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

+ **CS(OS) 410/2024**

INCEDO TECHNOLOGY SOLUTIONS LIMITEDPlaintiff

Through: Mr. Priyank Ladoia, Mr. Tanmay Sharma, Mr. Arjun Narang, Ms. Bhagya Yadav and Ms. Puneet Dhanoa, Advs.

versus

SUCHISMITA PRADHAN & ORS.Defendants

Through: Defendant no.1 (ex-parte).
Mr. Abhishek Kumar Singh and Mr. Saksham Chaturvedi, Advs for D-2.
Ms. Avshreya Pratap Singh Rudy, SPG with Ms. Usha Jamnal AND Ms. Harshita Chaturvedi, Advs for D-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **18.07.2025**

1. The plaintiff-company, INCEDO Technology Solutions Limited, a global digital transformation company headquartered in New Delhi, has instituted the present suit against the defendants for damages amounting to Rs. 2.50 cr and a decree of permanent injunction. The grievance of the plaintiff-company is that defendant No. 1, a former employee who resigned from the plaintiff-company's services on 16.05.2023, has been repeatedly publishing false, defamatory, and malicious statements against the plaintiff-company and its senior management on LinkedIn, which is hosted and operated by defendant No. 2.

2. It is the case of the plaintiff-company that defendant No. 1 was employed with the plaintiff-company from 2016 until her resignation on



16.05.2023, at which time she was serving as Assistant Manager – Delivery Excellence. During the course of her employment, defendant No. 1 had raised certain complaints of sexual harassment against three individuals within the plaintiff-company. These complaints were duly referred to the Internal Complaints Committee (“ICC”) constituted under the provisions of the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*. The plaintiff-company states that the ICC, after conducting a thorough inquiry, found the allegations to be unsubstantiated in respect of two individuals. As regards the third, the ICC held that the complaint was beyond the limitation period and no preliminary evidence of continued harassment was found. However, the ICC did note some objectionable conduct and recommended limited disciplinary action, which the plaintiff-company implemented. The ICC’s report was accepted and was not challenged by any party at the time.

3. The plaintiff-company submits that nearly a year after her resignation, in May 2024, defendant No. 1 commenced a targeted campaign of publishing defamatory content against the plaintiff-company and its senior leadership on her LinkedIn profile. According to the plaintiff-company, defendant No. 1 published several offensive and baseless posts that included serious and scandalous allegations such as branding the leadership of the plaintiff-company as a “molester and harasser group,” claiming she was “kicked out” and “forced to resign,” and alleging that bribes were offered to silence her. It is specifically stated that between 23.05.2024 and 24.05.2024 alone, defendant No. 1 made 84 public posts, out of which 77 directly named and defamed the plaintiff-company.



4. These posts imputed that the plaintiff-company does not follow workplace safety norms, has a toxic work culture, and accused its CEO of being corrupt and a womanizer, among other damaging statements including allegations of cyber stalking and unlawful surveillance.

5. Upon discovering these defamatory publications, the plaintiff-company issued a legal notice dated 13.05.2024 to defendant No. 1, calling upon her to cease and desist from making such statements. The notice was served on her verified email address, which defendant No. 1 acknowledged publicly on LinkedIn in a post dated 14.05.2024. The defendant, therefore, had full knowledge of the proceedings.

6. The plaintiff-company moved this Court, which by its order dated 30.05.2024 granted an interim injunction restraining defendant No. 1 from making or publishing any further offending material. Subsequently, by order dated 06.08.2024, the Court directed defendant No. 1 to take down two specific posts containing direct insinuations against the plaintiff-company's CEO and Cyber Security Head. Service of the suit was duly effected, but defendant No. 1 failed to appear.

7. On 17.07.2025, this Court proceeded *ex parte* against defendant No. 1 in terms of Order IX Rule 6 CPC, read with Order VIII Rule 10 CPC, due to her persistent non-appearance and failure to file any written statement or defence.

8. Today, when the matter is taken up, there is again no representation on behalf of defendant No. 1. Counsel for the plaintiff-company submits, on instructions, that the plaintiff-company is not interested in pursuing the monetary claim of Rs.2.50 cr and instead seeks vindication of its reputation through a decree of permanent injunction and an award of nominal damages.



9. I have perused the plaint, the annexures including screenshots of the posts, and the interim orders passed earlier. The allegations published by defendant No. 1 are *per se* defamatory and scandalous, and they directly impinge upon the professional standing of the plaintiff-company. The defendant has made no attempt to justify or substantiate these statements and has chosen to remain absent despite multiple opportunities. In such circumstances, where defamatory imputations are repeated with reckless disregard for the truth and without any legal defence, the plaintiff-company is entitled to relief.

10. While courts are cautious in granting prior restraints in matters involving speech, where the impugned content is shown to be defamatory *per se*, without factual or legal justification, and is part of a continuous pattern of reputational injury, the balance of convenience warrants intervention by way of injunction.

11. Accordingly, the suit is decreed *ex parte* under Order VIII Rule 10 CPC. A decree of permanent injunction is passed against defendant No. 1 restraining her from, in any manner, writing, posting, publishing, re-publishing, or otherwise disseminating, directly or indirectly, any similar defamatory statements or material concerning the plaintiff-company, its officers, or its senior management whether on LinkedIn or any other public platform.

12. Decree sheet be drawn accordingly.

13. The instant civil suit stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JULY 18, 2025/aks/sph.