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

+ CS(OS) 102/2014

SWATANTER KUMAR

..... Plaintiff

Through

Mr.Mukul Rohatgi, Sr.Adv.,  
Mr.A.S.Chandhiok, Sr.Adv.,  
Mr.Rajiv Nayar, Sr.Adv.,  
Mr.Neeraj Kishan Kaul, Sr.Adv.,  
Mr.Vinay Bhasin, Sr.Adv.,  
Mr.Maninder Singh, Sr.Adv.,  
Mr.Kirti Uppal, Sr.Adv.,  
Mr.Sandeep Sethi, Sr.Adv.,  
Mr.Aman Lekhi, Sr.Adv. with  
Mr.Sudhir Walia, Mr.Ralan  
Karanjawala, Ms.Fareha Ahmad  
Khan, Mr.Abhijat, Mr.Mohit Mathur,  
Mr.P.Banerjee, Ms.Manmeet Arora,  
Ms.Meghna Mishra, Mr.Akshay  
Makhija, Mr.Ashish Dholakia,  
Mr.Abhimanya Mahajan, Ms.Mansi  
Sharma, Ms.Nidhi Parashar,  
Ms.Niyati Kohli & Mr.Varun Kumar  
Tikmani, Advs.

versus

THE INDIAN EXPRESS LTD. & ORS

..... Defendants

Through

Mr.Ashwani Mata, Sr.Adv. &  
Mr.Dinesh Dwivedi, Sr.Adv. with  
Mr.Vijay Sondhi, Mr.Kunal Tandon,  
Mr.Kapil Arora & Ms.Nidhi, Advs.  
for D-3.  
Dr.Saif Mahmood, Adv. for D-4.  
Mr.Rajeeve Mehra, ASG with  
Mr.Sachin Datta, CGSC & Mr.Vineet  
Tayal, Adv. for D-6.

**CORAM:  
HON'BLE MR. JUSTICE MANMOHAN SINGH**

**ORDER**  
% **15.01.2014**

**I.A. No.727/2014 (exemption)**

The exemption is allowed as prayed for. The plaintiff is granted four weeks' time to file the better copies of dim documents of the suit in the Registry.

The application is disposed of.

**I.A. No.728/2014 (u/s 149 CPC)**

This is an application filed by the plaintiff under Section 149 read with Section 151 CPC for enlargement of time to file the Court fee.

For the reasons stated in the application, the same is allowed. Let the deficient Court fee be filed within two weeks from today.

The application is disposed of.

**I.A. No.725/2014 (u/s 80(2) CPC)**

The abovementioned application has been filed by the plaintiff under Section 80(2) read with Section 151 CPC.

Issue notice to defendant No.6. Learned counsel appearing on behalf of said defendant accepts notice. Let the reply, if any, be filed within two weeks.

List on 24<sup>th</sup> February, 2014. However, at this stage, the leave is granted to the plaintiff to file the present suit without service the notice as contemplated under Section 80(1) CPC upon defendant No.6.

**CS(OS) No.102/2014**

Fresh urgent matter is received.

Let the plaint be registered as a suit.

Issue summons to the defendants. Learned counsel appearing on behalf of defendant Nos.3, 4 & 6 accept notice. Hence, service upon these defendants is dispensed with. Let written statement be filed by said defendants within 30 days.

However, summons be issued to the remaining defendant Nos.1, 2 & 5 for the date fixed, i.e. 24<sup>th</sup> February, 2014, on filing of process fee and Regd. A.D. Covers within one week.

**I.A. No.724/2014**

This is an application filed by the plaintiff under Order XI Rule 12 read with Section 151 CPC seeking production of the complete copy of the alleged affidavit dated 30<sup>th</sup> November, 2013 and other materials in the possession of defendants No.1 to 5.

Issue notice to defendants No.1 to 5 for the date fixed, i.e. 24<sup>th</sup> February, 2014. Learned counsel appearing on behalf of defendants No.3 & 4 accept notice. Let the reply be filed within two weeks.

In the meanwhile, it is directed that defendants No.1 to 5 shall file the copy of the alleged affidavit dated 30<sup>th</sup> November, 2013 as well as the other materials, if any, in their possession.

**I.A. No.726/2014 (u/s 151 CPC)**

The abovementioned application has been filed by the plaintiff under Section 151 CPC for conducting the proceedings of the present suit in camera.

Re-notify this application on 24<sup>th</sup> February, 2014.

**I.A. No.729/2014**

This is an application filed by the plaintiff under Order V Rule 12

read with Section 151 CPC, with the prayer that the plaintiff be permitted to serve defendant No.5 through defendant No.2 who may be directed to disclose the particulars including the address on which the plaintiff can serve the said defendant. It is also prayed that directions be issued by this Court to preserve the name of defendant No.5, as disclosed by the plaintiff in an envelope.

Issue notice to the defendants for 24<sup>th</sup> February, 2014. Learned counsel appearing on behalf of defendants No.3, 4 & 6 accept notice.

In the meanwhile, the Registrar General of this Court is directed to preserve the said envelope in a sealed cover as per Rules.

**I.A. No.730/2014 (u/s 151 CPC)**

This is an application filed by the plaintiff under Section 151 CPC seeking certain directions.

Issue notice to the defendants for 24<sup>th</sup> February, 2014. Learned counsel appearing on behalf of defendants No.3, 4 & 6 accept notice.

In the meanwhile, the Secretary General of the Hon'ble Supreme Court is requested to preserve all the records pertaining to internships of students with the plaintiff.

**I.A. No.723/2014 (for stay)**

The abovementioned application has been filed by the plaintiff under Order XXXIX Rules 1 & 2 read with Section 151 CPC seeking an ad-interim injunction order.

Issue notice to the defendants, returnable on 24<sup>th</sup> February, 2014.

Learned counsel appearing on behalf of defendants No.3, 4 & 6 accept notice. Hence, service upon these defendants is dispensed with. However, notice shall be issued to the remaining defendants for the date

fixed. Let the reply be filed by the appearing defendants within four weeks.

Mr. Mukul Rohatgi, learned Senior counsel appearing on behalf of the plaintiff is pressing for an *ex parte* ad-interim injunction order in view of the urgency explained by the plaintiff. He has also made his submissions in this regard. The submissions on the issue of prayer of an *ex parte* order sought by the plaintiff have also been made on behalf of defendant No.3 who has opposed the prayer. However, the learned counsel appearing on behalf of defendant No.4, upon instructions, made the statement that without prejudice, his client, i.e. defendant No.4 shall not conduct the telecast of the programme like earlier telecasted on 10<sup>th</sup> January, 2014 in respect of the plaintiff.

Defendant No.6, although appeared, but did not make any submissions.

After hearing both the parties, the matter is adjourned to 16<sup>th</sup> January, 2014 for orders.

The defendants No.1 to 4 shall only publish/telecast the reporting or articles of the Court orders and proceedings till the pronouncement of the interim order.

*Dasti*, under the signatures of the Court Master.

**MANMOHAN SINGH, J.**

**JANUARY 15, 2014/ka**