

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO. 2935 OF 2025

IN

COMMERCIAL ARBITRATION PETITION NO. 423 OF 2021

Nevi International FZE

...Applicant

Versus

Actis Consumer Grooming Products Limited

...Respondents

Mr. Ketan Gaur *a/w Mr. Neil Chatterjee, Ashwini Tak, Utsav Saxena i/b Trilegal, for the Petitioner.*

Mr. Simil Purohit, *Senior Advocate a/w Mr. Vishal Pattabiraman, Mittal Munoth, Anushka Jain, for Applicant in IA/2935/2025.*

Adv. G. S. Hegde, *Senior Advocate a/w Shrey Sancheti, Arafat Siddique i/b Carl Patel & Sanaea Umirgar, for the Respondent No.1.*

Ms. Pinky Bhansali *i/b Mr. Laxman Jain, for prop. Respondent No.10 in IA/2935/2025.*

Ms. Shweta Jaydev *a/w Anuja Bhansali i/b Rashmikant and Partners, for Respondent Nos. 2(a) and 3.*

Mr. Farhan Khan *a/w Adv. Jayesh Mistry, for the Respondent No.4.*

Mr. Deepak Bhalerao, *2nd Asst. to the Court Receiver.*

Ms. P. M. Bhansali, *for the Respondent No.10.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE: JUNE 15, 2026

ORDER :

1. Reply-Affidavit on behalf of the Respondent No.1 is tendered across the bar and is taken on record.

2. On a review of Court Receiver Report No. 225 of 2026, it is apparent that the visit of the Court Receiver has been conducted without the assistance of a technical expert who could assess the functioning of the machinery in question and address the issues raised in the Interim Application. Consequently, the inspection for which an order dated May 8, 2026 was passed, has not been carried out. The absence of access for the technical expert has led to incoherence in the findings that ought to have been returned by the Court Receiver.

3. Mr. Hegde, Learned Senior Advocate for the Respondent No.1 submits that there was no specific direction that a technical expert should have been allowed. Without getting into this facet of the matter, it is made clear that a technical expert nominated by the Interim Applicant, as well as a technical expert, if any, the Respondent No. 1 may choose to engage, shall both remain present, with another visit by the Court Receiver to carry out the same activity set out in the order that May 8, 2026. The Court Receiver is requested to visit the premises again and it is made clear that the entire premises shall be inspected, and not restricted portions of the plant and machinery to enable the Court to have a clear picture of what has transpired in the matter. Should the

technical expert nominated by the Respondent No. 1 have anything to say on the Court Receiver's Report that would be filed pursuant to such visit, an Affidavit by him shall be tendered in the proceedings for review by the Court.

4. It is also apparent from the Court Receiver's Report that the board indicating the property's custodial status is missing in a few respects. It is in these circumstances that the inspection shall be of the entire premises, so as to present a clear picture to the Court as to the factual position. It is made clear that this is only a fact-finding exercise and is not an adjudication on merits of any nature.

5. To avoid any controversy, any representative of any party who is designated to accompany and be present at the time of the visit by the Court Receiver shall also produce to the Learned Court Receiver a copy of the authorisation entitling them to remain present. To avoid any further controversy in this regard, fresh resolution shall be passed specifically authorising such a person to attend the proceedings of the Court Receiver.

6. The visit shall be conducted no later than July 15, 2026, and the report for consideration by this Court shall be filed thereafter.

7. Stand over the matter to ***July 23, 2026.***

8. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]