

**In the Court of Shri Naresh Kumar Laka
District Judge – 07, Central District,
Tis Hazari Courts, New Delhi**

CS No.DJ 356/22

CNR No. DLCT01-005755-2022

Rana Kapoor

..... Plaintiff

vs.

Harper Collins Publishers India Pvt. Ltd. & Ors.

..... Defendants

Dated: 10.07.2024

ORDER

Vide this order, I shall decide an application filed under Order 39 Rule 1 & 2 CPC seeking a stay order against defendants. I have heard arguments on the said application at length from Sh. Naman Joshi, Ld. Counsel for the plaintiff and Ms. Swathi Sukumar, Ms. Ashima, Ms. Akanksha Dua, Ms. Yogita Rathore and Sh. Ritik Raghuwanshi, Ld. Counsel for defendant no.1. Defendant no. 2 to 4 are *ex parte*. File perused.

2. The present suit was filed for relief of declaration, permanent and mandatory injunction by claiming that plaintiff is a reputed and well recognized person in banking sector and he was co-founder of Yes Bank Ltd. and under his leadership, the Yes Bank saw great success and robust growth and its capital of INR 200 crores reached to INR 93,000 crores in

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2018 and plaintiff also generated employment opportunities for more than 24,000 people. It is also claimed that the plaintiff was also awarded various prestigious awards (list of the same are mentioned in the plaint). It is alleged that defendant no.1, which is a publishing house and defendant no.2 who is an author, published a book under the name and title as ***“Yes Man: The Untold Story of Rana Kapoor”*** and the said book finds mentioned various references/remarks which are defamatory in nature and violate the fundamental right under Article 21 of the plaintiff. It is further claimed that the said false allegations may prejudice the ongoing investigation and the trial against the plaintiff.

3. In the written statement filed on behalf of the defendant no.1, it is claimed that under Article 19 of the Constitution of India, the defendant no.1 has a right to publish an article or a book and there is no objectionable or defamatory content in the said book against the said plaintiff. Both the parties relied on various case laws which are as under:

Cases relied by the plaintiff

- (i) ***‘Swami Ramdev v. Juggernaut Books Pvt. Ltd. and Ors.’***
 , C.M.(M) No. 556/2018 @ Paras 72, 150, 180, decided by
 Hon’ble High Court of Delhi.
- (ii) ***‘Nilesh Navlakha and Ors. v. Union of India, 2021 SCC
 OnLine Bom 56’ Hon’ble High Court of Bombay;***
- (iii) ***‘State of Maharashtra v. Rajendra Jawanmal Gandhi,
 (1997) 8 SCC 386, R.K. Anand v. Delhi High Court, (2009) 8***

SCC 106, and Sidhartha Vashisht @Manu Sharma v. State (NCT of Delhi), (2010) 6 SCC 1;

(iv) Hon'ble High Court of Bombay in '*Mushtaq Moosa Tarani v. Government of India and Ors., 2005 SCC OnLine Bom 385 @ Paras 50, 53, 58, 61, 65.*

Cases relied by the Defendant no.1.

