

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO.18738 OF 2024
IN
COMMERCIAL IP SUIT (L) NO.18166 OF 2024

Hindustan Unilever Limited ... Applicant / Plaintiff
Vs.
Ashok Kumar Unknown Persons
in Maharashtra ... Respondents / Defendants
WITH
COURT RECEIVER'S REPORT NO.63 OF 2025

Mr. Hiren Kamod a/w. Mr. Jayesh Kalebere, Ms. Radha Naik and Mrs. Laher Shah i/b. Mrs. Laher Shah for Applicant / Plaintiff.
Ms. Charushila Vaidya, 2nd Assistant to Court Receiver.

CORAM : MANISH PITALE, J.
DATE : FEBRUARY 11, 2025

P.C. :

1. In this application on 03.01.2025, this Court allowed certain amendments and thereupon granted further *ex-parte* ad-interim reliefs in terms of amended prayer clauses (a1) and (d1). The Additional Special Receiver was granted time till 27.01.2025 to submit report to the Court Receiver. But the learned counsel for the applicant submits that the order could not be executed, *inter alia*, for the reason that the concerned police personnel did not extend co-operation and support, despite specific directions of this Court and therefore, the time period for the Additional Special Receiver to submit his report to the Court Receiver would have to be extended.

2. Attention of this Court was specifically invited to the site report dated 18.12.2024 submitted by the Additional Special Receiver, which forms part of the Court Receiver's Report No.63 of 2025. It was submitted that the said report records in detail as to the manner in which

the Additional Special Receiver was required to run from pillar to post before the police authorities and yet, proper police assistance was not provided. The direct consequence of such a state of affairs was that the defendants got an opportunity to remove the counterfeit products, thereby defeating the very purpose of the *ex-parte* ad-interim orders issued by this Court. In that light, it is submitted that this Court may consider extending the timelines and issuing appropriate directions to the concerned police personnel. A perusal of the aforesaid site report prepared by the Additional Special Receiver indeed shows that the concerned police officers associated with L. T. Marg Police Station, Mumbai and even the senior police officers failed to provide appropriate police assistance to the Additional Special Receiver to reach the concerned spot for execution of the *ex-parte* ad-interim orders passed by this Court.

3. Therefore, an appropriate direction is required to be issued to the concerned police officers to ensure that such a state of affairs is not repeated and that, upon extension of time being granted to the Additional Special Receiver to execute the *ex-parte* ad-interim orders, the police officers provide effective assistance immediately so that the orders are duly executed. This is particularly in the backdrop of a statement made on behalf of the applicant that counterfeit products have again surfaced , which are relatable to the defendants before this Court.

4. In view of the above, the following police officers are directed to ensure that effective police assistance is provided to the Additional Special Receiver for executing the *ex-parte* ad-interim order dated 18.06.2024 read with order dated 03.01.2025:

Sr. No.	Name of the Police Official	Designation
1	Mr. Vivek Phansalkar	Commissioner of Police, Greater Mumbai

2	Mr. Satya Narayan	Joint Commissioner of Police (Law and Order) Greater Mumbai
3	Dr. Mohit Kumar Garg	Deputy Commissioner of Police Zone - II
4	Mr. Akbar Pathan	Deputy Commissioner of Police - Operations
5	Mr. Nitin Shankar Tadakhe	Senior Police Inspector - L T Marg Police Station
6	Mr. Vikram Patil	Police Inspector - L T Marg Police Station

5. The said police personnel are expected to provide effective and immediate police assistance to the Additional Special Receiver, so that there is no impediment in execution of the aforesaid *ex-parte* ad-interim orders. It is to be noted that the Additional Special Receiver reporting to the court receiver is an extension of the arm of the Court and also its agent, for the reason that the Presiding Judge cannot actually go to the spot and ensure execution of such ad-interim orders. Due deference is expected to be shown to the orders of this Court and the Additional Special Receiver, so that the majesty of the Court is duly respected. This Court is of the opinion that even if the police machinery is performing its regular duties, the police officers ought to appreciate the said aspect of the matter and they ought to provide immediate effective police assistance when the Additional Special Receiver reaches the spot for execution of the *ex-parte* ad-interim orders. The senior police officers shown at serial numbers 1 to 4 in the table hereinabove are named only for the purpose of sensitizing the police officers at the level of the local police stations to provide such immediate effective police assistance to the court receivers or Additional Special Receivers, as the case may be.

6. It is brought to the notice of this Court that in some cases, the police personnel have been asking the Additional Special Receiver to deposit official fees / charges for providing police assistance. This is

completely misplaced as the Additional Special Receiver is acting as an extended arm and agent of this Court for ensuring execution of such *ex-parte* ad-interim orders. The police assistance shall be provided without insisting upon any 'official fees / charges'.

7. The Additional Special Receiver is granted extension of time till 12.03.2025 to submit report to the Court Receiver.
8. The Court Receiver shall, in turn, submit his report by 19.03.2025.
9. List the application on 21.03.2025.
10. Ad-interim orders shall continue to operate till 25.03.2025.

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(MANISH PITALE, J.)

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12/2/2025
C. K. Pashime
Associate
High Court, Bombay