

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (L) NO.6041 OF 2026
IN
SUIT (L) NO.5855 OF 2026

Lilavati Kirtilal Mehta Trust and Ors. Applicants
.. (Original Plaintiffs)

IN THE MATTER BETWEEN:
Lilavati Kirtilal Mehta Trust and Ors. .. Plaintiffs

Versus
Param Bir Singh .. Defendant

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- Mr. Ashish Kamat, Senior Advocate a/w. Mr. Rashmin Khandekar, Mr. Devesh Juvekar, Mr. Dikshat Mehra, Mr. Mithilesh Chalke, Ms. Honey Chandnani, Ms. Minal Chandvani, Mr. Monish Bhatia, Advocates i/by Rajani Associates for Plaintiffs.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 20, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 20.02.2026. Perused the praecipe.
- 2.** Heard Mr. Kamat, learned Senior Advocate alongwith Mr. Khandekar for Plaintiffs.
- 3.** At the outset, Mr. Kamat seeks to place on record draft amendment. The draft amendment is taken on record and marked 'X' for identification. Necessary amendment is permitted to be carried out within a period of one week from today as it is at a pre-hearing stage and the Suit is filed in a great hurry. Reverification stands dispensed with.

4. Urgent intervention of the Court is sought by Plaintiff - Trust which is Plaintiff No.1 in the present Suit proceedings. Suit is filed seeking urgent injunctive reliefs and for damages for defamation against Defendant. The tirade of Defendant as against the functioning of the Trust and its Trustees (Plaintiff Nos.2 and 3) is contained in writing / communication / email appended to the Interim Application and to the Suit plaint being email dated 02.02.2026 and three press interviews given by the Defendant thereafter.

5. Mr. Kamat has drawn my attention to the same and would contend that pursuant thereto on 06.02.2026 services of Defendant have been terminated by the Trust. He would also fairly inform the Court that on the very same day complaint and cross-complaint were lodged by the Plaintiff No.1 – Trust and Defendant against each other under the provisions of Bhartiya Nyaya Sanhita 2023.

6. What ails the Plaintiffs are the vile statements and comments made by the Defendant pursuant to his termination in three published news articles which are appended to the suit plaint. He would therefore persuade the Court to step in and pass appropriate directions not to precipitate or make such statements as are contained in the three news articles and the email dated 02.02.2026 by the Defendant.

7. The three newspaper articles referring to the comments made by Defendant are at page Nos.134, 154 and 170. *Prima facie* on

reading the same excerpts of which are culled out in the draft amendment allowed today and as can be seen from an overall reading of the three articles / interviews / statements made, it appears that at some places serious insinuations have been made, *inter alia*, directly affecting the reputation and goodwill of Plaintiff No.1 – Trust which runs a very reputable Medical Hospital in the City of Mumbai.

8. An arguable case is made out by Mr. Kamat for issuance of notice.

9. Issue notice to the Defendants made returnable on 25th February 2026.

10. Humdast permitted. In addition to Court's notice, Plaintiffs are directed to serve the Defendant a copy of this order and copy of Suit alongwith the copy of Interim Application and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof.

11. Without elaborating any further, in that view of the matter, Plaintiffs are directed to forthwith serve a copy of this Interim Application, amended Suit proceedings and this order on the Defendant. Defendant shall enter appearance on the next adjourned date and file appropriate Affidavit-in-Reply through Pleader, if necessary, and shall take cognizance of this order.

12. Needless to state that the statements which are brought to my notice in Schedule-I of the amendment which is granted today as contained in the email dated 02.02.2026 and the three newspaper articles appended to the Suit Plaintiff casting insinuations against Plaintiff Nos.2 and 3 to tarnish their reputation in public and to humiliate them and Plaintiff No.1 - Trust in the eyes of the Society may not be made any further by the Defendant, which shall be noted by him.

13. Needless to state that all contentions of the Defendant are kept expressly open to be placed on record in the Affidavit-in-Reply that shall be filed by him which is directed to be filed within a period of one week from today to the Interim Application.

14. Stand over to **25th February 2026**. To be placed under the caption '**For Circulation**'.

15. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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