

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COURT RECEIVER'S REPORT NO. 58 OF 2024
IN
COMMERCIAL SUIT (L) NO. 183 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 80 OF 2024**

ACS AIR Charter Service India .. Plaintiff
Private Limited through Authorized
Representative Mr. Ashish Wastrad

Versus

Abbu Bakar Hussain Patel and anr .. Defendants

...

Mr. Akshay Kholse Patil, Rohan Kelkar, Saahil Memon, Oindrila Mukherjee, Sidhartha Srivastava, Yasmin Sabir i/b Link Legal for the Plaintiff.

Ms. Charushila M Vaidya, 2nd Asst. to Court Receiver a/w Naina Poojary Section Officer, present.

CORAM: BHARATI DANGRE, J.

DATED : 21st FEBRUARY 2024

P.C:-

1 In compliance of the earlier direction, the Court Receiver accordingly has submitted the Report No.80 of 2024, and 58 of 2024. Further, it is informed that the Laptop as well as the mobile phone, which were handed over to the Court Receiver were taken possession of and the data contained therein has been transferred to an External Hard Disk Drive, in presence of the Plaintiff's Advocate and the Defendant no.1 and the details of the Laptop and the External Hard Disk Drive is set out in the

report placed before me from the Assistant Registrar (I.T.), High Court Bombay.

It is specifically stated in the reports that, all data contained in the Laptop was copied in External Hard Disk Drive and it was handed over to the Court Receiver's representative.

2 Pursuant to the said exercise being undertaken now the data has to be analyzed in order to clear the apprehension expressed by the Plaintiff about the data being transmitted or being put to use by the Defendant.

The learned counsel for the Plaintiff/applicant therefore, make a request for appointment of an independent agency for examining the data, which is extracted from the mobile phone and laptop, which is copied and to ascertain whether any data corresponding with the entries in Exhibit A is found on the devices, which were used by Defendant and any data was deleted before it being copied, through the process directed by the Court.

In the wake of the option suggested by the counsel for the Plaintiff, I deem it appropriate to appoint Pricewaterhousecoopers (PwC) as an agency to undertake the said exercise. The Court Receiver is directed to establish contact with the said agency and shall explain the nature of examination, which is required to be undertaken by the agency. Upon appointment of Agency, it is expected that the analysis of the data, which runs into 155 GB in the mobile phone and also distinct data from the Laptop need to be examined within period of six weeks.

It is made clear that, in case if the exercise is not complete than necessary extension shall be granted to the said agency.

Needless to state that, the expenses to be borne by the third party agencies for carrying out the exercise, shall be initially borne by the Plaintiff.

3 The copy of the Report of the Assistant Registrar (I.T.), is directed to be furnished to the counsel for the Plaintiff.

(SMT. BHARATI DANGRE, J.)