



Luthra *and* Luthra
LAW OFFICES INDIA

COMPETITION LAW ALERT

Newsletter : March - April 2026 Edition





INSIDE

- **CCI finds no violation of the Competition Act by BookMyShow**
- **CCI orders investigation against Venkateshwara Hatcheries Group**
- **CCI goes easy on suppliers of electrical equipment in a bid rigging matter**
- **CCI finds no case of abuse of dominance by Google**
- **Delhi High Court refuses to interfere with CCI's investigation into fragrance manufacturers for labour related co-ordination**
- **NCLAT stays CCI Order, restrains Haryana Developmental Authorities from taking coercive action against developers**



ANTITRUST DEVELOPMENTS

CCI finds no violation of the Competition Act by BookMyShow

The Competition Commission of India (“CCI”), vide final order dated [12.03.2026](#) in Case No. 46 of 2021, rejected the Director General’s (“DG”) findings of abuse of dominant position against Big Tree Entertainment Pvt. Ltd. (“**BookMyShow**”) in the market for online intermediation services for booking of movie tickets in India.

The informant, a competitor of BookMyShow contended that BookMyShow, having a dominant market position, entered into agreements with certain cinemas/multiplexes in the city of Hyderabad, Telangana whereby, the Informant is allegedly prevented from offering services of his website Showtyme to cinemas for online booking of tickets. Finding merit in the Information, the CCI in its prima facie order dated [16.06.2022](#) had observed that such practices could potentially foreclose competition and directed the DG to cause an investigation into the matter under Section 26(1) of the Competition Act, 2002 (“**Competition Act**”).

The DG found that BookMyShow held a dominant position and engaged in anti – competitive practices such as (i) mandatory reservation of seats exclusively for BookMyShow, thereby limiting availability across platforms, (ii) discriminatory data-sharing practices between multiplexes and single-screen cinemas, (iii) differential revenue sharing of convenience fees, and (iv) exclusive agreements with lock-in clauses and advances restricting entry of competitors, thereby violating Section 4(2)(a)(i), 4(2)(b)(i), and 4(2)(c) of the Competition Act.

However, upon detailed analysis, the CCI held that though the BookMyShow was dominant in the relevant market, the same was tempered by commercial dependence on cinemas and presence of competitors in the market. The Commission noted that “seat reservation” for a limited time was a practical necessity, especially in smaller cities lacking “real time digital integration”. With respect to differential data sharing practices and convenience fees, the CCI noted that the same arose because of the inherent technical and operational differences between single – screen cinemas and multiplexes, and the same cannot be said to be discriminatory since the Competition Act only prohibits unequal treatment amongst equals. The CCI further observed that lock-in periods did not foreclose competition and were commercially justifiable, given the security deposits / advances given by BookMyShow to cinemas.

Accordingly, the CCI concluded that no contravention of Section 4 was made out and directed closure of the matter.

CCI orders investigation against Venkateshwara Hatcheries Group

The CCI *vide* order dated [01.04.2026](#), passed an order under Section 26(1) of the Competition Act has directed the DG to investigate into alleged anti-competitive conduct by the Venkateshwara Hatcheries Group (“**VH Group**”) through its associated entities.



The information was filed by People for Animals, a trust engaged in animal welfare activities, and it was alleged that the VH Group abused its dominant position and imposed vertical restraints in the Indian poultry sector. It was further alleged that the VH Group held a dominant position in both segments, i.e., commercial poultry and backyard poultry, through its control over key breeds such as BV-300 and Vencobb, along with its vertically integrated operations spanning breeding, feed production, equipment, and downstream supply. It was also alleged that the VH Group imposed restrictive conditions through Broiler Breeder Agreements and Layer Breeder Agreements, which restrict the contract breeder from selling, exporting or otherwise dealing in commercial chicks or hatching eggs to “unauthorised persons”, which included competitors, overseas buyers etc. These clauses were alleged to constitute vertical restraints and an abuse of dominance, as they imposed unfair or discriminatory conditions, or limited or restricted the market.

