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

+ **CS(OS) 657/2021, I.A. No.16178/2021**

AJAY SHARMA & ANR.

..... Plaintiffs

Through : Mr.Siddharth Yadav, Sr. Advocate
with Mr.Wasim Ashraf and
Mr.Narinder Lodiwal, Advocates.

versus

RAJIV ARORA

..... Defendant

Through : None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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12.01.2022

1. The hearing has been conducted through Video Conferencing.

I.A. No.16179/2021

2. Exemption allowed, subject to all just exceptions.

3. Application stands disposed of.

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4. This suit is filed seeking permanent and mandatory injunction and damages by the plaintiffs against the defendant.

5. The plaintiff No.2 is a registered company carrying on business in the field of immigration and visa consultancy since the year 1994. The plaintiff No.1 is the Managing Director of the plaintiff No.2 and claims to be well-recognised businessman in the field of immigration and visa consultancy. It is stated plaintiff Nos.1 and 2 are in business since last 27 years and have built a name and reputation for themselves in the field of immigration and visa consultancy. It is stated 5 years ago in the year 2017 the defendant commenced his business of immigration consultancy in the name of company M/s.Nationwide Immigration Services Private Limited exactly on the model of plaintiff No.2 and in order to increase the business



of his company he has been targeting the plaintiffs for quite some time with the intention to malign their reputation and making false statements solely with the purpose to defame the plaintiffs.

6. Reference is made to two defamatory articles made against the plaintiffs on his LinkedIn account, both dated 20.08.2021, the contents of which are stated to be false. It is argued the articles have been posted with malicious intent of defaming, damaging and maligning the reputation and standings of the plaintiffs in the society. It is stated the above posting are visible to the whole world and have now been widely circulated through the personal accounts as well. The said postings are in public domain and accessible to one and all as the defendant has over 1,000 connections to his LinkedIn account. It is stated such postings have caused extreme embarrassment to the plaintiffs and would cause permanent harm and damage to the reputation.

7. A notice dated 09.11.2021 was also issued calling upon the defendant to remove the defamatory post/article and tender an unconditional apology in writing and to pay an amount of Rs.5,00,00,000/- to the plaintiffs, towards loss and damages caused to the plaintiffs, which has not been replied by the defendant.

8. Hence there exist a *prima facie* case in favour of the plaintiff and against the defendant for removal of such defamatory posts dated 20.08.2021 as stated in para Nos.8 and 12 of the plaint.

9. In the circumstances, issue notice to the defendant through all modes including email, whatsapp, etc. and in the meanwhile the defendant is directed to remove the defamatory posts/articles dated 20.08.2021 from his LinkedIn account.



10. Reference is made to an order dated 13.04.2021 in case bearing No.CS(OS)978/2012.
11. The compliance under Order 23 Rule 3 CPC be made within 10 days from today.
12. List on 25.03.2022.

YOGESH KHANNA, J.

JANUARY 12, 2022

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