

amicus

An e-newsletter from
Lakshmikumaran & Sridharan, India

March 2020 / Issue-102

Contents

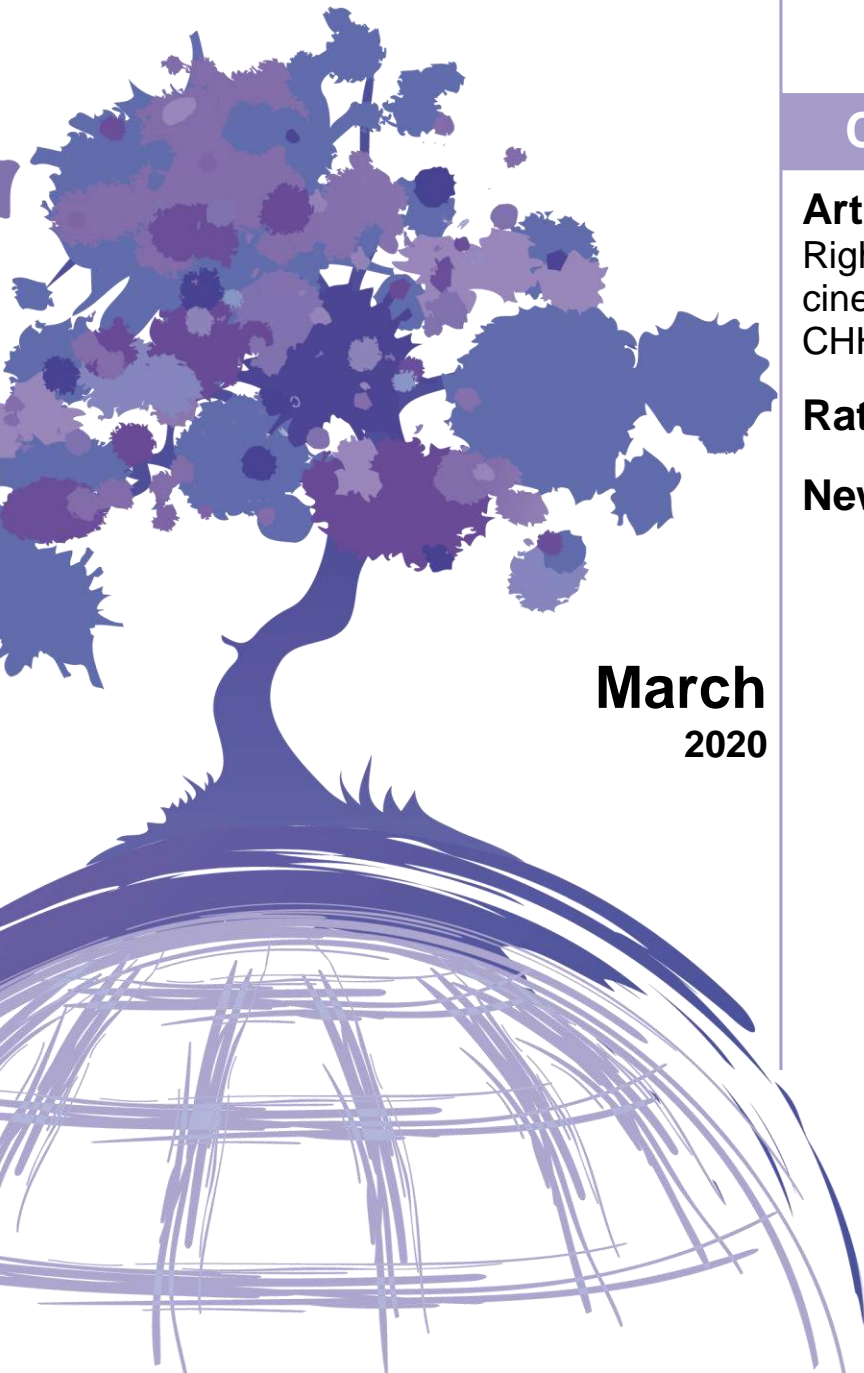
Article

Right to paternity of contribution in
cinematographic film – Analysis of the
CHHAPAK case..... 2

