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

I.A. 7944/2021 in

\+ CS(OS) 300/2021

LAKSHMI MURDESHWAR PURI ..... Plaintiff

Through: Mr. Maninder Singh, Sr. Adv. with Ms. Meghna Mishra, Mr. Dheeraj P.Deo, Mr. Tarun Sharma & Mr. Prabhas Bajaj, Advs.

versus

SAKET GOKHALE ..... Defendant

Through: Mr. Sarim Naved, Adv.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

J U D G E M E N T

% 13.07.2021

(Video-Conferencing)

I.A. 7944/2021 (*under Order XXXIX Rules 1 & 2 of CPC, 1908*)

1. Having secured the second rank at the All India Civil Services Examination, the plaintiff joined the Indian Foreign Service (IFS) in 1974. She served as Ambassador to Hungary as well as Bosnia and Herzegovina. From 1993 to 1999, she was Joint Secretary, Economic Division and Multilateral Economic Relations. In 2002, she joined the United Nations as the Director of the United Nations Conference on Trade and Development (UNCTAD). From 2007 to 2009, she served as Acting Deputy Secretary-General of UNCTAD. From 2009

to 2011, she was Director of the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States in New York. In 2011, she was appointed Assistant Secretary-General of the UN, prior whereto she took voluntary retirement from the IFS. She also served as Deputy Executive Director of the United Nations Entity for Gender Equality and Empowerment of Women (UN WOMEN), from 2011. Prior to her 15 years' stint at the UN, therefore, the plaintiff served as an Indian diplomat for 28 years. She demitted public service in February, 2018.

2. The plaintiff's husband, too, was an IFS officer of the 1974 batch, who served at Ambassador level posts from 1999 to 2013. Prior thereto, he worked with the UN Development Program (UNDP) from 1988 to 1991. From 2002 to 2005, he served as the Permanent Representative of India to the UN in Geneva and, thereafter, at New York from 2009 to 2013. He also served as Chairman of the Research and Information System for Developing Countries, an autonomous think tank under the Ministry of External Affairs, Government of India. He has been a Union Minister under the present Government since September, 2017, having won two elections.

3. By any reckoning, therefore, the plaintiff, and her husband, have been distinguished public servants.

The purchase of the Swiss apartment

4. During her tenure with the UNCTAD in Geneva, the plaintiff decided to purchase Apartment No. 4A, Residence Prevert, Chemin des Couleuvres, 1295, Tannay, Switzerland ("the Swiss Apartment", hereafter). The price of the apartment was Swiss Francs (CHF) 1.6 million. Of this amount, the plaintiff borrowed CHF 1 million from the UBS Bank, Geneva against mortgage of the property, which is still being serviced. Documents, evidencing financing, by the UBS Bank, of CHF 1 million, in two tranches of CHF 500,000 each, have been placed on record, disclosing the plaintiff as the "borrower". The remaining consideration, for purchase of the Apartment, of CHF 600,000 was lent, to the plaintiff, by her daughter (who was a Senior Executive in a Bank in New York) in two tranches. Documents, relating to Credit Advices issued by the Bank of the plaintiff evidencing receipt of money on 9th December, 2004 of CHF 199,334 and on 11th March, 2005 of CHF 506,000, from her daughter have been placed on record. The plaintiff's husband was, at the time, also posted at Geneva (since 2002) as the Ambassador, Permanent Mission of India and, between the plaintiff and her husband, they were earning approximately US $ 290,000 per annum. Mr. Maninder Singh, learned Senior Counsel for the plaintiff has taken me, painstakingly, through these documents and, *prima facie*, the transactions appear to be perfectly legitimate.

Disclosures by the plaintiff and her husband

5. On 17th May, 2005, the plaintiff wrote to the Joint Secretary, Ministry of External Affairs (MEA), intimating the acquisition, by

her, of the Swiss apartment, in the prescribed *pro forma*. The purchase price of the property was disclosed as CHF 1.6 million, and the source of funding was also disclosed as CHF 1 million having been sourced through bank loans against mortgage of the property and CHF 600,000 having been provided by her daughter.