1. National Stock Exchange of India Vs. Moneywise Media Pvt. Ltd. & Ors. - 2015 SCC OnLine Born 4790

2. Tata Sons Limited Vs. Greenpeace International & Anr. - 2011 SCC OnLine Del 466

3. Prof. Imtiaz Ahmad Vs. Durdana Zamir, -2009SCC OnLine Del 477

4. M/s Crop Care Federation of India Vs. Rajasthan Patrika.C.S. (OS) 531/2005

5. Khushwant Singh Vs. Maneka Gandhi - 2001 SCC OnLine Del 1030

6. Pushpa Sharma Vs. D.B. Copr. Ltd. and Ors., 2018 SCC OnLine Del 11537

7. R. Rajagopal Vs. State of T.N.(1994) 6 SCC 632

8. ESSEL Infraprojects Limited and Anr. Vs. Devamdera Prakash Mishara - 2014 (1) AIR BOM R 482

9. Harvest Securities Pvt. Ltd. Vs. BP Singapore Pvt. Ltd. and Anr.-2014 SCC Online Del 2384

10. Susheel Ansal Vs. Endemol India Pvt. Ltd. -2023 SCC Online Del 121
11. Durga Oraon Vs. State of Jharkhand,-2012 SCC OnLine Jhar 77
12. Navigators Logistics Ltd. v Kashif Qureshi & Ors., (2018) 254 DLT 307
13. Elcom Innovation Pvt. Ltd. v Harish Sharma & Ors., 2022 SCC OnLine Del 1123
14. Sahara India Real Estate Corpn. Ltd. v. SEBI, (2012) 10 SCC 603
15. Industrial Finance Corporation of India v Maharashtra State Co-Operative, 2016 SCC OnLine Bom 5080
16. M/S Gokaldas Paper Products v M/S Lilliput Kidswear Ltd. & Anr., CCP (CO.) No. 9 of 2013 Order dated 05.04.2023 passed by the Hon'ble High Court of Delhi
17. Shri Gopal Engg. & Chemical Works v M/s/ POMX Laboratory, DRJ 1992 (22)
18. B.L. and Co. and Ors. v Pfizer Products Incl., 2001SCC Online Del: 637
19. S.P. Chengalvaraya Naidu v. Jagannath, (1994) 1 SCC 1.
20. Bloomberg Television Production Services India vs. Zee Entertainment Enterprises Limited, Special Leave to Appeal (C) No. 6696/2024.

Arguments/submissions of the Ld. Counsel for the plaintiff.

4. Ld. Counsel for the plaintiff argued that the present suit was filed as the Book in question will directly affect the life and profession of the Plaintiff as well as the ongoing investigations against him. The Book's contents can cause irreparable harm to the Plaintiff's reputation, if its further circulation/sale is not stopped. He further argued that the plaintiff is seeking mainly the reliefs of (1) declaratory decree holding the contents of the Book, Interview, Article 1 and Article 2 as defamatory; (2) a permanent injunction restraining the sale/distribution/circulation of the Book in question; (3) a mandatory injunction for recall and destruction of all unsold copies/inventory of the Book, etc.

5. It is argued that a combined reading of the Book, Articles and contents of the Interview clearly reveal that the Defendant No.2's propensity to dubiously analyses the "thoughts" and "psychology" of the Plaintiff, cast unfounded/baseless aspersions on his business career and family life. He also submitted that it is a well settled proposition of law that the right to reputation supersedes the right to publication. In this regard, he relied on the case of '**Nilesh Navlakha and Ors. v. Union of India, 2021 SCC OnLine Bom 56**' Bombay High Court where it was held that in cases of conflict between the right to a free and fair trial and the right to freedom of speech and expression, the former must be zealously guarded over the latter.

6. He further argued that assuming without conceding that the

Plaintiff is indeed a "public figure", in that case also this does not *ipso facto* give a license to the defendant for defamation of the plaintiff. In this regard, the Ld. Counsel for the plaintiff relied on the case of ‘*Swami Ramdev v. Juggernaut Books Pvt. Ltd. and Ors.*’, C.M.(M) No. 556/2018 @ Paras 72, 150, 180, decided by Hon’ble High Court of Delhi.

7. Referring to a spectrum of decisions on media trials, including ‘*State of Maharashtra v. Rajendra Jawanmal Gandhi, (1997) 8 SCC 386, R.K. Anand v. Delhi High Court, (2009) 8 SCC 106, and Sidhartha Vashisht @Manu Sharma v. State (NCT of Delhi), (2010) 6 SCC 1*, the Ld. Counsel for the plaintiff emphasized that trial by media should not hamper fair investigation by the investigating agency and should not prejudice the right of defence of the accused in any manner as it will amount to a travesty of justice.

8. The Ld. Counsel for the plaintiff urged that investigation(s) are still ongoing and various agencies yet to file their chargesheet(s). The criminal laws of India require that a person's guilt be proved beyond reasonable doubt and an accused is presumed innocent unless the contrary is proved in a court of law. Broadcast of materials in the mainstream media tends to influence the minds of the general population, Hon'ble Judges, Ld. Prosecutors and witnesses who are all human and, therefore, they are not immune to discussion, debate, and influences, as was held by the Hon'ble High Court of Bombay in ‘*Mushtaq Moosa Tarani v. Government of India and Ors., 2005 SCC OnLine Bom 385*’.

