

7th August,
2025
(AK)
05

CPAN 1317 of 2025
In
FMA 1122 of 2025

Exide Industries Limited
Vs.
Unmesh V.M.

Mr. Suddhasatva Banerjee
Mr. Sourojit Dasgupta
Mr. Ashis Kr. Mukherjee
Mr. Saurabh Prasad
Ms. Subhashree Hazra

...for the petitioner.

1. By an order dated June 16, 2025 passed in CAN 1 of 2021 in connection with FMAT 190 of 2025, this court had restrained the alleged contemnor from threatening, publishing or circulating any article or issue any statement to the appellant and/or to any third party, either through emails, 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 thereinabove or designed to injure the business and goodwill of the appellant and/or any other threatening communication in any other manner whatsoever, having the effect of

defaming and interfering with the business and regular affairs of the appellant-Company.

2. In Annexure-G of the plaint, certain abusive words were also used against the petitioner-Company.
3. Subsequent to communication of the order of this court, however, the alleged contemnor has, apparently, as per the annexures to the present contempt application, repeated the abusive language in e-mail communications not only to the petitioner but also to several other entities, including news channels.
4. Apart from using derogatory and abusive language, it has been alleged *inter alia* in the offensive e-mails that the petitioner is cheating the alleged contemnor.
5. On a bare perusal of the said e-mails, we find that a *prima facie* case of contempt of the interim order of this court dated June 16, 2025, as extended subsequently, has been made out in the present application.
6. Accordingly, the petitioner shall serve a copy of the contempt application, along with its annexures, on the alleged contemnor, indicating that the matter shall next be listed for hearing on September 11, 2025, when an affidavit-of-service shall be filed by the petitioner.

7. Affidavit-in-opposition, if any, shall be filed by the alleged contemnor by August 28, 2025. Reply, if any, shall be filed by the returnable date.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)