Ratio Decidendi 6

News Nuggets..... 9

March
2020





Article

Right to paternity of contribution in cinematographic film – Analysis of the CHHAPAK case

By **Saksham Garg**

Abstract:

In the case of *Fox Star Studios (Division of Star India Private Limited) v. Aparna Bhat & Ors.*¹, a Single Judge of Delhi High Court *vide* its order dated 11th January 2020, held that once a person has contributed to any cinematographic film in any manner, then as per the moral rights, he/ she has right to paternity. The Single Judge upheld an order dated 9-1-2020 of the Trial Court granting mandatory interim injunction in favour of the Respondent (*Plaintiff* in the original suit) and against the Petitioner / Appellant (*Defendant* in the suit). Further, the Single Judge applied the maxim of promissory estoppel in favour of the Respondent and against the Petitioner/Appellant to hold that a valid expectation had been created in the Plaintiff's favour of having her work in the film recognized in the credits sequence. The Court thus held that the Plaintiff's role in contributing to the film should be well recognized and acknowledged. Furthermore, the Court observed that there was no monetary benefit, or any other kind taken by the Plaintiff in lieu of her services and deserved the right to acknowledgement.

Facts of the case:

The present suit was in relation to a cinematographic film 'CHHAPAAK' which was released on 10th January 2020. The Respondent claimed that her contribution in the film was

substantial, clearly recognized by the Petitioner *via* correspondences, and was also supposed to be suitably acknowledged in the film by Petitioner. The Respondent is a practicing lawyer and had represented the acid attack survivor Ms. Laxmi Agarwal, on who's life the film 'CHHAPAAK' was based. It was the Respondent's case that on 7th January 2020, she came to know of the absence of her name in the credits sequence of the cinematographic film when she was invited at the premier of the movie. She contended that she had neither any indication, nor any communication made to her stating that her role would not be acknowledged or recognized in the opening credits as earlier represented. The e-mails and other correspondences between the parties were placed on record by the Respondent to show that she played a significant role by contributing to the film and which was even recognized by the Petitioner in said correspondences and accordingly, she had approached the Trial Court seeking interim relief in the form of an injunction against the nationwide release of the film to public audiences. The Trial Court *vide* said interim order dated 9-1-2020 granted an *ex-parte* ad-interim relief stating that "...it is necessary that her contribution be acknowledged by providing on the slide of actual footage and images, the line "Aparna Bhatt continues to fight cases of sexual and physical violence against women" during the screening of the film...". The Petitioner challenged the order of the Trial Court

¹ CM (M) 15/2020

by means of the instant petition in the Delhi High Court wherein the present order has been passed.

Contentions of the parties:

The primary contention of the Petitioner was that there was an error on the part of Trial Court to grant an *ex-parte* ad-interim injunction. The Petitioner submitted that an *ex-parte* ad-interim injunction can only be granted to restore the *status quo* and cannot be granted to create a fresh state of affairs, by relying upon the judgment of *Dorab Cawasji Warden v. Coomi Sorab Warden and Others*².

Further, it was contended by the Petitioner that the Trial Court went beyond the relief sought by the Respondent/Plaintiff as she had only prayed for restraint on the release of the film. However, the Court went beyond the prayers of the Respondent by ordering a mandatory injunction for inclusion of credits in the film which had not been sought by the Plaintiff/ Respondent. Also, reliance was placed on Rule 36, Section IV, Chapter II, Part VI of the Bar Council of India Rules by the Petitioner which states that it is barred to promote or advertise a lawyer and hence, if the credit sought for by the Respondent (being a lawyer) was not permitted under law, the same cannot be granted by the Trial Court.

It was further argued by the Petitioner that, there is no legal ground or basis in the case of the Respondent as even from a *prima facie* view of the matter, there seems to be no violation of any legal right of the Respondent. The Petitioner submitted that neither there was any contract between the parties nor any understanding/ agreement that was entered between the parties that could acknowledge the role of Respondent.

