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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 172/2020**

BENNETT, COLEMAN AND COMPANY LIMITED.....Plaintiff

Through: Mr. Kunal Tandon, Sr. Advocate with
Ms.Aanchal Tandon, Ms.Niti Jain,
Ms. Natasha and Ms. Mahima Arora,
Advocates.

versus

SAMEET THAKKAR & ANR.Defendants

Through: Mr.Raghav Awasthi with Mr. Mukesh
Sharma, Mr. Dinesh Sharma, Mr.
Ravi Gupta and Mr. Jagdish Trivedi,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 16.10.2025

I.A.5754/2020 (u/O VII R 11 CPC)

The instant application is under Order VII Rule 11 of the Code of Civil Procedure, 1908 (CPC) for rejection of the plaint.

2. Mr. Raghav Awasthi, learned counsel appearing for the applicant, contends that in view of the principles laid down by this Court in the case of ***Escorts Ltd. v. Tejpal Singh Sisodia***¹, the suit is clearly not maintainable as the cause of action has not arisen within the territorial jurisdiction of this Court. He has taken the Court through various paragraphs of the said decision, including paragraph Nos.34 to 36. He contends that in the absence



of there being specific pleading in the plaint as to how the cause of action has arisen within the territorial jurisdiction of this Court the plaintiff will have to institute the civil suit before the Court of competent jurisdiction.

3. Mr. Kunal Tandon, learned senior counsel appearing for the plaintiff, on the other hand, opposes the said contention and he has taken the Court through paragraph No. 22A and 22B of the plaint and he explains that the necessary averments have been made in the plaint to invoke the jurisdiction of this Court.

4. I have considered the submissions made by learned counsel appearing for the parties and have perused the record.

5. This Court in the case of **Dr. Shama Mohamed v. Sanju Verma**² has considered the decisions in the case of **Tejpal Singh Sisodia** and in paragraph no. 29 has held as under:

*“A comprehensive reading of the aforementioned paragraphs in **Tejpal Singh Sisodia** elucidates the following principles regarding jurisdiction in defamation suits, particularly in the context of cyber defamation, under the framework of Section 19 of the CPC, 1908:-*

- a. In cases of cyber defamation, the cause of action may arise across multiple jurisdictions due to the widespread dissemination of the alleged defamatory content. However, the multiplicity of jurisdictions in which the cause of action arises does not confer upon the plaintiff an unfettered right to initiate proceedings in any or all such jurisdictions. Under Section 19, the plaintiff has the option to sue where the wrong has been done which is generally at the place of his/her residence whereby the reputation of the plaintiff is affected.*
- b. However, in cases wherein the wrong was done in the same jurisdiction wherein the defendant resides than the plaintiff has no option other than to institute the suit wherein the defendant resides.*
- c. Where the plaint avers that the maximum harm or damage was*

¹2019 SCC OnLine Del 7607

² 2025: DHC: 7075



suffered in a particular jurisdiction as compared to different jurisdictions wherein wrong was done, that place shall ordinarily be considered the appropriate territorial jurisdiction for instituting the suit.

- d. Ordinarily, the maximum damage in defamation cases is presumed to occur at the place where the plaintiff resides or, in the case of a company, where it is headquartered, unless the plaint explicitly states otherwise.
- e. However, in cases wherein maximum reputational harm occurred at some place else and defendant resides in another jurisdiction, then by virtue of Section 19 CPC, the plaintiff has the option to chose forum as per choice. ”

6. More importantly, in the instant suit following averments have been made in paragraph no. 22A and 22B of the plaint:

“22A. That from the aforesaid tweets, it is evident that the twitter handles such as @navikakumar @NCWIndia @IndEditorsGuild @Shekhargupta have been consistently used/tagged by the Defendant No.1 knowing fully well that the Plaintiff Company is also running its operations from Delhi and tagging senior people from media and regulatory will help to easily tarnish the image of the Plaintiff Company, its Channel, top management officials and news reporters. In order to better appreciate the fact that this Hon’ble court has the necessary and appropriate jurisdiction to decide the present suit, it is imperative to see that all the personalities/organizations operating the aforementioned twitter handles reside/operate from within the jurisdiction of this Hon’ble Court:-

(i) @Navikakumar- This twitter handle is the verified twitter account of top journalist of the Plaintiff Company, Ms. Navika Kumar, who resides in Delhi. She is the Group Editor- Politics, of Times Now channel of the Plaintiff Company. She is India’s towering news personality who helms India’s No.1 prime time show. The Newshour on Times Now at 9 pm. With more than 3 decades of investigative journalism and political reportage to showcase, Navika brings to her viewers the best insights from the Indian political spectrum. To ensure the security of the top woman journalist, her full address is not being disclosed in the instant application, and can be filed in sealed cover as and when this Hon’ble Court directs the Petitioner to do so.

