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

+ **CS(OS) 18/2026**

SHRI AJAY BANSAL

.....Plaintiff

Through: Mr. Santosh Pandey, Adv.

versus

AMIT LAL TIWARI AND ANR

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **14.01.2026**

I.A. 349/2026 (under Section 151 CPC seeking exemption from filing certified copies of document/dim document/photographs/margins/true typed copy of documents)

I.A. 350/2026 (under Section 151 CPC seeking exemption from filing true typed copy of documents)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. The plaint be registered as suit.
4. On filing of process fee, summons be issued to the defendants by all permissible modes.
5. The summons shall indicate that written statement must be filed within thirty days from the date of receipt of summons. The defendants shall



also file an affidavit of admission/denial of the documents filed by the plaintiff, failing which the written statement shall not be taken on record.

6. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statement. The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the defendants, failing which the replication shall not be taken on record.

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

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

9. List before the learned Joint Registrar for completion of service, pleadings, admission/denial of documents and marking of exhibits on 27.03.2026.

10. List before Court after completion of pleadings on 13.04.2026.

I.A. 348/2026 (under Order XXXIX Rule 1 and 2 read with Section 151 CPC for grant of ad interim injunction)

11. Issue notice to the defendants by all permissible modes.

12. The plaintiff has filed the present suit *inter alia* praying for decree of permanent injunction and damages.

13. The case set out in the plaint is that plaintiff is engaged in the business of sale and purchase of properties, as well as, working as contractor of civil work since last 20-25 years and having very good reputation among his huge customer base.

14. It is further stated that the plaintiff is also politically active and is associated with political parties.

15. Mr. Santosh Pandey, learned counsel for the plaintiff submits that the



defendant no.1 who claims himself to be a journalist, runs a YouTube Channel in the name of “News Cast Live” which has been arrayed as defendant no.2.

16. He submits that defendant no.1 visited the office of the plaintiff in the last week of August, 2025 and introduced himself as owner of defendant no.2. After few moments he showed two orders i.e. order dated 29.03.2025 and order dated 10.07.2025 passed by two different SDMs. The defendant no.1 told plaintiff that these orders are against the plaintiff for his two properties comprised in *khasra* no. 19/4/2, Kamal Pur Majra Burari and *khasra* no. 23/15/1 village Burari for taking strict action for unauthorised construction, and selling the gram sabha land to general public, respectively.

17. He submits that the plaintiff informed the defendant no.1 that he is not the owner of land comprised in *khasra* no.19/4/2. Insofar as property comprised in *khasra* no. 23/15/1 admeasuring 01 Bigha 17 Biswas situated in Kamal Pur Majra, Burari, Delhi-110084 is concerned, the same was purchased by the plaintiff on 04.01.2023 by virtue of registered sale deed.

18. After hearing the explanation of plaintiff, the defendant no.1 stated that the property of plaintiff is booked for demolition and other strict actions and threatened that with his connection he is capable of stopping demolition and other strict action against the plaintiff if the plaintiff pays a sum of Rs. 10 Lakhs.

19. He submits that the plaintiff informed the defendant that he has already proceeded against the orders dated 29.03.2025 and 10.07.2025 and matter is *sub judice* in the Court. Mr. Pandey invited attention of the Court to order dated 08.09.2025 passed by the District Judge-08, Central District, Delhi, in CS DJ No. 917/2025 whereby the operation of aforesaid two orders



of SDMs have been stayed till further order

20. He submits that the plaintiff has not encroached upon any gram sabha land. He invites attention of the Court to order dated 04.02.2014 passed by the SDM. *Vide* said order the SDM ordered ejectment of predecessor-interest of the plaintiff namely, Satpal, from the land comprised in *khasra* no. 23/15/1 admeasuring 01 Bigha 17 Biswas situated in Kamal Pur Majra, Burari, Delhi-110084. Aforesaid Satpal was the original *Bhumidar* of the land which was purchased by the plaintiff.

21. He submits that since the plaintiff had stepped into the shoes of the said *bhumidar*, an appeal against the said order was preferred by the plaintiff, which came to be disposed of by the learned Financial Commissioner *vide* its order dated 16.09.2021. Referring to the operative part of the said order, he contends that the order passed by the SDM was set aside on the ground that the plaintiff who had purchased the property had become new owner of the land, and he was not heard. Accordingly, the Financial Commissioner had remanded the matter back to the SDM.

22. He contends that thereafter the plaintiff had filed an application before the SDM praying therein for deciding the matter afresh in terms of the order of the Financial Commissioner dated 16.09.2021. To buttress his contention Mr. Pandey brought attention of the Court to the said application.

