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

+ **CS(OS) 758/2022**

PARUL AGGARWAL AND ANR. Plaintiffs

Through: Ms. Stuti Gupta, Advocate.

versus

ASHOK AGGARWAL AND ORS. Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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01.03.2024

I.A. 5061/2024(Application on behalf of the plaintiff under Order XXXVIII Rule 5 and Order XXXIX Rule 1 and 2 of the CPC)

1. The plaintiff has filed this application for a direction upon defendant Nos. 1 and 2 to furnish security towards any decree that may be passed in this suit.

2. The plaintiff is the daughter-in-law of defendant Nos. 1 and 2. The suit arises from a claim of defamation on the ground that defendant No. 1 had given an interview on a YouTube channel alleging that the husband of plaintiff No. 1 was murdered in a conspiracy between her, and plaintiff No. 2, and doctors at Kailash Hospital, Greater Noida, Uttar Pradesh. It is the case of the plaintiff No. 1 that her husband had succumbed to COVID-19 on 27.04.2021. The Court found a *prima facie* case in her favour and granted an *ad interim* order restraining defendant Nos. 1 to 5 from publishing or forwarding of the video of the interview or uploading



it on any other website.

3. This order has been continuing since 02.12.2022.

4. The suit is at the stage of completion of pleadings but the plaintiff No. 1 has received a communication from the Sub-Registrar, Defence Colony which indicates that defendant No. 1 is in the process of selling his property, *House No. 9, 3rd Floor, Vikram Vihar Extension, Lajpat Nagar-4, New Delhi*. It is stated in the application that this is the only property owned by the defendant No. 1, and that it is being dissipated to defeat the decree which may be passed in the suit.

5. Issue notice to defendant Nos. 1 and 2 through learned counsel appearing on their behalf.

6. List on 11.03.2024.

7. In the meanwhile, defendant Nos. 1 and 2 are directed to maintain *status quo* with regard to title and possession of the immovable property [*House No. 9, 3rd Floor, Vikram Vihar Extension, Lajpat Nagar-4, New Delhi*] until the next date of hearing.

PRATEEK JALAN, J

MARCH 1, 2024

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