(ii) @NCWIndia- This twitter handle is the official Twitter account of the National Commission for Women. National Commission for Women has its head office at Plot No.21, Jasola Institutional Area, Jasola, New Delhi, Delhi 110025, which is well within the territorial



jurisdiction of this Hon'ble Court. The mission of National Commission for Women is to strive towards enabling women to achieve equality and equal participation in all spheres of life by securing her due rights and entitlements through suitable policy formulation, legislative measures, effective enforcement of laws, implementation of schemes/policies and devising strategies for solution of specific problems/situations arising out of discrimination and atrocities against women. The screenshots from the official website of National Commission for Women and the Twitter page of @NCWIndia are placed on record alongwith list of additional documents. All the members, committees, employees, and other persons associated with NCW are also residing / working for gain within the territorial jurisdiction of this Hon'ble Court.

(iii) @IndEditorsGuild- This Twitter handle is official Twitter account of operated by the Editors Guild of India, which is a premier, non-partisan association of the editorial leaders of India. Editors Guild of India is committed to free, fair and independent journalism in India. As per the Memorandum and Articles of Association of Editors Guild of India as available on its website <https://editorsguild.in/> is B-62 Gulmohur park (first floor), New Delhi – 110049, which is again within the territorial jurisdiction of this Hon'ble Court. It is pertinent to mention here that all the leading members of the media industry are members of this society. The screenshots from the official website of Editors Guild of India showing the address, Memorandum & Articles of Association and also Twitter page of @IndEditorsGuild are placed on record alongwith list of additional documents

(iv) @Shekhargupta- This Twitter handle is the verified twitter account of Mr. Shekhar Gupta, who is the current President of Editors Guild of India. Mr. Shekhar Gupta is the Founder and Editor-in-Chief of The Print.in which is at 3rd Floor, 9 & 10 Bahadurshah Zafar Marg, New Delhi 110002, thus within the territorial jurisdiction of this Hon'ble Court. Mr. Gupta being one of the senior most, well known journalist and also because of his position as Chairman, Editors Guild of India, enjoys a lot of prominence, influence and oversight over the media industry. The screenshots from the Twitter page of @ShekharGupta and the official website of The Print.in are placed on record alongwith list of additional documents.

22B. Apart from the aforesaid, it is also most pertinent to pint out that most of the office bearers, executive committee members of Editors Guild of India reside in Delhi/New Delhi. Some names from the list of prominent journalists who are also the members of Editors Guild of India and residing/working in Delhi/New Delhi by way of example only are:- Vijay Naik (Consulting Editor, Sakal), Shashi Shekhar (Editor-in-Chief, Hindustan Hindi Daily), Sonia Singh (Editorial



Director, NDTV), etc. The said persons reside and/or work for gain in New Delhi, thereby residing within the territorial jurisdiction of this Hon'ble Court."

7. A perusal of the aforesaid averments made in paragraphs No. 22A and 22B, on the anvil of the legal position as explicated in **Dr. Shama Mohamed**, would clearly indicate that the plaintiff has specifically stated that it operates its television business from the registered office at Times House 7, Bahadur Shah Zafar Marg, New Delhi – 110003. Furthermore, the plaintiff has also clearly stated that most of the Office Bearers, Core Executive Committee Members of the Editors Guild of India, reside in Delhi.

8. Thus, the averments made by learned counsel for the defendant, at this stage, cannot be disputed unless a trial is allowed to be fully carried out.

9. Under these circumstances, the Court does not find any merit in the application. Accordingly, the same stands dismissed.

10. However, liberty is reserved in favour of the applicant to raise all issues during the course of trial.

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11. Since the pleadings have been completed and the only plea taken by the defendants is rested on his right of free speech enshrined under Article 19(1)(a) of the Constitution of India, 1950, therefore, there is no impediment in framing the issues.

12. Accordingly, on the basis of the pleadings and the material available on record, the following issues have been framed:

- (i) *Whether the present cause of action falls within the jurisdiction of this Court since the tweets were published on the social*



media platform Twitter (now known as “X” Corp)? OPD

- (ii) Whether the present suit is maintainable for want of non-joinder of necessary parties? OPD*
- (iii) Whether the Artificial Entity can have a reputation of its own, and hence subject to defamation? OPD*
- (iv) Whether the suit discloses any tangible loss to the plaintiff? OPP*
- (v) Whether the impugned tweets are defamatory in nature? OPP*
- (vi) Whether the plaintiff is entitled to a decree of permanent and mandatory injunction against the defendants? OPP*
- (vii) Whether the plaintiff is entitled to a decree of damages to be paid by defendants, if yes then the quantum? OPP*
- (viii) Relief.*

13. Let the matter be listed before the Joint Registrar on 01.12.2025 for taking up further steps in accordance with the extant rules.

PURUSHAINDR KUMAR KAURAV, J

OCTOBER 16, 2025

tr/mj