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

+ **FAO 156/2025 & CM APPL. 34067/2025**

VARUN TYAGI

.....Appellant

Through: Mr. Asav Rajan, Mr. Ajay
Sharma, Mr. Mayank B, Mr.
Devang Shrodriya & Ms.
Kashish Chadha, Advts.

versus

**DAFFODIL SOFTWARE PRIVATE
LIMITED**

.....Respondent

Through: Mr. Saket Sikri, Mr. Raghav
Saluja, Mr. Ajay Pal Singh &
Ms. Tanisha Verma, Advts.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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28.05.2025

1. The appellant/defendant has filed the present appeal under Section 104 read with Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908 (CPC), thereby assailing the impugned order dated 23.05.2025, passed by the learned District Judge-06, South, Saket Courts, New Delhi ('learned Trial Court'), whereby an *ex parte ad interim* injunction order has been passed against the appellant/defendant in the following terms:-

"Accordingly, the defendant is restrained from working with/ for the clients, business affiliates of the plaintiff company till further orders. The defendant is also enjoined and restrained from disclosing confidential data belonging to the plaintiff, which has been acquired by the defendant while during the course of his employment with the plaintiff."

2. Learned counsel for the respondent/plaintiff is present on



advance notice.

3. It is pointed out by the learned counsel for the appellant/defendant that the matter is listed before the learned Trial Court on 30.05.2025 for further hearing. It is submitted that a reply to the interim application, which is pending consideration before the learned Trial Court, shall be filed on behalf of the appellant/defendant either today or tomorrow after supplying a copy of the same to the opposite counsel.

4. Having heard the learned counsel for the parties, since the appellant/defendant has raised the issue of violation of the fundamental right of the appellant under Article 19(1)(g) of the Constitution of India, 1950, the learned Trial Court is impressed upon to hear the arguments and decide the application filed by the respondent/plaintiff under Order XXXIX Rule 1&2 of the CPC, preferably within a week's time in accordance with law.

5. It is further provided that till such order is passed by the learned Trial Court, the restraint order dated 23.05.2025 shall not apply to the current employment of the appellant/defendant with the Digital India Corporation (DIC), which is a public sector undertaking.

6. This order has been passed without prejudice to the rights and contentions of the parties herein.

7. The present appeal, along with the pending application, stands disposed of accordingly.

DHARMESH SHARMA, J

MAY 28, 2025
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