The Respondent/Plaintiff on the other hand submitted that she has been rendering pro-bono services for the acid attack victims for past more than ten years, and back in 2016, when she was approached by the Petitioner, the Respondent had entrusted upon them all her inputs and provided enormous help in the making and direction of the film. Reliance was placed on the extracts of the script wherein the Respondent/Plaintiff had personally made corrections, thus, evidencing her contribution to the film. Also, various email correspondences and other communications exchanged between the parties were placed on record establishing the understanding that the Respondent/Plaintiff would be acknowledged in the film. It was further submitted by the Respondent that by applying the principle of promissory estoppel, the relief sought ought to be granted. Further, the Respondent relied on various judgments to establish that even at the interim stage, an order which is similar to a final relief can be passed, viz. *Deoraj v. State of Maharashtra and Ors.*³, *Sajeev Pillai v. Venu Kunnapalli*⁴, *Saregama India v. Balaji Motion Pictures Limited*⁵, *Kirtibhai Raval v. Raghuram Jaisukhram*⁶.

Furthermore, it was urged on behalf of the Respondent that other parties like Alok Dixit (NGO owner), who is also a contributor to the film, has been mentioned in the opening credits while her name has not been mentioned. Specifically, reliance was also placed by the Respondent on an e-mail dated 17th November 2018, in which a draft screenplay was shared by the Petitioner with the Respondent, wherein it was represented to the Respondent that her name would appear in the credits in the following manner:

³ (2004) 4 SCC 697

⁴ FAO No. 191/2019

⁵ CS (COMM) 492/2019

⁶ Appeal From Order No. 262/2007

² (1990) 2 SCC 117

Credits in the Draft Screenplay

ON ACTUAL FOOTAGE & IMAGES:

Laxmi's PIL concluded in April 2015 when all 4 pleas were finally granted. The Supreme Court ordered that both government and private hospitals provide completely free treatment and care to victims of acid attack.

In 2014, Laxmi was presented the International Woman of Courage award by Michelle Obama.

Laxmi and Alok have a daughter.

Aparna Bhat continues to fight cases of sexual and physical violence against women.

The campaign against Acid Violence in India still continues.

The road ahead is a long one ...

Cases of Acid attacks 2012:106

2013: 116

2014: 349

2015: 249

2016: 307”

The Single Judge observed that the above e-mail clearly shows that the Petitioner acknowledged the Respondent's contribution in the making of the film. The Respondent stated that no such credit was given when the premier of the film was shown to the Respondent before the release of the film. The Respondent wrote a letter to the Petitioner stating that she expected her contribution to the film to be acknowledged but was not found in the final screenplay / credits, to which email the Petitioner replied as follows:

“ ...

Dear Aparna,

I am writing this as placeholder because as you rightly said, I do have too much going on. Between copyright cases to inclusion and exclusion complaints. (I guess just making this film wasn't enough)

I will respond to your email once I'm relieved

of my duties of releasing this film. Till then let be on record, that whenever I have detailed the real life characters w.r.t. to the film in any of my interviews, I have always mentioned you.

And perhaps acknowledged you and your contribution to Laxmi and the PIL in the film, more than Laxmi had ever done. You have said so yourself.

I will leave that with you. ...”

The Respondent also relied on the judgment in the case of *Monnet Ispat and Energy Limited v. Union of India and Others*⁷ for seeking relief on the ground of promissory estoppel.

The Single Judge observed the e-mails exchanged between the parties and the draft screen play evidenced that the Petitioner clearly acknowledged the Respondent's contribution, to which the Petitioner argued that there is no

⁷ (2012) 11 SCC 1

contract of service between the Plaintiff and the producers/director and no consideration was paid to the Respondent by the Petitioner.

The Ld. Single Judge observed the following:

- It is a settled legal position that the threshold to establish promissory estoppel is very high, and in order for any conduct to constitute promissory estoppel, there has to be a clear and unequivocal promise, which is intended to create a legal relationship, and that such promise would be binding;
- The correspondence between the parties shows that an expectation was created in the Respondent's/Plaintiff's mind that her inputs and contribution in the making of the film would be adequately acknowledged;
- There is no doubt that the non-acknowledgment of the contribution of the Respondent is contrary to what was represented to her since the inception of the making of the film;
- The effort, skill and labour of the Respondent cannot be undermined especially after a clear assurance, representation and promise was made to recognise her contribution;
- The consideration for the Respondent in rendering her services was not monetary but in the form of the recognition and she expected some form of acknowledgement of her role in the making of the film, since there no monetary consideration that was either demanded or given;
- It is also the well-settled position in law that in order for any person's paternity rights in any work to be recognised, a written contract is not required (replying upon

*Neha Bhasin v Anand Raaj Anand & Anr.*⁸). The right of paternity is an integral part of the moral rights of a person who makes any contribution; and

- The general rule is not to grant a mandatory injunction at the interim stage but the same can be granted to restore the *status quo ante* and to remedy a situation at once (replying upon *Dorab Cawasji case*⁹).