9. It is also asserted that in a similar case, the interim injunction granted in Karkardooma Court, dealing with a similar book, has been upheld by the Hon'ble High Court of Delhi, therefore, present application also deserves to be allowed.

Submissions/arguments on behalf of the defendant no.1

10. Ld. Counsel for the defendant no.1 relied on the case of '**Tata Sons Limited v. Greenpeace International and Anr., 2011 SCC OnLine Del 466**' and argued that the statements complained of, are not defamatory in the light of publicly available material about the Plaintiff. The Plaintiff is a public figure and has been covered by various news articles in relation to the pending criminal proceedings against him, which are extracted in **Annexure A**. She further argued that there is no pleading as to how the Plaintiff's reputation has been lowered, which is an essential ingredient of the tort of defamation. There is no averment that any third person had read the Book which tarnished the image of the Plaintiff. Such a pleading is a *sine qua non* for a claim of defamation. In this regard, she relied on the following observations of decision in ***Prof. Imitaz Ahmad v Durdana Zamir, 2009 SCC Online Del 477:***

"Where a person alleges that his reputation has been damaged, it only means he has been lowered in the eyes of right-thinking persons of the society or his friends/relatives. It is not enough for a person to sue for words which merely injure his feeling or cause annoyance to him. Injury to feeling of a man cannot be made a basis for claiming of damages on the ground of defamation. Thus, the words must be such

which prejudice a man's reputation and are so offensive so as to lower a man's dignity in the eyes of others. Insult in itself is not a cause of action for damages on the ground of defamation.....It is not the case that people have abandoned him or boycotted him because of this imputation. The plaintiff has not named a single person who had changed his opinion after filing of the complaint by the defendant."

11. Therefore, it is submitted that there is no factual basis for the plaintiff to seek an injunction against the Book in question and the standard in law for a defamation action can be gleaned from the following judgments:

i. The statements should be malicious and palpably false (*Pushp Sharma v. D. B. Corp. Ltd. & Ors., 2018 SCC Online Del 11537*);

ii. Even where the publication is based upon facts and statements which are not true, unless the Plaintiff establishes that the publication was made by the defendant with reckless disregard of truth. It has to be shown by the Plaintiff that the publication is proved to be false and actuated by malice or out of personal animosity (*R. Rajagopal v. State of Tamil Nadu, 1994 (6) SCC 632, Paragraphs 26 (3) and 29;*);

iii. Exaggerated or hyperbolic speech, in respect of matters of public concern does not entitle the Plaintiff to seek injunction in a case of defamation (*Tata Sons Limited v. Greenpeace International & Anr., 2011 SCC OnLine Del 466, Paragraphs 29-36,38-39*); and

iv. No injunction can be granted in relation to matters that fall within the domain of thought provocation and debate and criticism (*Swami Ramdev v Juggernaut Books Pvt. Ltd. & Ors., 2018 SCC OnLine Del 11549*).

Submission of Defendant no.1 on the point that plaintiff is a public figure and ought to tolerate criticism

12. The Plaintiff is a public figure who has voluntarily been in the limelight, including by being the first banker to have hired a PR agent to manage his public image and has made himself indistinguishable from Yes Bank Limited. He was in the habit of issuing press releases, like the one issued on Republic Day in 2016, personally congratulating the French President for supply of Rafale Jets (At Page 203 of the Defendant No. 1's documents along with Written Statement). He has always conducted himself as a public figure. The Plaintiff was admittedly at the helm of affairs serving as founder, chief executive officer and managing director at the bank named Yes Bank Limited, by virtue of which, the Plaintiff was holding office of a public institution in which the public at large has an interest. Therefore, the legal standards in respect of publication about the Plaintiff's role in the Yes Bank crisis are different from that of a lay person.

