



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

INTERIM APPLICATION (L) NO. 17740 OF 2026
IN
COMMERCIAL IP SUIT (L) NO. 6995 OF 2026

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Sun Pharmaceutical Industries Ltd.
& 2 Ors. ... Applicants

In the matter between :

Sun Pharmaceutical Industries Ltd.
& 2 Ors. ... Plaintiffs

Vs.

Mahendra Kushwah & Ors. ... Defendants

Mr. Hiren Kamod, Counsel a/w. Ms. Saher Shah, Ms. Hasti Parekh, Mr. Navankur Pathak, Mr. Saieraje Patil and Mr. Shoeb Khan i/b Ms. Laher Shah and Sai Krishna and Associates, for the Plaintiffs/ Applicants.
Mr. Ashwin Pimple (through VC), for Defendant Nos. 5 and 7.
Mr. Deepak S. Bhalerao, 2nd Assistant to Court Receiver present.

CORAM : MADHAV J. JAMDAR, J.
DATE : 19th JUNE, 2026.

P.C.:-

1) Heard Mr.Kamod, learned counsel appearing for the Applicants/Plaintiffs and Mr. Pimple, learned counsel appearing for Defendant Nos. 5 and 7.

2) At the outset, Mr. Kamod, learned counsel appearing for the Applicant states that the electrical data has been seized only from eight out of the twenty-three Defendants. He, therefore, submits that the reliefs



sought in the present Interim Application are confined only to those eight Defendants, namely Defendant No. 3, Defendant No. 4, Defendant No. 5, Defendant No. 7, Defendant No. 11, Defendant No. 23 and Mr Pradeep Verma. Mr. Kamod states that all the Defendants have been served. The relief sought in this Interim Application is in terms of prayer clause (a).

3) Perusal of record shows that a Learned Single Judge, by an ex-parte order dated 11th March, 2026 has granted ad-interim relief in terms of prayer clauses (a), (b), (h) and (j) and also granted ad-interim relief in terms of prayer clause (d). Insofar as the Defendant Nos. 2, 4, 10, 14 who are offering their products on Plaintiff No. 3's platform, ad-interim is also granted in terms of prayer (d).

4) For the present interim application, prayer clause (j) which had been granted by the learned Single Judge is relevant, which reads as under :

“pending the hearing and final disposal of this suit, the Court Receiver, High Court, Bombay, or such other fit and proper person/s as this Hon’ble Court thinks fit be directed to attend at and/or enter either by force or by breaking open the lock or by removing the obstruction or barrier or otherwise, the Defendant Nos. 1 to 14 and 21’s premises and/or their partners, proprietors, directors, owners, developers, servants, subordinates, representatives, employees, suppliers, affiliates, agents, stockists, distributors, dealers, subsidiaries, franchisees, licensees, assigns, predecessors and / or all persons / entity claiming through them or acting on their behalf, or any other premises directly or indirectly under the control of the Defendant Nos. 1 to 14 and 21 at



any time of the day or night and with the help of the Police and / or technical experts, if necessary, to:

- (i) make inventory of and take mirror copy of the entire electronic data of the Defendants stored on their data storage devices, hard disks, pen drives, computer records, memory cards, servers of defendants, hand held devices, laptops, cloud based servers, artificial intelligence platforms, machine learning, servers (including any servers maintained at a different location for business continuity purposes and/or disaster recovery) of the Defendant Nos. 1 to 14 and 21 (which may be belonging to the Defendant Nos. 1 to 14 and 21 or on lease);*
- (ii) and make a report of the same and submit to this Hon'ble Court. The Defendant Nos. 1 to 14 and 21 be further directed to provide full assistance to the Court Receiver / Commissioner and such experts and also to disclose to them all the log in ids and passwords to access such devices and information”*

5) A Learned Single Judge by the said order dated 11th March, 2026 has also appointed Advocate Abhishek Chandra Mishra as Additional Special Receiver. The said Additional Special Receiver has filed report dated 8th April, 2026 (at page 46). The relevant part of the said report reads as under :

“10 Accordingly, the IT expert, Mr. Gautam Karun, commenced mirroring of data from the mobile phone and laptop at 8:10 p.m. The process continued overnight and was completed at 8:00 a.m. on 31.03.2026. Upon completion of the process, the mobile phone and laptop



were duly handed over to Mr. Pradeep Verma in proper and working condition. Police personnel were rotated during the process to ensure continuous presence.”