Decision by the High Court:

The Court ruled that the Respondent had not only provided help by contributing to the history of the criminal trial, the proceedings coming therefrom, and the public interest litigation filed at the Apex Court, but also gave documents, explained the nuances in detail of litigation processes and modified and corrected the script. Thereby, she has helped in the maintenance of the integrity and credibility of the film in respect of the legal journey gone through by the victim. The Court, besides relying upon the abovementioned observations and legal principles of paternity rights, promissory estoppel, and mandatory injunction, also relied upon the Supreme Court judgment in the case of *Suresh Jindal v. Rizsoli Corriere Della Sera Prodzioni T.V. Spa and Others*¹⁰ in order to reach its final conclusion. The Court stated that the Supreme Court in the *Suresh Jindal* case, when confronted with similar facts, held that the non-grant of relief would make the entire suit infructuous and that damages was not an adequate remedy, and also held that even 'some part' that the Plaintiff therein played in the film, deserves to be acknowledged. The Single Judge observed that while the recognition given by the Trial Court may be wide, the Respondent deserves to be acknowledged for her contribution to 'some part' in making of the film.

⁸ (2006) 132 DLT 196

⁹ *Supra* 2

¹⁰ 1991 Supp (2) SCC 3

Accordingly, the Court restrained the Petitioners from releasing the film on any electronic medium without giving acknowledgement of the name of the Respondent in the opening credits in the following manner: *“Inputs by Ms. Aparna Bhat, the lawyer who represented Laxmi Agarwal are acknowledged.”*

Conclusion:

This case, thus, recognizes the right of a contributor to be credited and acknowledged for his/her contribution to the work. The contributor has paternity right under the moral rights allotted to a person under Section 57 of the Copyright Act, 1957 (part of moral rights). The Court in this case observed that if any person has contributed even ‘some part’ in making of a cinematographic film, then that person’s right cannot be prejudiced by not giving him/her any recognition or

acknowledgement. In this particular case, there were admissions on the part of the Petitioner in the form of e-mails and other correspondences in relation to the work in making of the film which was contributed by the Respondent as evidence for her efforts as also communications which created expectations in the mind of the Respondent that her contributions shall be acknowledged. Thus, any person cannot be left unrecognized in case of contribution made to any artistic work in the absence of a contract to that effect. Further, an effective remedy can be provided in such cases by applying the principle of promissory estoppel and granting a mandatory injunction to the effect of acknowledging such contribution.

[The author is a Senior Associate in IPR practice in Lakshmikumaran & Sridharan, New Delhi]



Ratio decidendi

Patents – Cobicistat is not a derivative of Ritonavir – Differences in structure

Rejecting the pre-grant opposition filed by a patient group, a community-based non-profit organisation, the Assistant Controller of Patents at New Delhi has granted an Indian patent to Cobicistat, marketed under trade name Tybost, a licensed drug for use in the treatment of HIV and AIDS. The opponents had pleaded lack of inventive step, no enhanced therapeutic efficacy, and being a mere admixture resulting only in the aggregation of the properties of the components.

The Patent office was of the view that claimed invention was not obvious for a person skilled in the art with respect to the cited prior documents

and that the applicant had also shown that the claimed compound had no appreciable protease inhibition activity but acts as an excellent pharmacokinetic enhancer. The claims were considered to involve an inventive step as required under Section 2(1)(ja) of the Patents Act.

The Assistant Controller also held that that Cobicistat is not a derivative of Ritonavir in view of structural differences between cobicistat and ritonavir, i.e. presence of morpholine group in place of isopropyl and absence of hydroxyl group at a position. Observing that such differences in structure cannot be considered as mere structural modification carried out as part of

development of derivatives of ritonavir, it was held that the claimed compounds are not to be considered as mere discovery of new forms, i.e. derivative of the known compound ritonavir, and hence does not fall within the scope of Section 3(d) of the Patents Act.