6. The plaintiff's husband contested elections twice. On each occasion, the requisite affidavit, as required, was tendered by him to the Returning Officer. The affidavits have been placed on record by the plaintiff. They contain details of the profession and occupation of the plaintiff as well as of her husband, as well as their sources of income. They also disclose the purchase, by the plaintiff, of the Swiss Apartment, as well as its price, as CHF 1.6 million. Under the head of "Liabilities", and the subhead "Loans from Bank, Financial Institutions and others (Total)", the plaintiff's husband disclosed the total amount of loans availed by him. Part A (7) A and Part A (7) B, constituting Annexures to the affidavits, set out the details of movable and immovable assets of the husband of the plaintiff. The Swiss Apartment stands duly disclosed under the head "Residential Buildings", in the details of immovable assets. The cost of purchase of the said Apartment also stands disclosed, under the head "Cost of property (in case of purchase) at the time of purchase" as "1.6 Million Swiss Francs". In Part A (8) (i), constituting Annexure C to the Affidavit, the plaintiff's husband has disclosed, under the head "Loans or dues to Bank/financial institution(s) Name of the Bank or financial Institution, Amount outstanding, nature of Loan", thus:

> "A mortgage loan of Swiss Francs 10,00,000 was taken from UBS Bank, Geneva for purchase of an apartment in Geneva

> owned by Mrs. Lakshmi Puri. An amount of Swiss Francs 1,15,000 has already been paid off towards principal amount. Now, an amount of Swiss Francs 21,000 is being paid by her annually to the Bank towards interest on the balance loan amount of Swiss Francs 8,85,000."

7. I have meticulously gone through both the Affidavits, along with the Annexures thereto, and am, *prima facie*, satisfied that there has been complete disclosure regarding the purchase of the Swiss Apartment, its value, as well as the loans taken from the UBS Bank for the purchase. I am unable to find, *prima facie*, even a scintilla of impropriety, or lack of transparency, either in the purchase of the apartment, or in the disclosures made to the statutory authorities in that regard, either by the plaintiff or by her husband.

8. I hasten to add, however, that the above *prima facie* opinion is intended only for the purposes of the present order, and the present stay application, and should not be regarded as an encroachment, by this Court, into the territories properly occupied by the Income Tax authorities, the Election Commission, or any other concerned statutory authority.

The Tweets

9. The cause of action for filing the present suit commenced with the following post, posted by the defendant, who professes to be an "activist" and a virtual-world vigilante, on 13th June, 2021:

> "Question to @nsitharaman ji:
>
> If an ex-Indian civil servant who's with the BJP bought an overseas house worth $ 2 million (with no income other than salary) while in service, will ED investigate it?

> I'll be sharing the details shortly & we Indians want to know if you'll be impartial."

This, according to Mr. Sarim Naved, learned Counsel for the defendant, constituted "notice" to the Hon'ble Finance Minister regarding the issue which the defendant desired to highlight. I may note, here, that, though the defendant chose, for reasons best known to him, not to name the plaintiff in this Tweet, the trail of Tweets which followed makes it clear that it was directed against the plaintiff. Indeed, there is no dispute on this score.

10. This was followed by the following tweet, posted by the defendant on the same day, on his Twitter account:

> "In Indian rupees, that's over 10 crores. The value today is about 25 crores. *Purely and allegedly bought from Govt of India salary.*
>
> I want to know if @nsitharaman ji will promise an unbiased probe & all papers/documents will be furnished.
>
> I'll share them here soon anyway."
>
> (Emphasis supplied)

The assertion, in the afore-extracted Tweet, that the Swiss Apartment was "purely and allegedly bought from Govt of India salary" was clearly incorrect. Either, therefore, the defendant had chosen to post the Tweet without doing his homework or any due diligence exercise, or the misstatement was deliberate. The assertion, by the defendant, that he was in possession of "all papers/documents" relating to the transaction convey the *prima facie* impression that the misstatement was deliberate. The impression is fortified by the fact that, though the

succeeding Tweets make it clear that the Swiss Apartment was bought, not "from Government of India salary", as alleged in the afore-extracted Tweet, but through loans from the Bank, the defendant did not deem it appropriate to enter a word of apology for having posted a clearly incorrect message on his Twitter account against the plaintiff.

