

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

**INTERIM APPLICATION (L) NO.30690 OF 2025
IN
SUIT (L) NO.30688 OF 2025**

Malabar Gold and Diamonds Limited	Applicant
IN THE MATTER BETWEEN	
Malabar Gold and Diamonds Limited	Plaintiff
V/S	
Meta Platforms Inc	
(operating digital platforms such	
as Instagram, Facebook and Whatsapp)	Defendant

**WITH
SUIT (L) NO.30688 OF 2025**

Malabar Gold and Diamonds Limited	Plaintiff
V/S	
Meta Platforms Inc	
(operating digital platforms such	
as Instagram, Facebook and Whatsapp)	Defendant

Mr. Amrut Joshi with Uazad Udwadia, Ms. Rehmat Lokhandwala and Mr. Abuzar Khan i/b M/s. Pan India Legal Services LLP *for the Applicant/Plaintiff.*

Mr. Varun Pathak (through video conferencing) with Mr. Rishab Jaisani, Ms. Amee Rama, Ms. Richa Bharti and Mr. Abhishek Mookherjee i/b M/s. Shardul Amarchand Mangaldas & Co. *for Defendant No.1.*

Ms. Meenaz Kakalia for Defendant No.2.

Mr. C. Keswani with Ms. Tanvi Rana i/b M/s. Economic Laws Practice for Defendant No.3.

**CORAM : SANDEEP V. MARNE, J.
DATE : 17 OCTOBER 2025.**

P.C.:

1. Heard Mr. Joshi, the learned counsel appearing for Plaintiff. The Suit and the Interim Application are moved today expressing an urgency on account of the conduct of Defendant No.5 in publishing host of tweets, posts and other stories on social media regarding Plaintiff in breach of *ad-interim* injunction order dated 29 September 2025.

2. On 29 September 2025 this Court passed following order:

“1. Plaintiff is a reputed jewellery brand operating in India and is engaged in manufacturing and trading of jewellery.

2. It is Plaintiff’s case that it had plans to establish a new show-room at Birmingham in United Kingdom (UK). In order to promote the said show-room and to attract prospective customers from adjoining localities, Plaintiff had engaged social media influencers as a part of its marketing strategy. Accordingly, Defendant No.8 (JAB Studios) was engaged for the purpose of securing services *inter alia* of social influencers. It appears that one of the principal influencers provided by Defendant No.8 for promoting Plaintiff’s show-room in Birmingham, UK was Ms. Alishba Khalid, a Pakistani Instagram Influencer, who is a resident of UK. It appears that the said influencer had publicly condemned India’s surgical strike during Operation Sindoor against Pakistan. However, according to Plaintiff, the arrangement for engagement of Ms. Alishba Khalid, social influencer had taken much prior to the Pahalgan attack. According to Plaintiff, engagement of Ms. Alishba Khalid was done in absence of knowledge on the part of the Plaintiff about her connections with the neighbouring country.

3. The problem that the Plaintiff now faces is that several posts/materials/stories are being posted on social media platforms against the Plaintiff by random persons seeking to connect the Plaintiff with the neighbouring country. On account of Plaintiff hiring services of social influencer criticizing India’s Operation Sindoor, it is being portrayed through such posts that Plaintiff is a sympathizer of Pakistan. Plaintiff contends that this is being done strategically at the instance of competitors so as to ensure that Plaintiff’s business during festive times suffer. At Exhibit-J to the plaint, Plaintiff has provided list of 442 URLs containing defamatory posts against the Plaintiff. Plaintiff has

accordingly sought injunction against the Defendants from publishing any further defamatory contents against it and for removal of contents which are already published on the social media platforms.

4. I have heard Mr. Engineer, the learned Senior Advocate appearing for the Plaintiff and I have considered the submissions canvassed by him. I have also heard Mr. Lakhani, the learned counsel appearing for Defendant No.1 and Ms. Rana, the learned counsel appearing for Defendant No.3. None appears on behalf of the rest of the Defendants though being served privately.

5. It is Plaintiff's case that mere utilization of services of the UK based social influencer by it at some point of time cannot be a reason for spreading defamatory contents by the competitors. Mr. Engineer has submitted that Plaintiff has discontinued the services of the said influencer. He further submits that Plaintiff cannot be connected to the activities of the influencer, especially considering that the posts by her are subsequent to her engagement by Plaintiff. Considering the submissions canvassed by Mr. Engineer, in my view, a case is made out for grant of ad-interim injunction in favour of the Plaintiff for pulling down the posts, list of which alongwith URL is already provided at Exhibit-J to the plaint. Similarly, the Defendant Nos.1 to 7 on whose platforms defamatory material is being published against the Plaintiff, deserves to be restrained from permitting publication of any further defamatory material against the Plaintiff *qua the* influencer arrangement made by it with Ms. Alishba Khalid.

