons would make such award legally flawed."*

- The High Court of Kerala in the case *XXX & Anr. vs. Union of India & Ors.* (WP(C) No. 31918 of 2025) upheld the validity of age limits under the Surrogacy (Regulation) Act, 2021 on intending couples, holding it scientifically justified. The Court was hearing a petition in which the constitutional validity of an upper age limit under the Act was challenged citing it as discriminatory. The Single Bench of M.B. Snehalatha observed *"The age limits prescribed for intending parents and surrogate mother are based on intelligible differentia namely biological age and medical fitness. Thus classification bears a direct nexus with the objective of the Act which is to ensure safe pregnancies, healthy child birth and the well being of both the surrogate mother and the child to be born. Age based classification is neither arbitrary nor discriminatory but rather scientifically*



SAGA LEGAL

justified. Article 14 of the Constitution of India permits classification if it is based on intelligible differentia and has a rational nexus with the objective. The State is not merely a passive observer but has a positive obligation to safeguard the health of persons undergoing assisted reproduction procedures and the child born through such procedure."



SAGA LEGAL

NOTIFICATIONS / AMENDMENTS INSIGHTS

- Reserve Bank of India (RBI) vide Notification No. RBI/2026-27/38 A.P. (DIR Series) Circular No. 08 dated 27.04.2026 has issued reporting instructions for Authorised Dealer Category-I (AD Cat-I) banks requiring them to report over-the-counter (OTC) foreign exchange derivative transactions involving the Indian Rupee undertaken globally by their related parties to the trade repository of the Clearing Corporation of India Ltd (CCIL). The directions aim to enhance transparency, improve price discovery, and strengthen regulatory oversight of the rupee derivatives market by bringing offshore transactions within the reporting framework. Banks are required to report transaction details preferably on the trade date and no later than two working days, with certain exemptions such as small-value contracts (up to USD 1 million), back-to-back trades, and transactions with other AD Cat-I banks in India. The framework will be implemented in a phased manner, with increasing reporting coverage thresholds culminating in full reporting over time.
- RBI vide Notification No. RBI/DPSS/2026-27/396 RBI/CO.DPSS.POLC.No.S56/02.14.003/2026-27 dated 21.04.2026 has issued the Digital Payments – E-Mandate Framework, 2026, a consolidated regulatory framework governing recurring digital transactions across cards, UPI, and prepaid instruments, including domestic and cross-border payments. The framework mandates one-time registration of e-mandates with additional factor authentication (AFA), requires issuers to send pre-transaction notifications at least 24 hours prior to debit along with post-transaction alerts, and provides customers the flexibility to modify or revoke mandates at any time. It permits recurring transactions up to ₹15,000 without AFA (and up to ₹1 lakh for specified categories such as insurance, mutual funds, and credit card bills), while ensuring enhanced transparency, customer control, and grievance redressal mechanisms. Overall, the directions aim to standardise and streamline recurring payment rules, strengthen security and consent architecture, and promote a more user-friendly and reliable digital payments ecosystem.
- Securities and Exchange Board of India (SEBI) vide Circular No. HO/(1)2026-AFD-POD2/I/10157/2026 dated 24.04.2026 has introduced a framework for net settlement of funds for transactions undertaken by Foreign Portfolio Investors (FPIs) in the cash market, allowing FPIs to offset buy and sell obligations within a settlement cycle and settle only the net payable or receivable amount. The framework replaces the earlier gross settlement approach for fund obligations in eligible “outright” transactions (i.e., only buy or only sell positions in a security during a cycle), while continuing to maintain gross settlement for securities delivery and existing clearing mechanisms. It is aimed at reducing liquidity requirements, lowering funding and forex costs, and improving operational efficiency for FPIs, with implementation mandated by December 31, 2026, alongside specified conditions on eligibility, settlement structure, and treatment of non-nettable trades.
- 1.SEBI vide Circular No. HO/49/14/14(13)2026-CFD-POD2/ I/8772/2026 dated 07.04.2026 has issued a circular granting a one-time relaxation from the applicability of penal provisions under its Master Circular for non-compliance with Minimum Public Shareholding (MPS) requirements under the SEBI (LODR) Regulations, 2015. The relaxation applies to listed entities whose MPS compliance deadlines fall between April 1, 2026 and September 30, 2026, during which stock exchanges and depositories have been directed not to initiate any penal action such as fines or freezing of promoter shareholding, and to withdraw any actions already



SAGA LEGAL

initiated in this period. The move is aimed at providing temporary regulatory relief to companies facing difficulties in meeting MPS norms due to volatile market conditions and geopolitical uncertainties, while maintaining the overall regulatory framework intact.

