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

+ **CM(M) 2369/2025**

PRADEEP SHETTY

.....Petitioner

Through: Ms. Sonal Gupta (*through
videoconferencing*) and Mr. Dilpreet
Singh Dandi, Advocates.

versus

M/S OYO HOTELS AND HOME PRIVATE LIMITED

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **08.12.2025**

CM APPL. 77106/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM(M) 2369/2025 & CM APPL. 77105/2025 (stay)

2. Petitioner has assailed order dated 13.10.2025 of the learned trial court, whereby application of petitioner/defendant under Order VII Rule 11 CPC was dismissed. Broadly speaking, the subject suit was filed to claim damages for defamation as well as to seek an injunction against the petitioner/defendant from repeating or continuing the acts of defamation.

3. Learned counsel for petitioner on the basis of judgment of a coordinate bench of this Court in the case of ***Khawar Butt vs. Asif Nazir Nir & Ors.*** 2013(139) DRJ 157 submits that, so far as the relief of damages is concerned, the same is barred by limitation. However, as far as the relief of



injunction is concerned, the view taken by the learned trial court is that, in the present case, the injunction is not a consequential relief as the respondent/plaintiff has apprehensions that the petitioner/defendant might publish further defamatory articles. Further, the learned trial court took a view, and correctly so that a plaint cannot be rejected in part.

4. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondent, returnable on 27.03.2026 before Registrar.

5. It is made clear that there is no stay on the proceedings of the trial court.

GIRISH KATHPALIA, J

DECEMBER 8, 2025/dr