Similarly, pleas of lack of clarity and insufficient disclosure by the applicant were also rejected. It observed that various schemes of preparation of cobicistat were also described in the specification. [*Gilead Sciences, Inc.* – Pre-grant opposition in Patent Application Number 10487/DELNP/2008, decided on 24-2-2020, Controller of Patents, New Delhi]

Patents and design – Right to file infringement suit not affected during pendency of post-grant opposition

In a suit for infringement of patent and design, the Delhi High Court has rejected the contention of the defendant that the infringement suit cannot be filed within one year of the grant of patent. The Court in this regard observed that the Supreme Court in the case of *Aloys Wobben & Anr. v. Yogesh Mehra & Ors.*, did not hold, as it was also not an issue before it, that a suit for infringement within one year of grant of the patent would not be maintainable and would be liable to be rejected as premature. The Court was of the view that plaintiff has a right as a patent holder under Section 48 of the Patents Act and that this right is not affected during the pendency of a post-grant opposition. It held that as the rights in favour of a patentee even though may not have finally crystallized, pending post-grant opposition, the patentee is not required to wait for one year period to sue for infringement.

In respect of territorial jurisdiction, the Court was of the view that the defendant's offering for sale of its goods at Delhi besides the other pleadings is sufficient for the Delhi High Court to vest with the territorial jurisdiction to try the present suit at this

stage. It however, held that in view of the preliminary objection taken by the defendant in the written statement this issue will have to be decided after the parties have led their evidence. [*CDE Asia Limited v. Jaideep Shekhar & Anr.* – Order dated 24-2-2020 in CS (COMM) 124/2019, Delhi High Court]

Copyrights over musical works – Rights of Producer and not Composer of work

The Madras High Court has held that the famous music composer Mr. Ilayarajah is not the copyright owner of some of the film songs in dispute, while he may be the author of those songs. The Court held that it is the producers of the films who are the copyright owners of the songs. The musical works were created between 1978 to 1980 and the assignments relied by the plaintiff were between this period. The plaintiff had submitted that, the plaintiff being the assignee of the copyright of the musical work from its first owner namely the producers have exclusive right to exploit the same.

The Court noted that prior to Amendment Act 38 of 1994, the inclusive definition of cinematography film includes the sound track, if any and thus, the first ownership of the musical work in a cinematograph film vests with the producer, in the absence of any agreement to contrary. Taking note of the fact that in a case of the audio right of a song in the film, the music as well as the lyric are two distinct intellectual works, and then there is the performer, the Court held that the Act has rightly vested the first ownership with the producer, who had blended all these works together to make a film. The Court also observed that having failed to produce any contract with the producer to indicate the composer has retained the copy right with him, the composer is vest only with the special rights (protection from distortion etc.) mentioned in Section 57 of the Copyright Act and none else.

Lastly, allowing the suit and granting the decree with costs, the Court held that not impleading the assignors (producers of the feature films) was not fatal and that the suit was not bad for non-joinder of necessary party. [*Indian Record Manufacturing Co. Ltd. v. Agi Music Sdn Bhd.* - C.S.No.296 of 2016, decided on 13-2-2020, Madras High Court]

Trademarks – No abandonment of mark by non-renewal of registration

In a case involving infringement and passing off, the Bombay High Court has held that assignor of the trademark, by not renewing its registration of the mark, cannot be deemed to have abandoned the trademark thus allowing the trademark to fall into public domain. The Court rejected the plea that the trademark had fallen in public domain and that the defendants were well within their rights to adopt the trademark and market their goods under it. It observed that the assignor may have ceased to be a registered proprietor of the trademark KYK but it did not cease to be a proprietor of the trademark. It noted that as a proprietor, it had assigned the trademark, together with the goodwill, to Plaintiff No.1, who thereafter had got such registration. Delhi High Court decision in the case of *Indian Association of Thermometry v. Hicks Thermometers India Ltd.*, was distinguished by the Court for the purpose.