The VH Group contended that the allegations lacked factual and legal basis, that there was no Appreciable Adverse Effect on Competition (“AAEC”), and that vertical integration is a standard practice in the Indian poultry sector that leads to efficiencies such as cost reductions, improved quality control, and enhanced biosecurity. They stated that there was no actual harm to the competition, no evidence of market foreclosure, or consumer harm.

Upon consideration, the CCI noted that the agreements entered into by the VH Group imposed restrictions on breeders, including exclusive dealing and a prohibition on using competing breeds, which may constitute vertical restraints. It also observed that such practices, coupled with the VH Group’s integrated structure, could lead to AAEC by restricting market access and limiting consumer choice. Accordingly, the CCI found a *prima facie* case of violation of Section 3(4) of the Act and directed the DG to conduct a detailed investigation into the matter.

CCI goes easy on suppliers of electrical equipment in a bid rigging matter

The CCI, vide order dated [07.04.2026](#) passed under Section 27 of the Competition Act in Suo Motu Case No. 03 of 2021, found 17 suppliers of electrical equipment and related work to have engaged in bid rigging in 73 tenders floated by Assam Police Housing Corporation Limited (“APHCL”) for internal and external electrification works.

The matter originated from a complaint by the Office of the Accountant General (Audit), Assam, alleging collusion in 73 tenders leading to inflated procurement costs. The CCI, *prima facie*, observed suspicious bidding patterns including identical pricing, narrow bid ranges, and allocation of L-1, L-2, and L-3 positions among bidders, and directed investigation by the DG vide its order dated 21.10.2021.

The DG’s investigation found extensive evidence of collusion, including (i) rotational bidding and distribution of tenders among bidders, (ii) identical or near-identical bid prices, (iii) systematic variation in L-2/L-3 bids in fixed increments, (iv) replication of errors in tender estimates, (v) submission of bids through common IP addresses and a single cyber cafe, (vi) sequentially numbered demand drafts procured



and submitted by common entities, and (vii) call data records indicating communication between bidders. The CCI rejected the opposite parties' explanations (such as reliance on standard schedules, infrastructural constraints, and coincidence) and held that the cumulative evidence demonstrated a "meeting of minds" and concerted manipulation of the bidding process through cover bidding and bid rotation.

Accordingly, the CCI found the opposite parties guilty of violation of Section 3(3)(d) read with Section 3(1) of the Act and passed a cease-and-desist order. However, given the extensive mitigating factors, the CCI decided not impose any monetary penalty.

CCI finds no case of abuse of dominance by Google

The CCI vide order dated 24.03.2026 under Section 26(2) of the Competition Act dismissed allegations of abuse of dominant position against Google India Private Limited ("**Google**"). The Information was filed by M/s Zucol Solutions Private Limited ("**Zucol**") alleging contravention of Sections 3 and 4 of the Competition Act in relation to termination of its Google Play Developer Accounts.

Zucol alleged that Google, being dominant in the market for app stores for Android Operating System in India, arbitrarily terminated its developer accounts without adequate notice or justification, citing alleged policy violations linked to an application "Pobreflix – Series, Movies." It was contended that the termination, including that of a subsequent account, amounted to denial of market access in violation of Section 4(2)(c) of the Competition Act, causing financial and reputational harm.

The CCI delineated the relevant market as the "market for app stores for Android OS in India" and observed that the Google holds a dominant position in the said market. However, upon examination of the material on record, the CCI noted inconsistencies and suppression of material facts by the Zucol, including contradictory submissions regarding the impugned application, failure to provide complete communication records, and non-disclosure of reinstatement of its primary developer account.

The CCI further observed that the Google had acted in accordance with its stated policies, provided an opportunity to appeal, and eventually reinstated Zucol's primary account. The termination of subsequent accounts was found to be in line with the Google's Relation Ban Policy. The Commission also noted that similar issues relating to Google Play policies had already been examined in earlier cases, and the present matter largely pertained to an individual grievance rather than competition concerns.

Accordingly, the CCI held that no prima facie case of abuse of dominant position directed closure of the matter under Section 26(2) of the Competition Act.

