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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 483/2019 & IAs No.12910/2019 (u/O XXXIX R-1&2 CPC), 12912/2019 (u/O VII R-14(3) CPC), 14226/2019 (of D-5 u/O XXXIX R-4 CPC), 15586/2019 (u/O I R-10(2) CPC), 15952/2019 (u/S 151 CPC), 15953/2019 (u/O XXXIX R-4 CPC), 16035/2019 (of D-6 u/O XXXIX R-4 CPC), 16036/2019 (u/O I R-8A CPC), 16037/2019 (u/S 151 CPC), 16745/2019 (of D-6 u/O I R-10 CPC), 18355/2019 (for direction) & 786/2020 (for condonation of delay in filing reply)

SUBODH GUPTA

..... Plaintiff

Through: Mr. Sandeep Sethi and Mr. Kailash Vasdev, Sr. Advs. with Ms. Neoma Vasdev Gupta, Mr. Siddharth Garg, Mr. Samarth Khanna, Ms. Nayantara and Ms. Limayinla Jamir, Advs.

Versus

HERDSCENEAND & ORS.

..... Defendants

Through: Mr. Akhil Sibal, Sr. Adv. with Mr. Abhik Chimni, Ms. Sonali Malik and Mr. Mayank Goyal, Advs. for D-1.
Mr. Ajit Warriar, Ms. Richa Srivastava, Ms. Narantara Narayan, Ms. Malika Mehra and Mr. Ujval Mohan, Advs. for D-2.
Mr. Parag P. Tripathi, S. Adv. with Mr. Tejas Karia, Adv. for D-3.
Mr. Arvind Nigam, Sr. Adv. with Mr. Neel Mason, Mr. Vihan Dang, Ms. Sanyukta Banerjee and Ms. R. Ramya, Advs. for D-5.
Ms. Jayna Kothari, Sr. Adv. with Ms. Tejaswi Shetty, Adv. for Culture Workers Support Trust.
Mr. Nitin Rai, Sr. Adv. with Ms. Shreya Mungh, Ms. Amritananda Chakravorty, Ms. Kritika Bharadwaj

and Ms. Amala Dasarathi, Advs. for
Indian Journalists Union.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

22.01.2020

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1. The counsels for the applicants in IA No.15586/2019 and IA No.16036/2019 and the senior counsel for the plaintiff in response thereto have been heard.

2. During the arguments of the senior counsel for the defendant No.5, it has emerged that the defendant No.1, though has sought anonymity qua the particulars of the person whose statement, to be was published by defendant No.1 and which is alleged by the plaintiff to be defamatory, but is not representing that person. I have put it to the counsel for the defendant No.1, that if the defendant No.1 is interested in protecting the identity of the said person, either the defendant No.1 should represent the interest of that person or that person will have to be impleaded as a party and if confidentiality with respect to identity of the said person is to be maintained, and reasons therefor found, the same can be ordered and the proceedings ordered to be held in camera.

3. The counsel for the defendant No.1 seeks time to obtain instructions.

4. List on 4th February, 2020 for the counsel for the defendant No.1 to obtain instructions and for remaining arguments of the senior counsel for the defendant No.5 and for rejoinder of the counsels for the applicants in IA No.15586/2019 and IA No.16036/2019

RAJIV SAHAI ENDLAW, J.

JANUARY 22, 2020/‘bs’..

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