11. In his subsequent Tweet, posted on 23rd June, 2021, the defendant chose, for the first time, to name the plaintiff, as well as her husband. Once again, in a succeeding Tweet posted on the same day, the defendant asserted thus:

> "In 2006, Amb. Lakshmi Puri was posted on deputation in Geneva at the United Nations Conference on Trade & Development (UNCTAD).
>
> She was in the pay band of a "Super Time Scale" officer with an annual payment of 8.4 lakhs with 1.4 lakhs grade pay.
>
> That's about 10-12 lakhs."

This Tweet is erroneous, as well as misleading, on atleast the following three counts:

(i) The plaintiff was not posted on deputation with the UNCTAD. She had taken leave consequent to having joined UN posting with the UNCTAD. She remained on leave from 2002 to 2011, and took voluntary retirement from the IFS in 2011.

(ii) The plaintiff was not in an annual pay band of ₹ 10-12 lakhs, but was drawing tax-free pay, from the UN, in the region

of CHF 250,000 to 300,000 per annum (which, as per the then prevailing exchange rate of Swiss Francs to Indian Rupees, works out to ₹ 84,10,825 to ₹ 1,00,92,990 per annum).

(iii) Once again, the defendant sought to convey a misleading impression that the Swiss Apartment had been bought out of the pay of the plaintiff, concealing the availment of Bank loan by the plaintiff, as well as the money provided by her daughter, for the said purpose.

12. In another Tweet of the same date (23rd June), the defendant suddenly changed track, and acknowledged the fact that the plaintiff had obtained a loan, from the Bank, of CHF 1,060,000, for purchasing the Swiss Apartment. Now, the defendant sought to question the source of the remaining CHF 540,000. The Tweet reads thus:

> "So Amb. Lakshmi Puri purchased a house worth CHF 1.6 million (Rs 12.9 crores) in Switzerland in 2006 *while she was a serving IFS officer*.
>
> Of this CHF 1.6 million, she took a loan of CHF 10,60,000.
>
> Which means she made a down payment of CHF 5,40,000 (Rs 4.3 crores)."
>
> (Emphasis supplied)

Once again, this Tweet erroneously alleged that, at the time of purchase, by the plaintiff, of the Swiss Apartment, she was a serving IFS officer.

13. This was followed by a series of Tweets, all predicated on the improbability of a "serving IFS officer" having the requisite

wherewithal to purchase the Swiss Apartment. I do not deem it necessary to burden this order with a reproduction of the said Tweets. Mr. Maninder Singh, learned Senior Counsel for the plaintiff is, however, justified in taking serious exception to the following Tweet, which followed, later, on the same day, i.e. 23rd June, 2021:

> "Last week, there was news about the rising numbers in Swiss bank accounts of Indians. Modi promised to "bring back foreign black money".
>
> Will @nsitharaman order an ED enquiry into how @HardeepSPuri & wife got crores in 2006 to buy a Swiss house & into their bank accounts?"

Mr. Maninder Singh submits that the entire game plan of the defendant appears, from the beginning, to be to link the plaintiff, and her husband, with "black money" stashed in Switzerland and that this constitutes, clearly and *prima facie*, defamation of the plaintiff.

14. The series of 23rd June, 2021 tweets of the defendant against the plaintiff proved to be the proverbial last straw on the camel's back, resulting in the plaintiff responding, through her Twitter account, thus:

> "Get your facts right @SaketGokhale & there is no 'mystery'. I was an International Civil Servant from 2000 to Feb '18. Drew a tax-free UN salary of over US $ 200,000 annually when I bought the apartment in Geneva.
>
> All facts declared to concerned authorities.
>
> Prepare to be sued."

