

Before the Hon'ble Commercial Court, Pune At Pune

Commercial Suit No. /2026

Exympower Innovation Pvt. Ltd.

A Company registered under the provisions of
The Companies Act, 1956

Through its Director and Authorized Signatory

Mr. Prakash Ganpat Khalate

Age : 63 Years, Occ. : Business,

Registered Office At : Exym House 197,
Shriram Vasturachana Sahakari Society,
Near Vi. Sa. Khandekar School, Sahakarnagar No. 1,
Pune 411 009

..... Plaintiff

ORDER

Issue suit summons
to the defendants.

Versus

1. Sanitech Engineers Private Limited

A Company registered under the provisions of
The Companies Act, 1956

Having its Registered Office At : 107, Vardhman Complex,
L. B. S. Marg, Vikhroli West, Mumbai City 400 083

2. Mr. Parth Nilesh Badani

Age : Adult, Occ. : Business

3. Mr. Sanjaykumar Chimanlal Badani

Age : Adult, Occ. : Business

4. Mr. Nilesh Chimanlal Badani

Age : Adult, Occ. : Business

Nos. 2 to 4 Being Directors of No. 1 above

Having Registered Office At : 107,

Vardhman Complex, L. B. S. Marg,

Vikhroli West, Mumbai City 400 083

..... Defendants

**Suit for Specific Performance
and in alternate for Recovery.**

The Plaintiff abovenamed most respectfully submits as under that,

1. The Plaintiff abovenamed is a company registered under the provisions of The Companies Act, 1956 and its registered office is situated at the place mentioned in the title of this application. Wherein, on 09.10.2025 the Plaintiff company has passed a resolution in the name and in favour of Mr. Prakash Ganpat Khalate i.e. one of its Director thereby appointed him to file present Suit against the Defendant No. 1 Company and its Directors and it has further given him necessary ancillary authorities in this regard on behalf of Plaintiff Company. The Plaintiff further submits that, the Defendant No. 1 is a Company registered under the provisions of The Companies Act, 1956 and Defendant Nos. 2 to 4 are its Directors, who use to take day to day business related decisions. Therefore, Defendant Nos. 2 to 4 being Directors of the said Defendant No. 1 Company are jointly and severally legally liable and responsible for the acts, conduct and liabilities of Defendant No. 1 company.

2. The Plaintiff further submits that, the Plaintiff Company is engaged in the business of preparing powder from cow's milk and producing medicines that are nutritious for the body. Since last several years, the Plaintiff company is working to isolate antibodies from cow colostrum that are essential for the human body. These include immunoglobulins (antibiotics), lactoferrin (antibiotics for increasing blood volume and purification), P. R. P. (Proline Rich Polypeptide for increasing immunity), work is being done to manufacture colostrum powder and other medicines.

3. The Plaintiff further submits that, in the year 2022, the Plaintiff Company was in need of Chromatography System Machine and Nano Filtration Machine for producing their products at the factory site situated at Ahmedabad, Gujarat. Accordingly, the Defendant No. 1 through its Directors i.e. Defendant Nos. 2 to 4 have shown their readiness and willingness to manufacture and supply those machines to the Plaintiff Company as per the demands and requirements made by the Plaintiff Company.

4. The Plaintiff further submits that, thereinbefore, in the year 2017, Mr. Sunil Bhosale who was then working with one of the Director of Plaintiff Company namely Mr. Prakash Khalate with R.P.S. Biotech Pvt. Ltd. introduced him with the Defendant No. 4. Wherein, at that time, Defendant No. 4 has