

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 228 OF 2024
IN
COMMERCIAL SUTT NO. 81 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 58 OF 2024
IN
COMMERCIAL SUTT NO. 81 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 80 OF 2024
IN
COMMERCIAL SUTT NO. 81 OF 2024
AND
COURT RECEIVER'S REPORT NO. 224 OF 2024
(Not on Board)

ASC Air Charter Service India Pvt Ltd through ...Applicant
Authorized Representative Mr Ashish Wastrad

IN THE MATTER BETWEEN

ASC Air Charter Service India Pvt Ltd through ...Plaintiff
Authorized Representative Mr Ashish Wastrad

Versus

Abu Bakar Hussain Patel & Anr ...Defendants

Mr Akshay Kolse-Patil, with Yasmeen Mahamad Sabir & Jahnvi Pandey,
i/b Link Legal, for the Applicant/Plaintiff.

Mr Subhradeep Banerjee, with *Sandeep Yadav*, for Defendant No. 1.
Mr Sudhakar Pandaram, for Defendant No. 2.
Ms Charushila Vaidya, *Ind Assistant to the Court Receiver*, present.

CORAM: **ARIF S. DOCTOR, J**
DATED: **1st October 2024**

PC:-

1. The Court Receiver has tendered a copy of the Forensic Analysis Report submitted by the PwC. Both Learned Counsel request that a copy of the said report be made available to them. They are permitted to obtain a copy of the report from the office of the Court Receiver, after making payment of usual charges. They request to place the matter for further hearing on ad-interim relief on 7th October 2024.
2. Accordingly, list the matter on 7th October 2024.
3. The Court Receiver has submitted a report bearing Court Receiver's Report No. 224 of 2024, in which the following directions are sought.

“(a) The Hon’ble Court may direct Defendant No. 1 to handover his mobile phone and laptop to Pricewaterhousecoopers Private Limited (PwC) so that PwC can ascertain whether Defendant No. 1 has deleted any data, used any software to delete data or have copied data to USB drive or similar actions.

(b) Necessary directions may be given to the Court Receiver in respect of the date which was copied from mobile phone and laptop of Defendant No. 1 to the external hard disc which is in the custody of the Court Receiver.

(c) Cost of this report be fixed at Rs. 5000/- and the Plaintiff may be directed to deposit the same.

(d) Any other directions the Hon'ble Court may deem fit and proper."

4. The Court Receiver's Report No. 224 of 2024 is disposed of in the aforesaid terms. Court Receiver's Report No. 58 of 2024 and Court Receiver's Report No. 228 of 2024 are also disposed of in view of the order passed in Court Receiver's Report No. 224 of 2024.

5. The mobile phone and laptop shall be handed over to Defendant No. 1.

6. At this stage, Learned Counsel appearing on behalf of the Plaintiff submitted that the hard disc pertained to the Plaintiff. The Court Receiver is directed to return the hard disk to the Plaintiff. The Court Receiver shall return various materials which submitted by the parties to them respectively.

7. In view of this, the Court Receiver shall stand discharged without passing accounts but on payment of costs, charges and expenses to be paid by the Plaintiff.
8. Affidavits in Rejoinder to be filed in the Registry.
9. List the matter on 7th October 2024 for further hearing.

(ARIF S. DOCTOR, J)