15. A detailed legal notice was also addressed, on the same day, i.e. 23rd June, 2021, by the plaintiff to the defendant. It was specifically

alleged, in the said legal notice, that the defendant was resorting to fudging and manipulating information related to sources of income of the plaintiff. The legal notice further clarified that the defendant was neither on deputation to the UNCTAD, nor was her income ₹ 10 to 12 lakhs at the time of purchase, by her, of the Swiss Apartment, but that she was employed by UNCTAD in her individual professional capacity as Director of its Trade Division from 2002 to 2009, and drew tax-free salary from the UN in Swiss Francs whereafter, during her tenure with the UN at New York from 2011 to 2018, she was paid tax-free salary in US Dollars. It was further pointed out that loan had been taken, from the Bank, against mortgage, for purchase of the Swiss Apartment, which was still being serviced. In the circumstances, the defendant was directed to immediately apologise, remove the tweets and undertake not to resort to such slanderous behaviour in future, failing which the legal notice threatened civil and criminal action against the defendant.

16. The legal notice provoked the following response from the defendant:

> "Is this your idea of a "legal notice"? It's embarrassing.
>
> Intimidation doesn't work on me. The notice will be replied to publicly since sunlight is the best disinfectant.
>
> Btw Mr. Minister – Stay tuned for an exclusive on Pradeep Puri :)"

Pradeep Puri, incidentally, is the brother of the plaintiff's husband.

The present plaint and stay application, and reliefs sought

17. In these circumstances, the plaintiff has filed the present suit before this Court, seeking a mandatory injunction against the defendant, to immediately take down/delete the Tweets directed against the plaintiff, the URLs of which have been provided in the plaint, as well as all other similar Tweets, with a further restraint, against the defendant, from publishing any further Tweets levelling false allegations against the plaintiff or her family members. The plaintiff also seeks an apology from the Defendant, along with damages to the tune of ₹ 5 crores, to be deposited in the PM CARES fund.

18. Interim relief, to the said effect, has also been sought, by way of IA 7944/2021.

Submissions at the Bar

19. The submissions of Mr. Maninder Singh, learned Senior Counsel for the plaintiff, already stand effectively captured by the recital hereinbefore.

20. Responding to the submissions of Mr. Maninder Singh, Mr. Naved, learned Counsel for the defendant, submits that the assets of every candidate, standing for elections, are a matter of public concern and that, therefore, his client was merely provoking public debate over a matter with which, as an activist, he was concerned. He places reliance on the judgements of the Supreme Court in ***Lok Prahari v.***

U.O.I.[1] and ***Kisan Shankar Kathore v. Arun Dattatray Sawant***[2] , particularly on para 55 of the report in the former case and para-27 of the report in the latter. While acknowledging that, prior to posting the Tweets, with which the plaintiff claims to be aggrieved, his client did not seek any clarification either from the plaintiff or from any other statutory authority, Mr. Naved submits that, "unfortunately", the law does not require him to do so. He accepts, however, candidly, that, before posting the said Tweets, the defendant could have sought a clarification, in the first instance, from the Finance Ministry, but asserts that this requirement was fulfilled, as he had tagged the Hon'ble Finance Minister in his very first Tweet. This, according to Mr. Naved, constituted sufficient notice to the Hon'ble Finance Minister. On the attention of Mr. Naved being invited to the disclosures and declarations made by the plaintiff, as well as by her husband, to the Income Tax authorities as well as to the Returning Officer, he submits that these declarations did not disclose the receipt of CHF 600,000 from the daughter of the plaintiff, though they did disclose the taking of loan from the Bank against mortgage. It was only to highlight this discrepancy, submits Mr. Naved, that his client had chosen to post the series of Tweets, to which reference has already been made hereinabove. His client was, at all times, submits Mr. Naved, actuated purely by public interest, with no personal axe to grind.

21. Mr. Naved also prayed for time to file an affidavit in response to IA 7944/2021, before any orders were passed thereon.

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[1] **(2018) 4 SCC 699**
[2] **(2014) 14 SCC 162**

22. Before reserving orders, the Court queried, of Mr. Naved, as to whether his client was willing to take down the Tweets directed against the plaintiff. He responded, unhesitatingly, in the negative.

