

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION  
COMMERCIAL IP SUIT NO. 226 OF 2015

Asian Paints Limited

...Plaintiff

Versus

Samsolite Paints Limited And Ors.

...Defendants

WITH  
LEAVE PETITION NO. 275 OF 2014

Ms. Twisha Singh i/b Vinod A. Bhagat for the Plaintiff.

Ms. Devika Shukla for the Defendants.

CORAM : ARIF S. DOCTOR, J.

DATE : 29<sup>th</sup> APRIL 2026

P.C.

1 I had on the previous occasion passed the following order:

*"1. The matter was kept back in the afternoon session, since it was observed that the Defendants have repeatedly been taking time on the ground that the Defendants' Directors were not reporting with instructions.*

*At 3.00 p.m.*

*2. Learned counsel, after taking instructions assures the Court that on the next occasion, the Directors of Defendant No. 1 shall remain present in Court, I make it clear that they may also appear virtually.*

*3. Stand over to 29th April, 2026."*

2 Today, despite the specific directions contained in the previous order, none of the Directors of Defendant No.1 are either physically present in Court nor have they appeared virtually.

3 Ms Shukla, Learned Counsel appearing on behalf of the Defendants has informed me that Mr. Sanjay Singh (one of the Directors of Defendant No.1) has

been hospitalised yesterday and is therefore, today unable to appear. In so far as the other Director, namely Ms Mansha Singh, she submits that Ms Mansha Singh is a housewife and is therefore, today not present. Such a explanation to my mind cannot be accepted given the specific directions of this Court not to mention liberty granted for the Directors to appear virtually.

4 Thus, plainly, both Mr. Sanjay Singh and Ms Mansha Singh have willfully disregarded the directions passed by this Court in the previous order. This is a very serious matter. I have also in the previous orders already taken note of the conduct of the Defendants.

5 Though, it is solemnly stated that Mr. Sanjay Singh is not present today because he is hospitalized only yesterday and noting the prior conduct of the Defendants, I find this explanation highly suspect. Let Mr. Sanjay Singh, therefore file an affidavit with all the relevant details pertaining to the hospitalization. The affidavit shall also contain necessary proof including the admission card etc. of the hospital in question, as also as to why he could not appear virtually, which was in fact the directions given. I had explained the seriousness of the matter to Ms Shukla, who assures the Court that the affidavit setting out all details pertaining to the hospitalization of Mr. Sanjay Singh as also the reasons why he could not appeared even virtually today, shall be filed latest by day after tomorrow, i.e. 2<sup>nd</sup> May 2026. Her statement is accepted.

6 As already noted that the fact that Ms Mansha Singh is a housewife does not give her the liberty to disregard the orders of this Court to appear when summoned.

7 List this matter first on board on **4<sup>th</sup> May 2026**.

8 It is made clear that if on the next date the Directors do not appear, the Court shall then proceed to issue appropriate warrants to ensure their presence.

**[ARIF S. DOCTOR, J.]**