

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**INTERIM APPLICATION (L) NO. 27480 OF 2024
WITH
LEAVE PETITION NO. 15 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 441 OF 2024
WITH
COURT RECEIVER'S REPORT NO. 15 OF 2024
IN
COMMERCIAL IP SUIT NO. 225 OF 2024
WITH
COMMERCIAL IP SUIT NO. 225 OF 2024**

Laboratories Griffon Private Limited & Anr. ... Plaintiffs
Versus
Adwin Pharma & Ors. ... Defendants

Mr. Amit Jamsandekar a/w Kiran Mehta and Ms. Archita Gharat
i/by Mr. Kiran J. Mehta for the Plaintiffs.
Mr. Rajeev K. Gupta for Defendant No.2.

**CORAM: MANISH PITALE, J.
DATE : 22nd APRIL 2025**

P.C. :

. By order dated 12th March 2025, this Court, *inter alia*, granted permission for shifting of the impugned products to the proposed new premises where defendant No.2 intended to shift. This was to be done in the presence of Additional Special Receiver (ASR) and representative of the plaintiff.

2. The learned counsel for the plaintiff informs this Court that as per report dated 24th March 2025 submitted by the ASR, while the shifting of the impugned products did take place as per the permission granted by this Court, but the representative of defendant No.2 refused to give undertaking or sign the indemnity bound and it was stated that he could not take responsibility of the sealed impugned products lying in the newly rented premises. The said representative also refused to sign the report of the ASR.

3. The learned counsel for the defendant submits that the representative of the defendant No.2 was not aware about the requirements of law and therefore, unintentionally refused to sign the undertaking and the indemnity bound. It is submitted that the said acts can be undertaken.

4. In view of the above, defendant No.2 is directed to sign the undertakings/indemnity bound and also the report of the ASR within one week from today.

5. The pleadings in the application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, are completed.

6. List the application for hearing/disposal on 23rd June 2025 (High on Board).

7. The ad-interim order shall continue to operate till then.

MANISH PITALE, J.