6. Accordingly, till the next date of hearing, there shall be an ad-interim protection in favour of the Plaintiff in terms of the following order:

- i) Defendant Nos.1 to 7 shall pull down and delete all the posts/materials/stories details of which are reflected in the chart at Exhibit-J to the plaint;
- ii) Defendant Nos.1 to 7 shall not permit publishing of any further defamatory material against the Plaintiff *qua the* arrangement made by the Plaintiff for engagement of Ms. Alishba Khalid as a social influencer to promote its products and business.

iii) For the purpose of complying with the direction in (ii) above, Plaintiff shall provide the details of URLs to Defendant Nos.1 to 7 in respect of posts/materials/stories containing any defamatory material arising out of Plaintiff's engagement of Ms. Alishba Khalid as social influencer. In case Defendant Nos.1 to 7 have any doubts/defamation regarding any of the URLs reported by the Plaintiff, they shall inform the Plaintiff of the same, in which case, Plaintiff shall be entitled to approach this Court and seek appropriate relief in respect of those URLs.

iv) Defendant No.6 is restrained from publishing any printed material against the Plaintiff *qua* the arrangement made by it with Ms. Alishba Khalid as a social influencer.

7. The above directions shall operate as ad-interim injunction in Plaintiff's favour till next date.

8. Issue Court notices to Defendant Nos.2, 4 to 8, returnable on 11 November 2025."

3. From various posts published by Defendant No.5-Mr. Vijay Patel after passing of order dated 29 September 2025, it appears that he fairly has an idea of filing of the present proceedings as well as orders passed therein. Despite knowledge of the fact that an order of ad-interim injunction operates against him restraining him from publishing any further defamatory material against the Plaintiff, Defendant No.5 has brazenly published several new posts on his accounts on X (formerly Twitter), Facebook, Instagram etc. By order dated 29 September 2025, this Court had evolved a mechanism for bringing to the notice of the social media platforms, URLs containing defamatory material with further direction to those platforms to have them deleted. However, the said mechanism has failed in the present case as Defendant No.5 is emboldened and has continued publishing defamatory material against the Plaintiff. Despite having knowledge of the present proceedings, he has

not bothered to appear before the Court but has been repeatedly posting tweets and other stories on social media platforms giving reference to the present Court proceedings.

4. One of the grievance of the Plaintiff is that the impugned defamatory material is deliberately being published at the time of Diwali festival so as to cause maximum possible damage to Plaintiff's business. It is also allegation of Plaintiff that business rivals are behind the impugned defamatory stories. In my view, considering the fact that Diwali festival is starting next week and the mechanism earlier devised vide order dated 29 September 2025 has not effectively resulted in Defendant No.5 stopping publication of defamatory material, in my view, an extraordinary measure deserves to be adopted in the present case by directing the concerned social media platforms to block the accounts of the Defendant No.5.

5. Mr. Joshi would submit that various tweets posted by Defendant No.5 are being re-tweeted by random persons causing further damage to the reputation of the Plaintiff. He would submit that Respondent No.2 be directed to ensure that with blocking of the account of Defendant No.5, all the retweets are also simultaneously deleted. He would submit that if this is not done, the tweets posted by Defendant No.5 earlier would not only remain in circulation but would also be further retweeted.

6. Ms. Kakalia the learned counsel appearing for Respondent No.2 opposes the prayer for blocking of account of Defendant No.5. She would submit that such extreme measure may not be adopted since Defendant No.2 has been taking the necessary steps for deletion of the

posts which are *prima facie* defamatory. She would submit that all posts of Defendant No.5 are not defamatory and need not be deleted. However, upon a query from the Court she clarifies that upon blocking of the account of Defendant No.5, his tweets, which figure in retweets by other persons, would also get automatically deleted.

7. Accordingly by way of further ad-interim injunction, Defendant No.2 is directed to block the account of Defendant No.5-Mr. Vijay Patel with Twitter/X Handle @vijaygajera.

8. List the Interim Application for further consideration on 17 November 2025 as directed earlier.

(SANDEEP V. MARNE, J.)

Digitally
signed by
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RAJALINGAM
KATKAM
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