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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 332/2025**
MANISHA PANDE & ORS.Plaintiff

Through: Ms. Bani Dixit, Mr. Farman Ali
Magre, Mr. Uddhan Khannna, Mr.
Dhruva Vij and Ms. Usha Jamnal,
Advs.

versus

ABHIJIT IYER MITRA & ANR.Defendants

Through: Mr. Percival Billimoria, Sr. Adv with
Mr. Jai Anant Dehadrai, Ms. Jasmine
Damkewala, Ms. Deveshi Mishra,
Ms. Katyayani Agarwal, Mr. Tushar
Bathija, Ms. Shilpa Ohri, Ms. Rachita
Sood and Mr. Ashish Bhandari, Advs
for D-1.
Mr. Deepak Gogia, Mr. Aadhar
Nautiyal and Ms. Shivangi Kohli,
Advs for D-2.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER
% **26.05.2025**

CS(OS) 332/2025

1. Learned counsel for the plaintiff submits that except one of the defamatory posts dated 08.02.2025, the remaining posts have been taken down by defendant no.1.
2. Mr. Percival Billimoria, learned senior counsel for defendant no.1



assisted by Mr. Jai Anant Dehadrai, learned counsel submits that as per his instructions even the aforementioned post has also been taken down.

3. The aforesaid statement of learned senior counsel is taken on record.

4. Learned counsel for the plaintiff acknowledges that as of now, the defamatory content has been taken down by defendant no.1. However, she submits some of the tweets are being re-posted/re-tweeted by the other users and, therefore, certain directions will have to be issued against defendant no. 2, as well.

5. Learned counsel for the plaintiffs also submits that the instant civil suit seeks perpetual injunction as well as damages.

6. Having considered the nature of the submissions made by learned counsel for the plaintiffs, the Court deems it appropriate to direct for issuance of summons to the defendants.

7. Accordingly, the plaint be registered as a suit.

8. Issue summons.

9. Mr. Jai Anant Dehadrai, learned counsel on behalf of the defendant no.1 and Mr. Deepak Gogia, learned counsel for defendant no.2 are present. They confirm the receipt of the suit paperbook and waives the right of formal service of summons.

10. The written statements must be filed within thirty days from the date of acceptance of summons. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiffs, failing which the written statements shall not be taken on record.

11. The plaintiffs are at liberty to file replications thereto within thirty days after filing of the written statements. The replications shall be accompanied by affidavits of admission/denial in respect of the documents



filed by the defendants, failing which the replications shall not be taken on record.

12. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

13. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

14. At this stage, Mr. Billimoria, learned senior counsel for defendant no.1, however, contends that the cause in the instant civil suit no more survives. According to him, the posts which have been taken down by defendant no.1 are in deference to the observations made by the Court. He, further, defends that the said posts are not defamatory.

15. The aforesaid aspect shall be looked into at an appropriate stage.

16. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on 25.09.2025.

17. Thereafter, list before the Court on the date to be assigned by the Joint Registrar.

18. The interim order which the Court has passed is without prejudice to the rights and contentions of the parties and the same shall remain in force.

I.A. 12964/2025 (INJUNCTION) and I.A. 12965/2025 (EXEMPTION)

19. Heard.

20. Issue notice.

21. Learned counsel for defendant nos. 1 and 2 accept notice.

22. They shall be at liberty to file reply before the next date of hearing.

23. List these applications for consideration before the Court on 10.09.2025.



24. In the meantime, if any further statement/tweet is made/posted by defendant no.1, the plaintiff shall be at liberty to file appropriate application.

PURUSHAINdra KUMAR KAURAV, J

MAY 26, 2025/aks/mj

Click here to check corrigendum, if any