

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO.20170 OF 2026
IN
SUIT (L) NO.19967 OF 2026

Habib Esmail Hospital & Medical Trust

..Applicant/Plaintiff

Vs.

Salim Shaikh & Ors.

..Respondents/Defendants

Mr. Akshay Pai a/w Mr. Avdhut Patil and Mr.S. N. Ravrane, Harshwardhan
GAikwad i/b Siddhi Bhosale, for the Applicant/Plaintiff.

Mr. Khatri M. Adil a/w Mr. Irfan Shaikh, for Defendant No. 1.

Mr. Hari Lakhani i/b Shardul Amarchand Mangaldas & Co., for Defendant No.4.

CORAM : ARIF S. DOCTOR, J.

DATE : 23rd JUNE 2026

P.C.

1 When the matter was called out today, learned counsel for Defendant
No.1 sought time to file a reply affidavit in response to the allegations
concerning certain videos alleged to be defamatory.

2 Mr. Pai, learned counsel for the Applicant, tendered a compilation of
excerpts from the said videos, stated to be 51 in number, together with the
corresponding portions alleged to be *per se* defamatory. The compilation was
accompanied by English translations of the impugned material. Upon perusal of
the said excerpts and translations, I prima facie find merit in the submissions
advanced by Mr. Pai that portion of the said transcription are *per se* defamatory.

3 In response, learned counsel appearing for Defendant No. 1 submitted

that Defendant No.1 is willing to edit the videos and remove the portions alleged to be *per se* defamatory on the same being intimated to Defendant No.1 and until the interim application is adjudicated by this Court. In my view, such a course is acceptable. Statement is accepted.

4 It is clarified that Defendant No. 1 shall not be restrained from reporting on the incident in question. However, any allegations, imputations, or insinuations contained in the videos which attribute blame to the Plaintiff Hospital, including references describing the hospital as a “Kattalkhana” or suggesting that the Plaintiff was complicit in murder, shall not be repeated pending the disposal of the Application.

5 I must also record that, during the course of the hearing, Defendant No. 1, who was also present in Court, interjected and insisted that the Court Associate hand over a photograph to the Court. I immediately expressed my displeasure at such conduct and cautioned Defendant No. 1 that any repetition thereof would not be countenanced by this Court and would be viewed with the utmost seriousness. Upon being so cautioned, Defendant No.1 tendered an apology for his conduct and assured the Court that the same would not be repeated.

6 Learned Counsel for Defendant No.1 prays for and is granted three weeks time to file reply affidavit. Rejoinder, if any, to be filed within two weeks thereafter.

7 Stand over to 4th August 2026 for hearing.

[ARIF S. DOCTOR, J.]