Delhi High Court refuses to interfere with CCI's investigation into fragrance manufacturers for labour related co-ordination

The Delhi High Court ("**DHC**") vide judgment dated [23.02.2026](#) dismissed a writ petition filed by International Flavours and Fragrances Inc. ("**Petitioner**") challenging an order dated 13.08.2025 passed



by the CCI under Section 26(1) of the Competition Act in Suo Moto Case No. 02 of 2025 (“**Impugned Order**”). The Impugned Order directed the DG to investigate alleged labour-related coordination among fragrance manufacturers, including the Petitioner.

The Petitioner contended that the CCI had erroneously condoned delay in filing the information beyond the three-year limitation period prescribed under Section 19 of the Competition Act. It was argued that limitation affects substantive rights and cannot be condoned on equitable grounds, and that the Commission improperly considered merits while addressing the issue of limitation.

The DHC noted that the CCI had exercised its discretion under the second proviso to Section 19(1) of the Competition Act to condone delay upon finding “sufficient cause,” including the informant’s internal investigation following dawn raids in March 2023 and prompt approach to the CCI. The CCI also observed that the alleged conduct could be continuing in nature, thereby extending the cause of action. Further, the DHC, relying on the decision of the Supreme Court in CCI v. Steel Authority of India, reiterated that an order passed under Section 26(1) of the Competition Act is administrative in nature and does not determine rights or liabilities and such are not ordinarily amenable to judicial interference.

The DHC further emphasized the limited scope of judicial review under Article 226 of the Constitution of India and observed that no interdiction / interference with the CCI’s investigation was warranted, especially at such a preliminary stage and dismissed the writ petition.

NCLAT stays CCI Order, restrains Haryana Developmental Authorities from taking coercive action against developers

The National Company Law Appellate Tribunal (“**NCLAT**”), vide its order dated 26.02.2026 in Competition Appeal (**AT**) Nos. 02/2026 and 04/2026, granted interim relief in appeals filed by ILD Housing Projects Pvt. Ltd. and CREDAI-NCR (“**Appellants**”) against the CCI order dated 16.12.2025 passed under Section 26(2) of the Competition Act (“**Impugned Order**”).

The appeals arose from the CCI’s decision to close the matter and decline jurisdiction over allegations concerning the levy of External Development Charges (“**EDC**”) by the development authorities in the State of Haryana including the Department of Town and Country Planning (“**DTCP**”), along with other claims that EDC was collected without undertaking corresponding development work and that arbitrary, one-sided, and discriminatory licensing conditions were imposed on developers.

The Appellants highlighted that, in earlier proceedings initiated in 2018, the CCI had taken a contrary position—holding DTCP to be an “enterprise” under the Competition Act and finding that the levy of EDC had a direct economic/commercial impact, thereby falling within its jurisdiction. At that stage, the CCI had also granted interim relief under Section 33 of the Competition Act against coercive recovery of EDC. The matter was subsequently closed in 2022 after DTCP assured compliance with the CCI’s directions, pursuant to which developers withdrew their case. However, in 2024, DTCP withdrew its compliance measures and resumed coercive actions, leading to the Appellants approaching the Delhi High



