

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL APPEAL (L) NO.5720 OF 2026
IN
INTERIM APPLICATION NO.3540 OF 2022
WITH
INTERIM APPLICATION (L) NO.5844 OF 2026
IN
COMMERCIAL APPEAL (L) NO.5720 OF 2026**

Rajiv Mukul Proprietor of
Zee Laboratories & Anr. .. Appellants
vs.
Laboratories Griffon Pvt. Ltd. .. Respondent

Mr.Ashish Kamat, Senior Advocate a/w Ms.Akanksha Saxena and
Mr.Rahul Punjabi for the Appellants.

Mr.Hiren Kamod a/w Ms.Archita Gharat and Mr.Kiran Mehta i/b
Mr.Kiran Mehta for the Respondent.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 6th MAY 2026

P.C. :

1 Heard the learned senior counsel Mr.Kamat representing
the Appellants, who is aggrieved by the order directing the
Appellant(Defendant) to pay a cost of Rs.50,00,000/- jointly

and/or severely to the Respondent/Plaintiff, within a period of 12 weeks.

We are informed that while passing the said order, its effect was stayed for a period of four weeks and this time line is expiring today.

2 Though Mr.Kamat would submit that the order did not justify the quantum and also its imposition and it is his specific submission that only on the basis of the observations made in Para K of the order, the cost has been imposed.

It is also his submission that the authoritative pronouncement in case of *Ramjas Foundation vs. Union of India, 2010 SCC OnLine SC 1254*, in no way is a precedent for imposition of cost and apart from this, it is specifically urged that the factors which have been taken into account for putting blame on the Defendant so as to make it liable for cost, are not at all made out.

3 On hearing the learned senior counsel and Mr.Kamod representing the Respondent, who has supported the impugned order, categorically referring to the observations in Para K, since the hearing of the Appeal will consume some time and with the Summer vacation soon approaching, we deem it appropriate that without prejudice to the rights and contentions of the Parties in the Appeal, we direct the amount of Rs.50,00,000/- to be deposited in this Court by the Appellant.

We, however, clarify that the mere deposit of the amount in the Court shall not create any equity in favour of the

Respondents. The cost shall be deposited within a period of two weeks from today.

List the Appeal for further consideration on 18/06/2026.

4 Till the hearing of the Appeal, the order passed by us on 25/02/2026 thereby restraining the Registry from taking coersive steps in accordance with the directions No.(ii), shall continue to remain in operation.

[MANJUSHA DESHPANDE, J.]

[BHARATI DANGRE, J.]