Observations and Findings

23. It is an unfortunate truism, of human nature – which forms subject matter of philosophical debate since ages – that we prefer brickbats to bouquets. Criticism always makes for better press than praise, and the more vitriolic the criticism, the better. The exponential fashion in which social media platforms have evolved, has provided fertile soil for the growth and mushrooming of this unfortunate human tendency. Social media, for all its unquestionable and undeniable benefits, as well as its indispensability in modern times, comes with its own sordid sequelae. The present instance appears to be a case in point.

24. Reputations, nourished and nurtured over years of selfless service and toil, may crumble in an instant; one thoughtless barb is sufficient. It has been held, by the Supreme Court, that the right to life, consecrated by Article 21 of the Constitution of India, infuses the reputation of the individual.[3] Reputation, it is well settled, precedes the man. In a similar vein, para 18 of the report in ***Institute of Chartered Accountants of India v. L.K. Ratna***[4] observes thus:

[3] **Mehmood Nayyar Azam v. State of Chhattisgarh, (2012) 8 SCC 1; Kiran Bedi v. Committee of Inquiry, (1989) 1 SCC 494; Port of Bombay v Dilipkumar Raghavendranath Nadkarni, (1983) 1 SCC 124**

[4] **(1986) 4 SCC 537**

> "For instance, as in the present case, where a member of a highly respected an (sic) publicly trusted profession is found guilty of misconduct and suffers penalty, the damage to his professional reputation can be immediate and far-reaching. "Not all the King's horses and all the King's men" can ever salvage the situation completely, notwithstanding the widest scope provided to an appeal. To many a man, his professional reputation is his most valuable possession. It affects his standing and dignity among his fellow members in the profession, and guarantees the esteem of his clientele. It is often the carefully garnered fruit of a long period of scrupulous, conscientious and diligent industry. It is the portrait of his professional honour. In a world said to be notorious for its blase attitude towards the noble values of an earlier generation, a man's professional reputation is still his most sensitive pride. In such a case, after the blow suffered by the initial decision, it is difficult to contemplate *complete* restitution through an appellate decision."

25. In the age of social media, desecration of the reputation of a public figure has become child's play. All that is needed is the opening of a social media account and, thereafter, the posting of messages on the account. Thousands of responses are received and, in the process, the reputation of the man, who is targeted, becomes mud. In the present case itself, Mr. Maninder Singh has pointed out that, till the date of filing of the suit, the tweets posted by the defendant had been "liked" by more than 26,270 users and "re-tweeted" by more than 8,280 users. 40 pages of responding tweets, by members of the defendant's target audience, have also been placed on record, with several of the tweets being, to say the least, in very poor taste, containing abuses, allegations and opprobrious epithets against the plaintiff as well as her husband. The damage that the plaintiff, and her husband, have suffered, as a result of the tweets of the defendant

is apparent; but that is one of the unavoidable pitfalls of access to social media platforms and the way in which they work, by those who abuse their facility, as the defendant has, in the present case, *prima facie* chosen to do.

26. The two decisions on which Mr. Naved chose to rely do not advance the case of the defendant at all. They merely highlight the importance of transparency with respect to the affairs, financial and otherwise, of those intending to contest elections. There can, quite obviously, be no cavil in that regard. As already noted hereinbefore, I have scrutinised the affidavits filed by the plaintiff's husband while standing for elections, and I do not, *prima facie*, find any concealment therein. Mr. Maninder Singh is correct in his submission that there is no column, in the said affidavits, which would require including the details of the finances provided by the plaintiff's daughter towards purchase of the Swiss Apartment. In any event, given the exhaustive disclosures contained in the affidavits filed by the plaintiff's husband, as well as by the plaintiff herself in her Income Tax returns, it can hardly be said, *prima facie*, that the plaintiff, or her husband, were less than candid in declaring not only the purchase of the Swiss Apartment, but its value as well as the source from which funds were obtained for the said purpose, so as to justify the tirade launched against them by the defendant, by his unending series of tweets.

