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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 181/2017**
TOPS SECURITY LIMITED Plaintiff
Through **Ms.Nimita Kaul and Ms.Sanya Sood,**
Advocates.
versus
REETA JATTA Defendant
Through **Mr.Vivek Sharma, Advocate.**

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **21.04.2017**

I.A.No.4828/2017 (under Order VII Rule 11 CPC)

Not pressed. Disposed of.

CS(COMM) 181/2017 & I.A.No.3054/2017 (u/o 39 Rules 1 and 2 CPC)

The present suit is a suit for permanent injunction which has been filed by the plaintiff company who has been arrayed as plaintiff no.1. Plaintiff nos.2 to 6 are the senior officers, of the plaintiff no.1 company, namely Rajesh Bagga, Managing Director SSG Tops Security Ltd., Niraj Bijlani, Executive Director, Mr.Sandeep Chaurasia, Managing Director North India Region, Mr.Ravi Nair, Country Head and Owner-Admin. and H.R., Mr.Ramesh Iyer, Vice Chairman and CEO.

The averments in the plaint disclose that the plaintiffs are apprehensive that the defendant would defame them through public media or other modes of public communication which would cause a

disrepute not only to the company but also its senior officers. In fact the defendant has been disabled from the company and her services had been terminated w.e.f. 16.9.2016. This has been duly communicated to her. This submission is denied by the defendant. Her submission is that no communication of any termination has been received by the defendant. The defendant is, however, admittedly not attending the office. Further averments in the plaint disclose that since the plaintiff company has refused to fulfil the monetary demand of the defendant there is an imminent risk and a reasonable apprehension that the defendant will try to defame the company as also its senior officers. Pursuant to the disputes inter se the parties an FIR (FIR No.114/2017) under Sections 354D/506/509/34 of the Indian Penal Code at police station Mehrauli has been registered against plaintiff nos.2 to 6 on the complaint of the defendant.

The present suit has been filed seeking permanent injunction against the defendant restraining her from circulating, propagating, airing, televising, publishing, carrying out any reports or articles or telecasts or publishing, debate/discussion pertaining to any act of the plaintiff company in any other manner or any other matter which in any manner relates to the complaint/FIR made by the defendant against the plaintiff nos.2 to 6.

At the outset on service learned counsel for the defendant had pressed his application under Order VII Rule 11 CPC but in view of the negotiations which have now taken place and the parties having arrived at a settlement that application has not been pressed; which has been disposed of (supra).

Learned counsel for the defendant under instructions from his client states that he has neither in past, present or in the future ever tried or to publicly report, telecast, air or propagate any discussion or programme qua the allegations which are the subject matter of the said FIR. Admittedly, the apprehension of the plaintiff till date appears to be ill founded as even as per the plaintiff till date no such act has been committed by the defendant. This statement of the learned counsel for the defendant who has instructions from his client is taken on record. He will not in any manner circulate, propagate, air, telecast publicly or publish in any report or article or any material which is related directly or indirectly to the allegations contained in the FIR. The defendant will be at full liberty to pursue her legal remedy i.e. to follow-up the FIR which may result in any future litigation. Counsel for the defendant further points out that he is responsible for his own statement but he cannot make any statement on behalf of his friends and family. This appears to be fair. The plaintiff will also not make any statement publicly or otherwise which would in any manner defame the defendant.

The suit of the plaintiff stands decreed in the aforementioned terms.
No order as to costs.

Date of 23.5.2017 stands cancelled.

INDERMEET KAUR, J

APRIL 21, 2017/ndn