

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

**INTERIM APPLICATION (L) NO. 4784 OF 2024
WITH
INTERIM APPLICATION (L) NO. 37628 OF 2025
WITH
LEAVE PETITION (L) NO. 4785 OF 2024
IN
COMMERCIAL IP SUIT (L) NO. 4699 OF 2024**

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Hindustan Unilever Ltd.

...Plaintiff

Versus

Shatrughan Kumar

...Defendant

**WITH
COURT RECEIVER'S REPORT NO. 210 OF 2025
IN
COMMERCIAL IP SUIT (L) NO. 4699 OF 2024**

Hindustan Unilever Ltd.

...Plaintiff

Versus

Ashok Kumar – unknown Defendant

...Defendant

*Mr. Hiren Kamod, a/w, Adv. Dishta Shah, i/b, ANM Global, for the Plaintiff.
Adv. Reet Jain, for the Defendant (VC).*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : February 05 , 2026

P. C. :

1. At the request of Advocate Jain who appears on behalf of the

Defendant, stand over to **10th February, 2026** under the caption for ad-interim relief.

INTERIM APPLICATION (L) NO. 37628 OF 2025

2. Advocate Reet Jain appears on behalf of the Defendant No. 1 and seeks time to file her Vakalatnama and take instructions.
3. The Interim Application has been preferred by the Plaintiff for permission to destroy the infringing goods bearing the counterfeit mark.
4. Considering that time has been sought by Defendant No. 1, except the goods which are seized from the Defendant No. 1, the application is being considered in respect of the infringing goods which are seized from other Defendants.
5. Mr. Kamod, learned Counsel appearing for the Plaintiff tenders the affidavit of service evidencing service upon the Defendant.
6. The Application specifically pleads that counterfeit goods were seized from the Defendants' premises by making inventory and are kept in the Plaintiff's premises on superdari. The goods seized include the gunny bags packed with counterfeit products, packaging rolls, wrappers, labels, packaging material having limited shelf life. The inventory of the seized goods is at pages 184-203, 208-216, 222-227, 234-239, 241-253, 264-265, 271-272, 282-285. Mr. Kamod would

submit that these products are otherwise of substandard quality and are deteriorating emanating foul odour making it unviable to keep them stored for long period of time as it may pose health hazard at storage place. He submits that no purpose would be served by preserving counterfeit products and for the purpose of trial, a few samples can be retained by making fresh inventory.

7. After execution of commission, no reply has been filed by the Defendants. The action was initially in the nature of John Doe action and subsequently the Defendants were identified.

8. Considering the limited shelf life of the products, which are even otherwise counterfeit, and are of substandard quality, no purpose will be served by keeping the seized goods in custody till the hearing and final disposal of suit. For the purpose of trial, few samples of the goods so seized can be retained by making a fresh inventory.

9. The commission was executed at several locations and the goods were seized which are substantial in number. The goods having limited shelf life, are already deteriorating and as the same are counterfeit, destruction is the only option. Except goods seized from Defendant No. 1, the other goods be destroyed.

10. Fresh inventory of the destroyed goods to be filed in this Court within a period of four weeks from today.

11. The Court Receiver stands discharged without passing off

accounts. All costs, charges and expenses of the Court Receiver to be paid by the Plaintiff within a period of 8 weeks demand being raised by the Office of the Court Receiver.

12. Stand over to **5th March, 2026** for consideration of application *qua* Defendant No. 1.

[SHARMILA U. DESHMUKH, J.]