

Arun

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 15238 OF 2021
IN
COMMERCIAL IP SUIT (L) NO. 15232 OF 2021

Kewal Kiran Clothing Limited	...Applicant/ Plaintiff
<i>Versus</i>	
Narendra Mehta (HUF) & Ors	...Defendants

WITH
LEAVE PETITION NO. 242 OF 2021
IN
COMMERCIAL IP SUIT (L) NO. 15232 OF 2021

Mr Hiren Kamod, with Ramesh Gajria & Amritha Vyas, i/b Gajria & Co, for the Plaintiff.
Mr Sanjeev Hariakar, for the Defendants.

CORAM: G.S. PATEL, J
(Through Video Conferencing)
DATED: 9th August 2021

PC:-

1. The matter is listed for filing Consent Terms. It is being heard online. It is listed at Serial No.4. From the beginning of this morning

ARUN
RAMCHNDRA
SANKPAL

Digitally signed
by ARUN
RAMCHNDRA
SANKPAL
Date: 2021.08.10
10:47:28 +0530

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session, Narendra Mehta and Lalit Mehta, Defendants Nos. 1 and 3, have been constantly disrupted the Court proceedings. Lalit Mehta has repeatedly unmuted himself while I was hearing a previous matter. All attempts to get him to mute till his matter was called failed. The Defendants are represented by Mr Sanjeev Hariakar and there is no reason for them to be unmuted in the first place. My instructions issued recently are clear. All are to remain muted and with their videos off until their cases are called.

2. Another Advocate present has later indicated that Narendra Mehta was attempting to record the Court proceedings on his cellphone. If so, that is immediately a contempt of court and invites swift action. Mr Hariakar informs me that this is not so. I have no means of knowing whether his instructions are correct.

3. I now decline to proceed with this matter in the virtual mode. The Mehtas are in Ahmedabad. That is now immaterial. I am withdrawing the facility of an online hearing to them and their Advocate. They will have to come to Court personally and attend the Court physically before I passed any order in this matter. On the next date, Mr Hariakar must be present. He must confirm that his client, Narendra Mehta, did not record any part of this morning's proceedings or, that if he did, that he has deleted the video. I making it clear that if Narendra Mehta did in fact make any recording, even if he has deleted it, I will pursue a contempt notice against him. If I find that any part or any video has been uploaded to social media relating to the previous hearings or any part of this morning session, it is only Narendra Mehta who will be held liable for obvious reasons.

4. I will take up the matter again at a physical hearing in Court on 17th August 2021. Mr Narendra Mehta and Lalit Mehta are required to be physically present in Court.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)