23. Mr. Pandey contends that there is no encroachment, whatsoever, made by the plaintiff.

24. He invites attention of the Court to the transcript of the video which is available on the YouTube channel of the defendant no.1 wherein, reckless allegations have been made by the defendant alleging that the plaintiff has encroached upon government land which belongs to the gram sabha. He



submits that the defendant has made such allegations without the same being supported by any public record. He submits that there is no semblance of truth in the statement made in the video.

25. I have watched the video by clicking the link provided in the PDF file of the suit and have perused the transcript of the alleged video wherein the defendant no. 1 is seen on his channel 'The News Cast Tv' alleging that the plaintiff is a land grabber, as is evident from the fact that the property bearing *khasra* No. 23/15/1 situated in Burari is a gram sabha land and the same has been encroached upon by the plaintiff. The administration can register an FIR under Sections 352, 353, 316, 336 and 195 of Bhartiya Nyaya Sanhita, 2023 and the plaintiff can be arrested, however, no such action will be taken owing to the plaintiff's connection with political parties and MLA Sanjeev Jha.

26. I have perused the registered sale deed dated 04.01.2013 filed alongwith the plaint as document P-2, which shows that land admeasuring 01 Bigha 17 Biswas comprised in *khasra* No. 23/15/1 situated in the revenue estate of Kamal Pur Majra, Burari, Delhi has been purchased by the plaintiff, which *prima facie* shows that the said land is owned by the plaintiff and does not belong to Gram Sabha as being alleged by the defendants. The law is well settled that a registered sale deed has strong presumption of validity and genuineness.

27. The operation of two orders of SDMs dated 29.03.2025 and 10.07.2025 have also been stayed by an order of the Civil Court as noted herein above.

28. Likewise, the order dated 04.02.2014 passed by the SDM ejecting the predecessor-interest of the plaintiff namely, Satpal, from the land comprised



in *khasra* no. 23/15/1 admeasuring 01 Bigha 17 Biswas situated in Kamal Pur Majra, Burari, Delhi-110084, has also been set aside by the learned Financial Commissioner *vide* his order dated 16.09.2021 and the matter was remanded to the SDM for passing fresh order after hearing the plaintiff. It *prima facie* appears that thereafter no fresh order has been passed by the SDM.

29. On an overall conspectus of the offending video, its transcript and the material pointed out by Mr. Pandey, I am of the view that there is *prima facie* substance in the submission made by Mr. Pandey that the allegations made in the video contains defamatory, libellous allegations and insinuations, made in reckless manner without regard to the truth, to injure the reputation of the plaintiff, only to sensationalize the allegations to increase the viewership of the video.

30. At this stage, apt would it be to refer to the decision of this Court in ***Gaurav Bhatia v. Naveen Kumar 2024 SCC OnLine Del 2024***, wherein the context of balancing the right of freedom of speech vis-a-vis right to have dignity and reputation, it was observed as under:

“42. The facts of the present case may now be considered in the light of aforesaid principles to ascertain whether the injunctive relief is justified in the circumstances as made out in the plaint. It is not disputed that the plaintiff is not only holding a distinguished position of Senior Advocate and is acknowledged for his expertise and experience in the legal field, but is also the Spokesperson for one of the most prominent political entity of this Country and being its Spokesperson, plays a crucial role in presenting the views of the party and communicating about its policies and initiatives in public. As has been discussed in the aforementioned judgments, while the threshold of public criticism and alleged defamatory X posts/Tweets on social media platforms is much higher, but the individual dignity



and honour of a person cannot be allowed to be defamed or disrepute brought to him on the ground of Right of Free Speech and Expression. A thin line of distinction exists between defamation and public criticism and an onerous task lies with the Courts to maintain this delicate balance between the competing claims and rights.”

(emphasis supplied)

31. The balance of convenience is also in favour of an interim order of *status quo* being passed. I am satisfied that the plaintiff will suffer irreparable loss and injury in case an *ad interim* order of injunction in favour of the plaintiff is not granted.

32. Under the circumstances, it is deemed appropriate to direct the defendants not to publish or upload any video making identical or similar defamatory allegations against the plaintiff, till the next date of hearing. Ordered accordingly. Further, the defendant no.1 is directed to remove the YouTube video from his channel ‘The News Cast Tv’ or any other such channels owned or operated by him, which contains defamatory statements against the plaintiff within three weeks from today, and maintain that position, till the next date of hearing.

33. Provisions of Order XXXIX Rule 3 CPC be complied with by the plaintiff within a period of three weeks from today and affidavit of compliance be filed within a period of one week thereafter.

34. Let reply to the application be filed within a period of 04 weeks.

35. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

36. List before the learned Joint Registrar for completion of service and pleadings on 27.03.2026.



37. List before Court after completion of pleadings on 13.04.2026.

VIKAS MAHAJAN, J

JANUARY 14, 2026
N.S. ASWAL