27. I am unable to accept the submission, of Mr. Naved, that, before posting messages on a social media platform, made accessible to all members of the public, against any person, no due diligence, by

way of conducting, at the very least, a preliminary enquiry into the facts, is necessary. Such a submission, if accepted, would place the reputation of every citizen in the country in serious jeopardy, and open to ransom at the hands of every social media vigilante, some of whose intentions may be less than honourable. This is all the more so in the case of public figures, whose actions are, as a matter of course, subjected to intensive and invasive dissection by all members of the public. Accusative tweets, such as those which the defendant has posted against the plaintiff, therefore, attract much more adverse, and derogatory, comment than those against persons who do not live in the public gaze.

28. Mr. Naved sought to submit that, "unfortunately", the law did not require a vigilante, who sought to post, on social media platforms, messages against public figures, to carry out any preliminary exercise of verification before doing so. I am unable to accept this submission. To my mind, before posting tweets such as those which were posted by the defendant against the plaintiff, it was incumbent on the defendant to carry out a preliminary due diligence exercise. Ideally, in the first instance, clarifications ought to have been sought from the person against whom the messages were intended to be posted. If, in a given case, such an exercise was felt to be counter-productive, enquiries and clarifications have, nonetheless, to be sought from the available official sources. That the defendant is aware of this requirement is manifest from the "tagging", by him, of the Hon'ble Finance Minister in his tweets. Such "tagging" has, however, no sanctity whatsoever in law and is, in any event, woefully inadequate

to serve as notice to the Hon'ble Finance Minister regarding the issues which the defendant was choosing to highlight. Besides, such "notice" could not be by way of an *ex post facto* exercise having already posted the tweet, thereby closing the stable doors after the horses have bolted. The defendant ought, in the first instance, to have made enquiries with the official authorities, be it the Ministry of Finance or the Election Commission, before choosing to belabour the reputation of the plaintiff through his Twitter account. That he did not choose to do so, despite being aware of the availability of credible sources of information, additionally casts a cloud on his *bona fides*. Mr Naved, indeed, had not a single word to submit, by way of a justification for his client not condescending to make any prior inquiries before subjecting the plaintiff, instead, to an inquisitorial exercise on his Twitter account, and contented himself by submitting that the law did not require him to do so.

29. Mr. Maninder Singh would seek to contend that the defendant is a pseudo-activist, whose intent is only to blackmail vulnerable persons in public life, such as his client. As this order is being passed at an incipient stage, on the stay application, and the suit is yet to be tried, I do not wish to express any final opinion on this aspect. I must, however, observe that the Swiss Apartment having been purchased by the plaintiff in 2005, the facts relating to such purchase having been disclosed by the plaintiff, not only to the MEA but also in her Income Tax returns, as well as by her husband, in the affidavit filed by him while contesting elections in 2018 and again in 2020, the *bona fides* of the series of tweets, posted by the defendant starting 13th June, 2021,

appear to be seriously questionable. The defendant has, at the very least, been economical with the truth, misleading his "followers" into believing that the plaintiff was on deputation with the UN at the relevant time, drawing a salary of Rs 10 to 12 lakhs, and had purchased the Swiss Apartment from this salary. Concealing, studiedly, the fact that the plaintiff had availed a Bank loan for paying the price of the flat, the defendant repeatedly questioned the wherewithal of the plaintiff to purchase the flat from her official earnings. Most disturbingly, even after, at a late stage, acknowledging the fact that the price of the Swiss Apartment had been serviced by a mortgage of the property with the Bank, the defendant never chose to disabuse his followers of the impression created earlier. *Prima facie,* the barrage of tweets directed by the defendant against the plaintiff, with a majority of them having been posted on a single day – 23rd June, 2021 – constrains this Court to observe that the exercise undertaken by the defendant appears to have been actuated by a clear desire to target the plaintiff and her husband, for reasons which seem, at the very least, to be recondite. This, however, would be an aspect which would have to be examined during trial and the burden, in the facts of the case, may well be more on the defendant than on the plaintiff.