Granting interim protection, the Court also observed that there was a clear case of passing off as the rival goods, which were exactly identical, were sold by the defendants in an exactly same packaging material or trade dress, having the same artistic work, design, layout, get up and also the colour scheme. It observed that the case was not just of passing off of one's goods as the goods of the other but in fact dealing in counterfeit goods. [*Mohtimbas Engineering Pvt. Ltd. and Anr. v. Machine N Tools and 4 Ors.* – Order dated 28-1-2020 in

Commercial IP Suit No. 1197 of 2019, Bombay High Court]

Trademarks – Use of mark “Isetan Tartan” on non-Scotch whisky is sufficiently deceptive as to product's geographical origin

Observing that “tartan” is an iconic symbol of Scotland used to signify a link with Scotland and that secondly the Singapore consumers recognise tartan as a Scottish icon, the High Court of the Republic of Singapore has held that the use of the mark “Isetan Tartan” on non-Scotch whisky products is sufficiently deceptive as to the product's geographical origin. Allowing the appeal filed against dismissal of opposition application for registration of mark “Isetan Tartan”, the Court noted that the public in Singapore was familiar with tartan, and Scotland more generally, and that there was ample evidence to show that tartan was an iconic symbol of Scotland.

The Court was of the view that in the mind of the whisky drinker, any whisky bearing the label “Tartan”, whether or not it be accompanied with the word “Isetan”, will call to mind Scotch whisky. It observed that the nature of the deception is also intensified because Scotland is globally renowned for its whisky. The plea that the word “Isetan” in front of the word “Tartan” makes the mark any less deceptive, was rejected by the High Court while it observed that even though the word “Isetan” would invoke Japan, it was unlikely that the average consumer would think that all the different products sold in Isetan (a departmental store) originate from Japan. The Court, however, opined that the mark would have been allowed if this category of goods, i.e., whisky that is not Scotch whisky, were excluded from the class of goods that the mark is to be used for.

The Singapore High Court however rejected the ground of opposition based on Sections 7(5) and 7(7) of the Trade Marks Act. It observed that use of the word “Tartan” neither denotes a particular place, nor does it clearly attribute a given quality, reputation or characteristic to a place. It noted that a tartan is the name for a cross-chequered repeating pattern. Appellants plea to extend the definition of “geographical indication” to include matters that were not places, was hence rejected. [*Scotch Whisky Association v. Isetan Mitsukoshi Ltd.* - [2019] SGHC 200]

Trademarks – Amendment to plaint for passing off after registration of mark post filing of suit

Observing that the basic facts necessary for an infringement action were already present in the original plaint filed for passing off, excepting the fact of registration of the trade mark of the petitioner, the Calcutta High Court has allowed the application for amendment of the plaint, after the grant of registration of trademark. The

trademark of the petitioner was registered during the pendency of the suit. The Court in this regard held that the nature and character of the suit will not change after the amendment as the basic fact remains unaltered. It was also held that the proposed amendment was necessary for the purpose of deciding the real controversy between the parties.

It noted that though the rights of the parties are normally decided on the date of suit, the Court was of the view that if a fact arising after the institution of the suit has a fundamental impact on the relief which the suitor is entitled to, such events must be taken into consideration to render substantial justice to the parties. It was held that registration of the petitioner’s trade mark was a subsequent event having a fundamental impact on the relief. The Court was also of the view that this would avoid multiplicity of suits. [*Sony Kabushiki Kaisha v. Mahaluxmi Textile Mills – Order dated 27-2-2020 in C.O. 3008 of 2011, Calcutta High Court*]



News Nuggets

“Andaman Bigg Boss” deceptively similar to mark “Bigg Boss”

The Bombay High Court has granted interim injunction in case of alleged infringement and passing-off of the trademark Bigg Boss, Big Brother / Bigg Boss formative marks, device of eye and the tagline “India Isse Apna Hi Ghar Samjho”. Comparing the two marks, the Court was of the view that there was no doubt that the rival marks of defendants – Andaman Bigg Boss, was identical and/or deceptively similar to the abovementioned mark of the plaintiff. The Court was of the opinion that similarity between the rival marks – name, device of eye,

taglines, cannot be a matter of coincidence. Observing that Defendants’ impugned device of eye and Bigg Boss mark were a reproduction / substantial reproduction of the Plaintiffs’ device of eye / Bigg Boss mark, the Court in the case of *Endemol Shine Nederland Producties B.V. v. Andaman Xtasea Events Private Limited* agreed with the submission that the defendants were misleading the public at large for their own benefit. It also observed that acts of the defendants were nothing but a systematic attempt to come as close as possible to the plaintiff’s trademarks and show so as to deceive the public or somehow associate the impugned mark and show with

the plaintiffs. Defendants had admitted that their show was inspired from Bigg Boss.

