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

+ **CS(OS) 462/2024**

MR. GAURAV SRIVASTAVA Plaintiff

Through: Mr. Arvind Nigam, Sr. Adv.
alongwith Mr. Bharat Arora, Mr.
Abhishek Singh and Mr. Gourav
Arora Advocates with Mr. Anmol
Arya, POA of Plaintiff in person. (M:
9811628929)

versus

INDIA TODAY & ORS. Defendants

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **30.05.2024**

1. This hearing has been done through hybrid mode.

I.A.30991/2024 (for exemption)

2. This is an application seeking exemption from filing certified/cleared/typed or translated copies of documents, left side margins, electronic documents, etc. Original documents shall be produced/filed at the time of Admission/Denial, if sought, strictly as per the provisions of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

3. Exemption is allowed, subject to all just exceptions.

4. Accordingly, the application is disposed of.



I.A.30990/2024 (for exemption from placing videos)

5. This is an application seeking exemption from filing/ placing on record the videos mentioned in the suit and transcripts of the said videos. For reasons stated in the application, the exemption is allowed, subject to directions to be filed as and when sought by the Court, strictly as per the provisions of the Delhi High Court (Original Side) Rules, 2018.

6. Exemption is allowed, subject to all just exceptions.

7. Accordingly, the application is disposed of.

CS(OS) 462/2024 & I.A.30989/2024 (for stay)

8. The plaint be registered as a suit.

9. Issue summons in the suit and notice in the application to the Defendant No.2- The Tribune through all modes upon filing of Process Fee.

10. Let the written statement to the plaint be filed within 30 days. Along with the written statement, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statement shall not be taken on record.

11. Liberty is given to the Plaintiff to file replication within 15 days of the receipt of the written statement(s). Along with the replication, if any, filed by the Plaintiff, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

12. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. The Plaintiff is aggrieved by the publication of a statement/ article in The Tribune, which according to him, maliciously made defamatory



statements and allegations against the Plaintiff. The Plaintiff seeks damages for harm to his reputation and requests the Defendants disclose the individuals or organizations behind these defamatory publications. Additionally, the Plaintiff demands the removal of all defamatory content and the publication of an unconditional apology.

14. It is stated that the Plaintiff is an entrepreneur/ investor based in Los Angeles. It is averred that the Defendants published false articles accusing the Plaintiff of misconduct without verification, intending to boost their own revenues. The Plaintiff is stated to have discovered these defamatory publications in May 2024. Thereafter it is stated that the Plaintiff issued a legal notice on 20th May 2024, demanding cessation of these activities, removal of the defamatory content, and Rs. 5 Crores in damages. However, it is stated that the Defendants did not comply or respond, prompting the Plaintiff to file the present suit.

15. Mr. Arvind Nigam, Id. Senior Counsel appearing for the Plaintiff submits that the original publication in the Tribune dated 24th December, 2023 states as under:

“Disclaimer: This article is part of a sponsored content programme. The Tribune is not responsible for the content including the data in the text and has no role in its selection.”

16. According to Id. Senior Counsel for the Plaintiff, this has now been re-published in Times of UP and some other websites.

17. Considering the fact that The Tribune itself claims that the publication was a sponsored content programme, the details of the said sponsor may be disclosed to the Plaintiff by 10th June, 2024. The Plaintiff then is free to



take steps in accordance with law, including for seeking impleadment.

18. List before the Vacation Bench on 12th June, 2024.

PRATHIBA M. SINGH, J.

MAY 30, 2024/dk/bh