

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (L) NO.21038 OF 2024

IN

SUIT NO.107 OF 2025

Lopa Rajendra Bhatt

...Applicant / Plaintiff

Versus

Kishore Chhabria & Ors.,

...Defendants

Mr. Hrushi Narvekar i/b Mr.Suyash N. Khose, Mr. Siddharth N. Sutaria, Mr. Ashwin Hirulkar, Mr. Abhijit Aher & Mr. Varadraj Jadhav for Applicant/Plaintiff.

Mr. Harit Lakhani a/w Mr. Abhishek Mookherjee i/b Shardul Amarchand Mangaldas & Co. for Defendant No.2.

Mr. Aditya Trivedi i/b Induslaw for Respondent No.3.

CORAM : R.I. CHAGLA, J.

DATED : 7th AUGUST, 2025.

ORDER :

1. The present Interim Application has been moved for ad-interim relief on the ground that the Defendant No.1 is disseminating and / or printing and / or publishing and / or circulating and / or exhibiting and / or making defamatory statements and / or imputation against the Applicant which is alike or similar to the

Defamatory Statements contained in the Defamatory posts and video as more particularly set out in Schedule – 1 and Schedule – 2 and Exhibit-E1 to E15, Exhibit-F1 to F15 and Exhibit-G to the Interim Application.

2. The learned Counsel appearing for the Applicant has tendered Affidavit of Service dated 6th August, 2025 which shows that the Defendant No.1, against whom ad-interim relief is sought, has been served with today's listing of the matter as well as being served prior thereto with the Interim Application filed in the above Suit. The Affidavit of Service has annexed e-mails exchanged between the Advocates for the Plaintiff and the Defendant No.1 and which Defendant No.1 has acknowledged the receipt of the e-mails. These e-mails have been exchanged as far back as in June 2024. Further, recent e-mails of 5th August, 2025 have been sent by the Advocate for the Plaintiff to Defendant No.1 informing Defendant No.1 of today's listing and the Order dated 4th August, 2025 by which this Court had directed the Advocate for Plaintiff to intimate the Defendant No.1. This e-mail has been annexed at Page 10 of the Affidavit of Service. The Affidavit of Service is taken on record. In spite of service, none appears for Defendant No.1.

3. The learned Counsel appearing for the Applicant has referred to the various posts on the Online Social Media Platform operated by Defendant No.1. He has also tendered recent posts on the Online Social Media Platform operated by Defendant No.1 which is taken on record and marked 'X' for identification.

4. Having perused the posts as well as extract of videos which have been annexed to the Plaint, I am of the prima facie view that the posts and videos *per se* contain defamatory statements which strike at the reputation, integrity, image and goodwill of the Plaintiff and affect her personal life and future work prospects and therefore will cause mental and monetary damage to the Plaintiff.

5. It has been stated by the Plaintiff that due to the posts and videos which in my prima facie view are *per se* defamatory her work has been severely affected.

6. The Plaintiff has also stated that such posts and videos have been posted on the Online Social Media Platforms and due to which she has lost several opportunities of advertising business, thus causing severe losses.

7. In that view of the matter, a strong prima facie case has been made out for grant of ad-interim relief. Accordingly, ad-interim relief is granted in terms of prayer Clause (a) of the Interim Application which reads thus:

“(a) Pending hearing and final disposal of this Suit, this Hon’ble Court be pleased to pass an order of temporary injunction restraining the Defendant No.1 its servants, representatives, employees, agents from in any manner whatsoever (whether directly or indirectly or by words spoken or written) disseminating and / or printing and / or publishing and / or circulating and / or exhibiting and / or making any defamatory statements and / or imputation against the Applicant which is alike or similar to the Defamatory Statements contained in the Defamatory posts and videos as more particularly set out in Schedule – 1 and Schedule – 2 and Exhibit “E-1 to E-15” Exhibit “F-1 to F-15” and Exhibit “G”.”

8. Notice of this order shall be served upon the Defendant No.1 by the Advocates for the Plaintiff and Affidavit of Service shall

be filed prior to the next date.

9. The Interim Application shall be placed for further consideration on 25th August, 2025.

[R.I. CHAGLA, J.]