13. The Ld. Counsel for the plaintiff argued that plaintiff is a public figure and, therefore, following observations should be kept in mind while deciding the present application:

- i. Public gaze cannot be avoided when holding public office. Where prior publications exist, interlocutory injunction cannot be granted. Silence in respect of prior publication amounts to acquiescence or at least lack of grievances in respect of publication of the material. Persons holding public

office should show greater tolerance for comments and criticism. For the purpose of publication, if it is to the interest to the public, it would suffice. People have a right to hold a particular view and express freely on the matter of public interest. *Khushwant Singh v. Menaka Gandhi*, 2001 SCC Online Del 1030, Paragraphs 20, 21, 22, 59, 63, 67, 68, 69, 70, 71 and 75;

ii. In case of public officials, it is obvious, right to privacy, or for that matter, the remedy of action for damages is simply not available with respect to their acts and conduct relevant to the discharge of their official duties. The Defendant has a right to publish its story as it appears from public records, even without consent or authorization; *R. Rajagopal v State of Tamil Nadu*, 1994 (6) SCC 632,

iii. In a case of a public figure instituting a case of defamation, if the defendant demonstrates that he acted after reasonable verification of facts, it is sufficient to dislodge the claim for injunction. If public interest is involved, defamation action cannot be used to negate or stifle genuine criticism, even pointed criticism or criticism that is harshly worded. ‘*National Stock Exchange of India Limited v Moneywise Media Private Limited & Ors.*’, 2015 SCC OnLine Bom 4790;

iv. A Plaintiff who is a public figure will have to show that the statements were made out of malice. *Tata Sons Limited v Greenpeace International & Anr.*, 2011 SCC OnLine Del 466.

14. Ld. Counsel for the defendant no.1 submitted that in March 2020, the Plaintiff was arrested on various criminal charges and had undergone judicial custody on several charges, including money

laundering and bribery. Further to his arrest, there have been several publications which named the Plaintiff and commented against him starting from March 2020. The Defendant herein has filed several of these publications as part of its list of documents, the existence of which have been admitted by the Plaintiff in its affidavit of admission/denial of documents. The contents of some of the publications have been annexed as Annexure A.

15. None of the statements in the Book even remotely approach the kind of statements already made about the Plaintiff in the public domain, including through several news articles, which constitute the Plaintiff's public image. A perusal of the extracts of the Book reproduced in the Plaint, complained to be defamatory, show that the statements complained of, are not *ex facie* defamatory, but rather it is the Plaintiff's case they are in the nature of innuendo. The Plaintiff has not pleaded what the innuendo is behind the statements which are allegedly defamatory to the Plaintiff.

16. When it is a case of defamation by innuendo, the pleading needs to specify what is the import of the innuendo alleged to be defamatory. Reference may be made in this regard to the case of '**ESSEL Infraprojects Limited & Anr. v Devendra Prakash Mishra & Ors.**', 2014 SCC OnLine Bom 1780 which holds that the words complained of as being defamatory have to be set out, in cases where the defamatory sense is not apparent the "innuendo" / secondary or extended meaning of the

same must be set out in clear terms in the plaint. If the words are reasonably capable of bearing more than one literal meaning or if the defamatory meaning relied on is inferential, it is desirable and may even be necessary to plead the defamatory meaning or meanings. Therefore, in the absence of pleading on the import of the innuendo, disentitles the plaintiff from the relief claimed.

17. All statements from the book complained of in the Plaint are based on public domain sources and is truth and fair comment. Every statement alleged to be defamatory in the Plaint has been justified by the Defendant No. 1 in its written statement either on the basis of prior publication either as part of judicial record or public records or on the basis that it is a fair comment. The relevant portions of the Written Statement are available at Paragraphs 44 (Pages 29 to 51), 50 (Pages 61 to 66), 51 (Pages 66 to 75), 67 (Pages 92 to 94) and 95 (Pages 115 to 118); all at Volume 1. By publishing the Book, the Defendant No. 1 has not engaged in sensationalizing this case but is merely conducting an exploration on how public faith in the Indian banking sector has been compromised. Regardless of the fact that every statement published in the Book is justified and justifiable, the Plaintiff has failed to plead the innuendo, and the effect of the innuendo, behind the allegedly defamatory statements in the Book.

