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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 14/2017 & IA No.177/2017 (u/O XXXIX R-1&2 CPC)
D. PAULS TRAVEL & TOURS LTD. Plaintiff

Through: Mr. Anup J. Bhambhani, Sr. Adv.
with Mr. Rajat Arora & Mr. Jaypreet
Singh, Advs.

Versus

ANKIT ROOPANWAL & ANR. Defendants
Through: Mr. Rajesh Navet, Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.02.2017

1. The plaintiff has instituted this suit, i) for permanent injunction to restrain the two defendants viz. Sh. Ankit Roopanwal and Punjab Kesari from publishing in the print, electronic or social media or otherwise the disputed issues pending adjudication before the District Consumer Forum (DCF), Qutub Institutional Area, Mehrauli, New Delhi in consumer complaint No.180/2016; and, ii) for damages for the publication already effected.
2. The suit was entertained and while issuing summons thereof, vide *ex parte* ad interim order dated 11th January, 2017, the defendant no.2 was restrained from re-publishing the article which it had published in the newspaper dated 23rd December, 2016.
3. Though summons were served on both the defendants but only the counsel for the defendant no.2 appeared before this Court on 1st February, 2017 and though disputing the territorial jurisdiction of this Court as well as contending that the defendant no.2 as per the norms of Journalism and the

Guidelines of the Press Council of India, besides publishing the version of the defendant no.1 of the dispute had also published the version of the plaintiff, stated that the defendant no.2 was not desirous of unnecessarily contesting the suit.

4. Considering that the defendant no.1 is an advocate, the counsel for the plaintiff was requested to contact the defendant no.1 and seek his presence for today.

5. The counsel for the plaintiff states that an e-mail was sent to the defendant no.1.

6. The defendant no.1 appears and states that he is not responsible for publication of the article in the newspaper dated 23rd December, 2016 of the defendant no.2 and has no intention to in future also have published in any way including in print, electronic and social media, his claim and grievance against the plaintiff till it is decided by the DCF.

7. Similarly, the counsel for the defendant no.2 Punjab Kesari also, without prejudice to his contention aforesaid, states that the defendant no.2 shall not publish about the said dispute.

8. The senior counsel for the plaintiff under instructions fairly states that the defendants having made such statements, the plaintiff is not pressing for the other reliefs.

9. Both the defendants are bound by their statements and in terms thereof the suit is decreed.

No costs.

Decree sheet be prepared.

RAJIV SAHAI ENDLAW, J

FEBRUARY 06, 2017/‘gsr’..

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