Territorial jurisdiction – Apprehension of future activity within jurisdiction of Court

In a case where there was credible apprehension that the defendant will seek to carry on the impugned activity within the jurisdiction of the Court, the Delhi High Court has rejected the contention of the defendant that case should be returned for want of jurisdiction. The defendant had plead that the plaintiff's apprehension regarding the entry of the defendant into the Delhi market was fanciful and that the defendant had no intention to offer its services in Delhi. The High Court, however, in the case *LYFT Inc v. Goer Techno Infra Pvt. Ltd.*, relying on three Division Bench decisions of the Court held that averments contained in the plaint were sufficient to negate the plea of the defendant under Order VII Rule 10 of the CPC. The Court further justified the credibility of the perceived threat by reference to three documents – a newspaper report to the effect that the defendant may enter the market in Delhi, user reviews of the defendant's mobile application, and the defendant's statement that its trademark is being used "throughout the length and breadth of the country".

GI mark for 'Basmati' rice – Inclusion of certain areas of Madhya Pradesh

The Madras High Court has upheld the IPAB Order directing the authorities to issue GI Registration Certificate to APEDA in respect of the areas indicated in Application No.145 for GI of Basmati rice. The Court observed that the petitioners had no qualm or grievance in respect of areas indicated therein and had only sought for inclusion of certain other areas, i.e. certain areas in Madhya Pradesh. The

Court observed that the issue as regards the validity of the issuance of GI Registration, was pending before the Court in another set of Writ Petitions. Dismissing the writ, the Court also observed that petitioner have an alternative and efficacious remedy available by filing an application to the Registrar of Trade Mark under Section 27 of the Geographical Indications Act seeking to cancel or vary the GI Certificate issued to APEDA. The Court in the case *State of Madhya Pradesh v. Madhya Kshetra Basmati Growers Association Samiti* also observed that non-consideration of the averments made in the written submission, will not make a judicial order invalid, and that the pleadings raised by a party to the "lis" at the first instance or any additional pleadings permitted to be raised alone, are to be taken as the one which has an evidentiary value and not the written submissions.

Inspection of documents – Confidentiality club – External expert not mandatory

The Delhi High Court has rejected the contention that the Confidentiality Club to be formed for inspection of documents shall only include an external expert and not an internal expert. The applicant-defendant had pointed out that confidentiality clubs are constituted with a view to ensure that the sanctity and confidentiality of business and commercially sensitive information / material filed by a party is maintained, and hence the presence of an in-house representative of the plaintiff, in order to inspect the documents containing confidential information, would defeat the purpose of constitution of such clubs. It was plead that documents to be inspected contained confidential information and test data generated by the applicant relating to the main clinical and pre-clinical tests of its

biosimilar drug to Trastuzumab. The Court in the case *Genentech Inc. v. Drugs Controller General of India*, however, observed that even if inspection is carried out by an external expert, still he has to divulge the information acquired from the documents to enable the plaintiff to carry out the amendments to establish its claim in the suit. The Court was of the view that inspection shall otherwise lose its relevance, if the outcome of the same is not utilized purposefully by the party, which sought the inspection.

Purpose of IPAB completely set at naught: Delhi High Court

A Single Judge of the Delhi High Court has recently observed that the purpose of the IPAB, i.e. speedy disposal of appeals and rectification applications, has been completely set at naught owing to the manner in which the IPAB has been functioning since the time it was constituted. Taking note of the fact that more than 16 years have passed since the

