

04.03.2021

Pr: Counsel Ms. Shambhavi Sinha for plaintiff, physically present.

Counsels Harsh Parashar and Chanakya Sharma for D-2 Prashant Reddy, through video conference.

In the present case, written statement of D-2, without the sworn affidavit, and some documents contained in a list were filed on 16.12.2020. Counsels for D-2 state that the said affidavit was not sworn as D-2 was a COVID-19 patient and he was stationed at Bangalore. Subsequent thereto, written statement with the duly sworn affidavit, certain documents contained in a list along with an application under Order VII Rule 11 of CPC was filed on 27.01.2021. It is stated on behalf of D-2 that copy of the same has already been sent to the plaintiff/plaintiff's counsel. Plaintiff's counsel states that she has received copy of the written statement, the application and the documents of D-2.

Plaintiff's counsel today files an application under Order XXXIX Rules 1 & 2 read with section 151 of CPC seeking temporary injunction against D-1 and D-2. She also files an application under Order XII Rule 6 read with section 151 of CPC seeking a decree against defendant no. 2. Copy of the application be supplied to D-2 through his counsel.

Process issued to D-3 Anil returned with the report that his premises was found locked. Process issued to D-1 Dinesh not received back from Hyderabad.

Plaintiff's counsel files on record postal receipts dt. 03.03.2021.

Plaintiff's counsel also files fresh address of D-1 and D-3. D-1 is stated to be in USA and D-3 in Delhi.

Issue fresh process to D-1 and D-3 on filing of PF/RC/Speed Post and Authorized Courier. They may also be served through whatsapp/e-mail.

This is a suit for damages for the tort of defamation. Plaintiff and D-2 want to approach the mediation centre. List before mediation centre on 08.03.2021 at 02:00 pm and for report before this Court on **01.05.2021**.

M. P. SINGH
ADJ-03(East)
KKD Courts-04.03.2021