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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMMERCIAL IP SUIT NO. 74 OF 2022**

UBS Business Solutions (India) ... Plaintiff  
Private Limited

Vs.

Nisheet Singh ... Defendants

**WITH**

**INTERIM APPLICATION (L) NO. 12485 OF 2023**

**COURT RECEIVER REPORT NO. 76 OF 2022**

**INTERIM APPLICATION NO. 2036 OF 2025**

**INTERIM APPLICATION (L) NO. 18424 OF 2021**

**INTERIM APPLICATION (L) NO. 28164 OF 2021**

**INTERIM APPLICATION NO. 1974 OF 2025**

**COURT RECEIVER REPORT NO. 100 OF 2022**

Mr. Malcolm Siganpora a/w. Mr. Hormuz Mehta, Mr. G. Virgil  
Braganza i/b. JSA for the Plaintiffs.

Mr. Ashutosh Srivastava for the Defendants.

**CORAM : GAURI GODSE, J.**

**DATE : 4<sup>th</sup> MAY 2026**

**ORDER :**

**Interim Application No. 1974 of 2025**

1. On 30<sup>th</sup> March 2026 the defendant was directed to file a

disclosure affidavit with regard to the cloud account maintained on behalf of respondent no. 2 in the interim application. Pursuant to the order passed by this court affidavit dated 27<sup>th</sup> April 2026 is filed by the defendant. Hard copy of the affidavit is tendered and is taken on record. In the affidavit defendant has stated that in his linkedin description he had inadvertently and casually mentioned that he was owner of respondent no. 2. He further states that there is no user name, password or login credentials. He further states that there is no such legal entity operational in the name of respondent no. 2 though he has mentioned it in his linkedin profile.

2. I have perused the affidavit. There is no positive statement made by the defendant that there is no cloud account maintained in the name of respondent no. 2. Considering the disclosure affidavit filed by the defendant there is no clarity whether any cloud account in the name of respondent no. 2 was maintained or not. In view of the rival statements made on behalf of the plaintiff and the defendant, the issue regarding any data mentioned by defendant in any other cloud account is required to be ascertained in the trial. Hence, the issues raised by the plaintiff in the Interim

Application No. 1974 of 2025 are kept open to be decided at the time of trial. The plaintiff would be entitled to take appropriate steps including issuance of witness summons, if necessary, to support the plaintiff's allegations regarding the defendant's maintaining cloud accounts as stated in the application.

3. The interim application is therefore disposed of in terms of order dated 30<sup>th</sup> March 2026 with a further clarification that the issues raised in the application are kept open to be decided in the trial.

4. It is further clarified that the disclosure affidavit dated 27<sup>th</sup> April 2026 filed by the defendant is not satisfactory. Hence, the plaintiff would be entitled to take appropriate steps as permissible in law.

5. The interim application is disposed of in the aforesaid terms.

#### **Commercial IP Suit No. 74 of 2022**

6. Service affidavit dated 12<sup>th</sup> October 2022 filed by the bailiff records that writ of summons is served upon the defendant on 6<sup>th</sup> May 2022.

7. There is neither a written statement filed nor interim application filed for condonation of delay in filing written statement. The suit shall proceed without written statement. The plaintiff is at liberty to file list of documents on the next date with an advance copy to the learned advocate for the defendant.

8. Stand over to 15<sup>th</sup> June 2026.

**[GAURI GODSE, J.]**