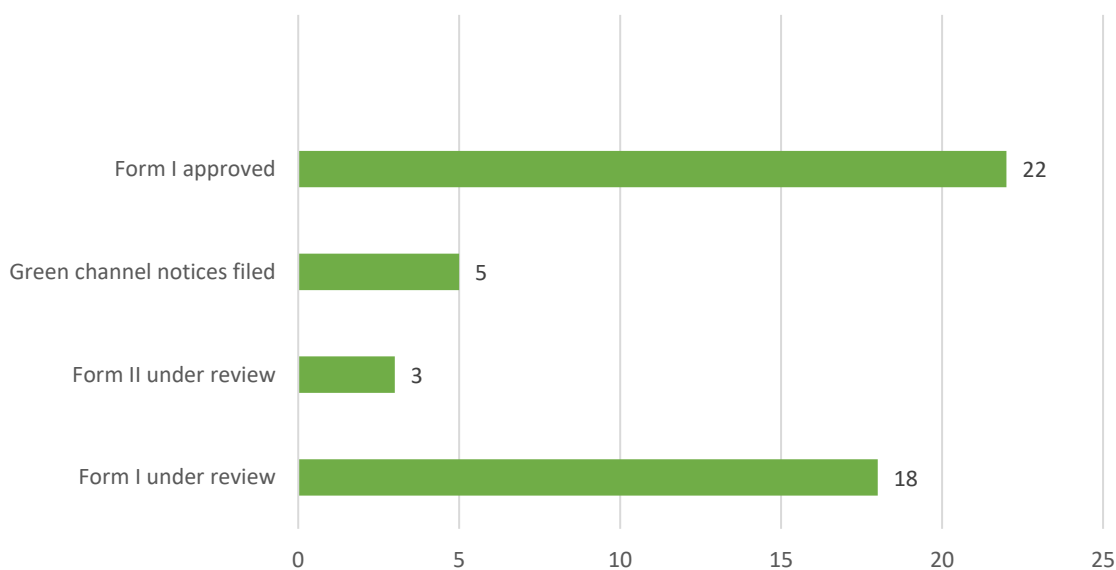
Court, which directed that fresh proceedings be initiated before the CCI. Accordingly, the Appellants filed fresh Information before the CCI, which were closed by the CCI vide the Impugned Order.

In the Impugned Order, the CCI declined to entertain the information on two principal grounds. First, it held that the issue of developers’ liability to pay EDC stood settled by judgments of the Punjab & Haryana High Court (as affirmed by the Supreme Court) and therefore should not be revisited in the interest of judicial propriety. Second, it held that it lacked jurisdiction to examine allegations relating to arbitrary licensing conditions, as these were imposed by DTCP in its capacity as a statutory/regulatory authority.

Aggrieved, the Appellants approached the NCLAT, contending that the CCI had adopted a contradictory stance compared to its earlier findings and had improperly declined jurisdiction. Upon consideration, the NCLAT observed that the apparent shift in the CCI’s legal position warranted deeper scrutiny. Accordingly, it stayed the operation of the Impugned Order and directed that no coercive steps be taken by the Haryana developmental authorities against the Appellants’ licences until further hearing of the appeals.

MERGER CONTROL DEVELOPMENTS

Forms filed and under review



11th Feb – 15th April 2026



This newsletter is only for general informational purposes, and nothing in this edition of the newsletter could possibly constitute legal advice (which can only be given after being formally engaged and familiarizing ourselves with all the relevant facts). However, should you have any queries, require any assistance, or clarifications with regard to anything contained in this newsletter (or competition law in general), please feel free to contact Arjun Nihal Singh / Manav Gupta, at the below mentioned coordinates.

© Luthra and Luthra Law Offices India 2026. All rights reserved.

KEY CONTACTS



ARJUN NIHAL SINGH

Partner

Email - ansingh@luthra.com



MANAV GUPTA

Senior Associate

Email - manavg@luthra.com

OFFICES



NEW DELHI

1st and 9th Floors, Ashoka Estate,
24 Barakhamba Road, New Delhi - 110 001
T: +91 11 4121 5100
F: +91 11 2372 3909
E: delhi@luthra.com



MUMBAI

20th Floor, Indiabulls Finance Center,
Tower 2 Unit A2, Elphinstone Road,
Senapati Bapat Marg, Mumbai - 400 013
T: +91 22 4354 7000
F: +91 22 6630 3700
E: mumbai@luthra.com



BENGALURU

3rd Floor, Onyx Centre, No. 5, Museum Road,
Bengaluru - 560 001
T: +91 80 4112 2800 / +91 80 4165 9245
F: +91 80 4112 2332
E: bengaluru@luthra.com



HYDERABAD

Serene Towers,
House No. 8-2-623/A,
Road No. 10, Banjara Hills,
Hyderabad, Telangana - 500034
T: +91 40 7969 6162
E: hyderabad@luthra.com



CHENNAI

Prestige Palladium Bayan,
8th Floor, Greams Road, Nungambakkam Division,
Egmore, Chennai - 600 006,
Tamil Nadu
T: +91 95604 88155
E: chennai@luthra.com