

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

INTERIM APPLICATION (L) NO.4025 OF 2020

IN  
SUIT (L) NO.4028 OF 2020

Richa Chadda ... Applicant/Plaintiff

vs.

Payal Ghosh & Ors. ... Defendants

Dr. Virendra Tulzapurkar, with Ms. Saveena T. Bedi and Ms. Sumitra Radhika, i/by Lawhive Associates, for the Applicant/Original Plaintiff.

Mr. Nitin Satpute for Defendant no. 1

Mr. Manoj Gadkari for Defendant no. 3

CORAM : A. K. MENON, J.  
DATED : 7<sup>th</sup> OCTOBER , 2020.  
(THROUGH VIDEO CONFERENCE)

**P.C. :**

1. This is a suit claiming damages for defamation and injunctions. The plaintiff is aggrieved by references to her inter alia in a video interview given by the defendant no.1 and uploaded on her Twitter handle. Defendant no.2 which operates a news channel and YouTube channel titled ABN Telugu is said to have published the offending videos. In the course of the interview the defendant no.1 narrates what

she claims to have experienced as an actress while dealing with a film industry professional. References made to the plaintiff are stated to be untrue apart from being indecent and offensive. The plaintiff contends that these references tend to lower the plaintiff in the eyes of right thinking members in society. Defendant no.3 also an actor, has offered his comments on Twitter which are also impugned. The plaintiff also seeks a 'John Doe' order against persons unknown and hence defendant no. 4 is described as such. The suit therefore claims damages and injunctions against all the defendants.

2. Dr. Tulzapurkar seeks urgent ad-interim relief in terms of the Interim Application against all defendants. Having heard counsel and having perused the plaint and the offending interview, I am of the view that a prima facie case is made out. At this stage Mr.Satpute representing defendant no. 1 states on instructions that defendant no. 1 never intended to defame anyone and that his client is desirous of withdrawing her statements pertaining to the plaintiff. Mr. Satpute states that the defendant no.1 will also tender an unconditional apology. In view thereof Mr. Satpute states that he is agreeable to a workable order being passed in the suit.

3. Defendant no. 2 is not represented today despite service of notice. Defendant no. 3 is represented by Mr. Gadkari. Defendant no. 2 has not

controverted the plaintiffs contentions. On behalf of defendant no. 3, Mr. Gadkari seeks time to file a reply but states that defendant no.3 has no intention repeating his tweets and that defendant no.3 will not make any similar remarks about the plaintiff or the statement made by defendant no. 1 in relation to the plaintiff on twitter or any other media. That statement is accepted for the present and will operate till further orders.

4. Accordingly, I pass the following order :

(i) Statements by counsel for defendants 1 and 3 are accepted and will operate till further orders.

(ii) There will be an ad-interim order in terms of prayer clauses (b) and (d) of the Interim Application against defendant nos. 2 and 4.

(iii) List on 12<sup>th</sup> October 2020 under the caption 'For Settlement' as between plaintiff and defendant no1 and further orders as against the other defendants.

(iv) All concerned shall act on a copy of this order digitally signed by the Personal Assistant of this Court.

**(A. K. MENON, J.)**