

AD -17
Ct No.10
07.07.2025
(SSS)

FMAT 190 of 2025
With
CAN 1 of 2025

Exide Industries Limited
Vs.
Unmesh V. M.

Mr. Suddhasatva Banerjee,
Mr. Sourojit Dasgupta,
Mr. Ashis Kumar Mukherjee,
Mr. Saurabh Prasad
....For the Appellant.

1. Affidavit of service filed today be kept on record.
2. None appears for the respondent despite service.
3. We find from our ad interim order dated June 16, 2025 that the matter was considered at length. We had observed in the said order, as we do now as well on the basis of the materials on record, that from the annexures to the present application, which are also a part of the Trial Court records, the allegations made by the respondent against the appellant are palpably unacceptable and not confined merely to usurpation of the patented technology of the respondent but border on the defamatory.
4. Accordingly, I.A. No. CAN 1 of 2025 is allowed ex parte, thereby granting injunction restraining the

defendant/opposite party and/or his men and agents from threatening, publishing or circulating any article or issue any statement to the appellant and/or to any third party, either through e-mails, social media or through any other media whatsoever, containing words similar to the ones used in the letters and communications annexed as Annexure -G to the plaint filed in Title Suit No. 639 of 2025, as well as any other communication having the purport or effect as mentioned above or designed to injure the business and goodwill of the appellant and/or any other threatening communication in any manner whatsoever having the effect of defaming and interfering with the business and regular affairs of the appellant company, till disposal of the appeal.

5. In view of the appellant being equipped with the relevant papers, calling for the trial court records is dispensed with.

6. The appellant shall put in postal costs and due requisites for service of notice of the appeal on the respondent within a week from date.

7. The appellant shall also prepare and file the requisite number of informal paper books without comparing with the records within six weeks from the date of service of notice of arrival of the trial court records on the learned Advocate for the appellant.

8. Liberty to the parties to mention the appeal for inclusion in the list as and when the same is ready for hearing.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)