IPAB has been constituted, it observed that there was no progress to strengthen the IPAB or expedite the appointments process and that it is completely under-staffed and lacks even basic infrastructure. Further, the Court was of the view that *prima facie*, once the order of the Supreme Court was passed, to deal with an extraordinary situation, no further approval in respect of continuation of Chairman of IPAB, was required. The Court in its Order dated 27-2-2020 in the case of *Merck Sharp and Dohme Corp. v. Union of India* was of the view that since there is no break in service, *prima facie* no fresh approval of the Appointment Committee of the Cabinet was required. It may be noted that earlier, the Supreme Court had on 18-12-2019 allowed Mr. Justice (Retd.) Manmohan Singh to continue as Chairman of IPAB for a period of one year after his age of superannuation. [Refer News Nuggets in January 2020 issue of IPR Amicus]

NEW DELHI

5 Link Road, Jangpura Extension,
Opp. Jangpura Metro Station,
New Delhi 110014

Phone : +91-11-4129 9811

B-6/10, Safdarjung Enclave
New Delhi -110 029

Phone : +91-11-4129 9900

E-mail : lsdel@lakshmisri.com

MUMBAI

2nd floor, B&C Wing,
Cnergy IT Park, Appa Saheb Marathe Marg,
(Near Century Bazar)Prabhadevi,
Mumbai - 400025

Phone : +91-22-24392500

E-mail : lsbom@lakshmisri.com

CHENNAI

2, Wallace Garden, 2nd Street
Chennai - 600 006

Phone : +91-44-2833 4700

E-mail : lsmds@lakshmisri.com

BENGALURU

4th floor, World Trade Center
Brigade Gateway Campus
26/1, Dr. Rajkumar Road,
Malleswaram West, Bangalore-560 055.

Ph: +91(80) 49331800

Fax:+91(80) 49331899

E-mail : lsblr@lakshmisri.com

HYDERABAD

'Hastigiri', 5-9-163, Chapel Road
Opp. Methodist Church,

Nampally

Hyderabad - 500 001

Phone : +91-40-2323 4924

E-mail : lshyd@lakshmisri.com

AHMEDABAD

B-334, SAKAR-VII,
Nehru Bridge Corner, Ashram Road,
Ahmedabad - 380 009

Phone : +91-79-4001 4500

E-mail : lsahd@lakshmisri.com

PUNE

607-609, Nucleus, 1 Church Road,
Camp, Pune-411 001.

Phone : +91-20-6680 1900

E-mail : ls pune@lakshmisri.com

KOLKATA

2nd Floor, Kanak Building
41, Chowringhee Road,
Kolkatta-700071

Phone : +91-33-4005 5570

E-mail : lskolkata@lakshmisri.com

CHANDIGARH

1st Floor, SCO No. 59,
Sector 26,

Chandigarh -160026

Phone : +91-172-4921700

E-mail : lschd@lakshmisri.com

GURGAON

OS2 & OS3, 5th floor,
Corporate Office Tower,
Ambience Island,

Sector 25-A,

Gurgaon-122001

phone: +91-0124 - 477 1300

Email: lsurgaon@lakshmisri.com

ALLAHABAD

3/1A/3, (opposite Auto Sales),
Colvin Road, (Lohia Marg),

Allahabad -211001 (U.R)

phone . +91-0532 - 2421037, 2420359

Email:lsallahabad@lakshmisri.com

KOCHI

First floor, PDR Bhavan,
Palliyil Lane, Foreshore Road,
Ernakulam Kochi-682016

Tel: +91 (0484) 4869018; 4867852

E-mail: lskochi@lakshmisri.com

Disclaimer: IPR Amicus is meant for informational purpose only and does not purport to be advice or opinion, legal or otherwise, whatsoever. The information provided is not intended to create an attorney-client relationship and not for advertising or soliciting. Lakshmikumaran & Sridharan does not intend to advertise its services or solicit work through this newsletter. Lakshmikumaran & Sridharan or its associates are not responsible for any error or omission in this newsletter or for any action taken based on its contents. The views expressed in the article(s) in this newsletter are personal views of the author(s). Unsolicited mails or information sent to Lakshmikumaran & Sridharan will not be treated as confidential and do not create attorney-client relationship with Lakshmikumaran & Sridharan. This issue covers news and developments till 13th March, 2020. To unsubscribe, e-mail Knowledge Management Team at newsletter.ipr@lakshmisri.com

www.lakshmisri.com

www.gst.lakshmisri.com

www.addb.lakshmisri.com

www.lakshmisri.cn