30. For the purposes of the present order, suffice it to state that, given the number of false representations contained in the tweets of the defendant, directed against the plaintiff, despite the defendant being aware of the misrepresentation of the facts of the case, coupled with the continued damage to her reputation which such

representations could cause to a person like the plaintiff who is the recipient of such false imputations, this is a case which, in my opinion, requires immediate peremptory orders, without awaiting a formal response from the defendant. The loss and prejudice that the plaintiff is likely to suffer, as a consequence of the thoughtless tweets of the defendant, cannot be compensated in monetary terms.

31. In the circumstances, I am unable to accede to the request of Mr. Naved to defer passing of orders in this application till the defendant has had an opportunity to respond by way of a reply. Indeed, given the fact that the defendant did not choose it necessary to extend, to the plaintiff, any such courtesy before vilifying her through his Twitter campaign, the request of Mr. Naved is, at the very least, ironical. Despite this, Mr Naved was heard at considerable length, and he sought to justify the acts of his client not only on facts but also with reference to judicial precedents, already noted hereinbefore.

32. Having said that, the right of the defendant to respond, on affidavit, to the allegations contained in the present application, cannot be denied. As such, even while disposing of this application with the directions that follow, the right of the defendant to seek modification or vacation of this order, by following the procedure prescribed in law in that regard, shall remain reserved. Any application moved for the said purpose shall, needless to say, be decided on its own merits.

33. For the aforementioned reasons, this application is disposed of in the following terms:

(i) The defendant is directed to immediately delete, from his Twitter account, all Tweets against the plaintiff, to which the present plaint makes reference, as well as all connected Tweets which may form part of the trail of Tweets by the defendant against the plaintiff.

(ii) The defendant is restrained, pending further orders of this Court, from posting any defamatory or scandalous or factually incorrect Tweet, on his Twitter account, against the plaintiff or her husband.

(iii) In the event of the defendant failing to comply with direction (i) *supra* within 24 hours of the pronouncement of this order, Twitter, Inc. is directed to take down the tweets figuring on the following URLs, as well as all tweets which may figure in the trail thereof:

(a) https://twitter.com/SaketGokhale/status/1407569553954009088?s=20

(b) https://twitter.com/SaketGokhale/status/1407569556499943424?s= 20

(c) https://twitter.com/SaketGokhale/status/1407569558207012865?s=20

(d) https://twitter.com/SaketGokhale/status/1407569562648793090?s=20

(e) https://twitter.com/SaketGokhale/status/1407569565224112137?s=20

(f) https://twitter.com/SaketGokhale/status/1407569569972060168?s=20

(g) https://twitter.com/SaketGokhale/status/1407569572513804291?s=20

(h) https://twitter.com/SaketGokhale/status/1407569577622458368?s=20

(i) https://twitter.com/SaketGokhale/status/1407569580734570506?s=20

(j) https://twitter.com/SaketGokhale/status/1407569582403977217?s=20

(k) https://twitter.com/SaketGokhale/status/1407619753909256202?s=20

(l) https://twitter.com/SaketGokhale/status/1407623029207666690?s=20

(m) https://twitter.com/SaketGokhale/status/1407743230377021443?s=20

(n) https://twitter.com/SaketGokhale/status/1407744295361155074?s=20

(o) https://twitter.com/SaketGokhale/status/1403924110472667136

(p) https://twitter.com/SaketGokhale/status/1403924927078494208

For this purpose, the plaintiff is directed to implead Twitter as an additional defendant in the present proceedings, and file an

amended memo of parties within 24 hours of pronouncement of this order.

34. Let a copy of this order be forwarded to Twitter forthwith, to ensure compliance. The defendant/Twitter is also directed to file a compliance report before this Court before the next date of hearing.

35. Reserving liberty to the defendant as indicated in para 32 *supra*, this application is allowed in the aforesaid terms.

36. All observations contained in this order are only *prima facie*, meant for the purpose of disposing of the prayer of the plaintiff for interim relief.

C. HARI SHANKAR, J.

JULY 13,2021/*hj*