6) The relevant paragraphs of the Interim Application are paragraph 11 and 12, which read as under :

11. In light of the aforesaid facts and the admissions made by the aforementioned Defendants, the Plaintiffs submit that it has become evident that the infringing activities are being carried out in a systematic and organized manner through multiple entities and online channels. The Plaintiffs submit that the mirrored data obtained from Defendant Nos. 3, 4, 5, 7, 11, 21 and 23, and from Mr. Pradeep Verma claiming himself to be the proprietor of "Jai Mata Di Online Service" found at Defendant No.1's aforesaid premises is likely to contain crucial electronic records including details of sourcing, storage, supply, distribution and sale of the counterfeit products, as well as communications and transactional records identifying other persons involved in such counterfeiting activities. In these circumstances, it is necessary that the said mirrored data be analyzed by a qualified technical expert so as to identify the persons involved, trace the supply chain of the counterfeit products and place the relevant findings before this Hon'ble Court by way of a report.

12. The Plaintiffs further state and submit that the Defendants identified by the Plaintiffs thus far are predominantly e-commerce sellers who offer the impugned products for sale through online platforms and presumably procure the said products from supplier(s) in Delhi and surrounding areas. In these circumstances,



the identification of such sellers alone does not reveal the origin of counterfeit goods or the persons responsible for their manufacture and supply. It is also not a given conclusion that absence of any stock at the Defendants' premises (except Defendant Nos. 15 to 20) would mean that they are not indulging/have not indulged in the past in any counterfeiting or infringing activities. The Plaintiffs therefore submit that it is just, necessary and imperative that the mirrored data obtained from defendant Nos. 3, 4, 5, 7, 11, 21 and 23, and from Mr. Pradeep Verma claiming himself to be the proprietor of "Jai Mata Di Online Service" found at Defendant No.1's aforesaid premises be examined and analyzed, as the same would reveal the nature and extend of the counterfeiting activities undertaken by the Defendant Nos. 1 to 14 and 21 and 23.

7) In spite of service, none appears for the Defendants. The Defendants have not filed any Affidavit-in-reply. Thus, averments in the interim application in paragraph Nos. 11 and 12 have remained uncontroverted.

8) Accordingly, Interim Application is allowed in terms of prayer clause (a), which reads as under :

(a) that this Hon'ble Court, be pleased to allow the technical experts appointed by the Plaintiffs to examine, review and analyze the electronic data mirrored from the device(s) obtained from Defendant Nos. 3, 4, 5, 7, 11, 21 and 23, and from Mr. Pradeep Verma claiming himself to be the proprietor of "Jai Mata Di Online Service" found at Defendant No.1's aforesaid premises and/or any other entityties or person/s associated with them or any other entity or person/s which falls under the ambit



of Defendant No. 21, for any information or data pertaining to the establishment of any counterfeiting activity including but not limited to payment/financial/transactional nexus, supply chain, distribution, sales, purchases, storage, customers, nexus, associated persons or any other relevant information in respect of the impugned counterfeit marks and artworks of the Plaintiff Nos. 1 and 2 and to prepare and submit a report before this Hon'ble Court.”

- 9) The above exercise as per prayer clause (a) be done within a period of eight weeks from today.
- 10) The Interim Application is disposed of in the aforesaid terms.

(MADHAV J. JAMDAR, J.)