- Insurance Regulatory and Development Authority of India (IRDAI) vide Notification No. IRDAI/RI/ 3/217/2026 dated 09.04.2026 has notified the obligatory cession requirements for FY 2026-27, mandating that general insurers cede 4% of the sum insured on every applicable policy to the domestic reinsurer, General Insurance Corporation of India (GIC Re). The framework continues to support domestic reinsurance capacity by ensuring a fixed portion of risk is retained within India, thereby enhancing financial stability and reducing reliance on overseas reinsurers. It also prescribes minimum commission structures across insurance classes and retains a profit-sharing mechanism (on a 50:50 basis) between insurers and GIC Re, along with exemptions for specific segments such as terrorism and nuclear pool business.






SAGA LEGAL

DEALS THIS MONTH


- Snabbit, a quick home services platform that provides on-demand access to everyday household help such as cleaning and other routine tasks through a rapid fulfilment model, has raised \$56 million in its Series D round. The Company intends to deploy the capital to deepen its presence in existing cities, expand into new micro-markets, and increase service density. It also plans to launch adjacent high-frequency service categories such as home cooks, while investing in supply-side scaling, operational efficiency, and overall customer experience.
- Oolka, an AI-powered credit and risk management platform that helps financial institutions and businesses automate collections and improve recovery outcomes through data-driven insights, has raised ₹130 crore (approximately \$14 million) in its Series A round. The Company plans to use the proceeds to scale its technology platform, invest in product innovation, and expand its customer base. The funds will also support business expansion, capital expenditure, and overall growth initiatives.
- LightFury Games, a gaming studio focused on developing high-quality, console-like gaming experiences with a strong emphasis on sports-based titles, has raised \$11 million in its pre-Series A round. The Company intends to use the funds to complete development of its flagship AAA cricket game, "eCricket." It also plans to build robust live operations infrastructure, including post-launch content pipelines and scalable systems, to support long-term user engagement.
- Emversity, an education-to-employment platform that trains healthcare professionals and connects them with global job opportunities, has acquired nurse mobility platform Lanstitut for approximately \$4.25 million. The Company plans to leverage the acquisition to expand into international healthcare hiring markets. The deal will help it establish global demand corridors starting with Germany and strengthen its ability to place trained talent in overseas roles, thereby scaling its cross-border healthcare workforce solutions.
- HyugaLife, a health and wellness marketplace that offers a wide range of proteins, supplements, and nutrition products, focusing on verified and authentic offerings through direct sourcing and quality testing, has raised \$10.5 million (approximately ₹100 crore) in its Series A round. The Company plans to use the funds to strengthen its AI-led personalisation stack, build a dark store network to enable faster deliveries, and expand into offline retail channels, while continuing to scale its product catalogue and overall platform capabilities.



SAGA LEGAL

-  **New Delhi:** 248, Third Floor, Okhla Industrial Area Phase 3 Delhi-110020
-  **Bengaluru:** 2216, First Floor, UKS Steel Plaza, 80 Feet Road, HAL 3rd Stage, Indiranagar, Opp ISRO Bengaluru- 560 075
-  **Mumbai:** 3/A-3, 3rd Floor, Court Chambers 35, New Marine Lines, Mumbai-400020

 contact@sagalegal.in

 +91 11 4106 6969 | +91 11 4107 6969
+91 80 4229 6819 | +91 22 3155 0631

 www.sagalegal.in

DISCLAIMER

This publication is intended to be circulated for informational purposes only. The publication in no way constitutes legal advice/opinion being provided by Saga Legal to its readers or the public at large. Saga Legal encourages the readers to seek professional legal advice before acting upon the contents provided herein. The firm shall not be responsible for any liability or loss that may be attributed to the contents of this publication. This publication is property of Saga Legal, and the same may not be circulated, distributed, reproduced or otherwise used by anyone without the prior express permission of its creators.