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

+ **CS(OS) 483/2021**

DR ALOK ADHOLEYA

..... Plaintiff

Through **Mr. Giriraj Subramaniam, Mr.
Simarpal Singh Sawhney and Mr.
Akhilesh Talluri, Advocates**

versus

**THE ENERGY AND RESOURCES
INSTITUTE & ORS.**

..... Defendants

Through **Mr. Anand Shankar and Mr. Debashis
Mukherjee, Advocates**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **21.01.2022**

[VIA VIDEO CONFERENCING]

I.A.No.592/2022 (for condonation of delay)

1. This application has been filed on behalf of the defendants seeking condonation of delay of 16 days in filing the written statement.
2. The said application is not opposed by the counsel for the plaintiff.
3. Accordingly, the said application is allowed and the written statement filed by the defendant be taken on record.

I.A.589/2022 (Order XXXIX Rules 1 and 2 CPC)

4. The plaintiff has filed the present suit inter alia challenging the dismissal/termination of the plaintiff by defendant No.1 vide order dated 29th July, 2021.
5. This application has been filed on behalf of the plaintiff seeking



urgent relief to restrain the defendants from publishing/circulating defamatory statements against the plaintiff.

6. The plaintiff has placed on record various letters dated 07th October, 2021 (page 13 of the application), 08th October, 2021 (page 14 of the application) and 08th October, 2021 (page 15 of the application) being addressed to various organisations/individuals, wherein it has been stated that services of the plaintiff have been terminated w.e.f. 29th July, 2021 on account of ‘various improprieties’. It is further stated that in case the said organizations/individuals intend to deal with the plaintiff or engage/employ him, they may consult defendant No.1. It is the contention of the plaintiff that the aforesaid communications are adversely affecting the reputation of the plaintiff in the eyes of the intended recipients and are affecting the future employment opportunities of the plaintiff.

7. Counsel appearing on behalf of the defendants submits that the said letters have been issued only to the clients of defendant No.1 and not to the world at large. The intention behind these communications is not to harm future employment prospects of the plaintiff.

8. Issue notice.

9. Notice is accepted on behalf of Mr. Anand Shankar, counsel appearing on behalf of the defendants.

10. Let the reply be filed within four weeks.

11. Rejoinder thereto, if any be filed within two weeks thereafter.

12. Plaintiff has made a prima facie case in his favour. Consequently, the defendants are restrained from inserting the following line:

‘We, therefore, deem it appropriate to inform and caution you that should you intend to deal with him, engage with him or employ him as advisor or



consultation or in any other capacity, you may like to consult TERI', or any other language with similar intent, from all future communications that may be made by the defendants.

13. List on 05th May, 2022.

I.A.1216/2022 and I.A.1218/2022 (for exemption from filing attested affidavits)

14. Subject to the plaintiff filing the attested copies of the affidavits within four weeks from today, exemption is granted for the present.

15. The applications are disposed of.

I.A.1215/2022 (O-XI R-1 CPC), I.A.1217/2022 (O-VII R-14 CPC)

16. Issue notice.

17. Notice is accepted on behalf of counsel for the non-applicants/defendants.

18. Reply be filed within four weeks.

19. Rejoinder, if any, be filed within two weeks thereafter.

20. List on 05th May, 2022.

AMIT BANSAL, J.

JANUARY 21, 2022

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