18. Ld. Counsel for the defendant no.1 urged that a holistic reading of the Book, beginning with the "Author's Note" and the

"Prologue" on the banking sector, show that the entire exercise in the Book is that of making a fair comment on the state of affairs in the banking industry, of which unfortunately Yes Bank, which was almost exclusively controlled by the Plaintiff has become an example of how a bank is not supposed to be run. All the prior publications recognize the Plaintiff's role in the collapse of Yes Bank, hence it is not possible to speak about the crisis in Yes Bank without naming the Plaintiff.

Plaintiff's Reliance on the judgment in Swami Ramdev's case

19. The Plaintiff in its arguments has extensively relied on the judgment in the case of **Swami Ramdev v. Juggernaut Books Pvt. Ltd. & Ors**, to canvas that injunction ought to be granted in favor of the Plaintiff. The Hon'ble Court's finding in the case of Swami Ramdev (Supra) can be summed up as follows:

- i. The statements complained in the case dealt extensively with the life of Swami Ramdev. (Para 13 to 18 of Swami Ramdev, at Volume 4)
- ii. The Book also contained specific allegations against Swami Ramdev in regards to the death of Swami Yoganand and the disappearance of Shankar Dev. (Para 139 & 148 of Swami Ramdev, at Volume 4)
- iii. The Court found that there exists a "closure report" in the case of death of Swami Yoganand and there also exists an "untraced report" in the case of Shankar Dev. These being prior publications which were in existence at the time of publication of the Book; prima facie the portions of the Book which are contrary to it cannot be found to be justifiable and

only these portions of the Book were injuncted. (Para 172,178, 181 of Swami Ramdev, at Volume 4)

iv. In regards to the other portions of the Book which have extensively dealt with the life of Swami Ramdev, complained in the Plaint, the court found that, the same prima facie falls within the domain of thought provocation and debate and criticism and the prayers in relation thereto cannot granted. (Para 182 of Swami Ramdev, at Volume 4).

No real and substantial risk of prejudice being caused to the right to fair trial of the plaintiff.

20. The Plaintiff's claim that the publication of the Book affects his right to a fair trial in the criminal proceedings is a bald averment as the Plaintiff has failed to show real or substantial risk of prejudice being caused by the publication of the Book. The Plaint has no pleading on how the publication of the Book has interfered with his right to a fair trial. It is trite that judges and judicial officers are specially trained in law, and not to be swayed by published materials they may come across. In this regard, reliance is placed on the following judgments:

i. Sahara India Real Estate Corporation Limited v SEBI, 2012 (10) SCC 603, Paragraphs 46, 47 and 50; at Volume 3:

(With regard to postponement of publication related to ongoing criminal matters, it has to be shown that the publication interferes with the administration of justice and that there is a real and substantial risk of prejudice caused to the Plaintiff by the publication); and

ii. Durga Oraon v State of Jharkhand, 2012 SCC OnLine Jhar 77, Paragraphs 2 and 6; at Volume 6:

(Criminal trials are decided by evidence given in a case and administration of justice is not influenced by consideration of any publication).

21. It is to be noted that as late as May 2023, when the Plaintiff was denied bail in one of the ongoing criminal proceedings against him, the bail order of the Hon'ble High Court of Bombay reiterated the charges that have been brought against the Plaintiff, and has been filed as an additional document by Defendant No. 1 on July 8, 2023. Furthermore, there are several news publications which have given a wide range of reportage on this bail order, which have been filed as additional documents by Defendant No. 1 on July 8, 2023 (at Volume 7). The fact that the Plaintiff has not taken any action against these publications, shows that there is no real and substantial risk that has been caused to the Plaintiff, so as to prejudice his right to fair trial. If the Plaintiff was truly aggrieved by the publicity he has received from these articles, he ought to have taken action to protect himself and his right to reputation. Rather he has shown, from his conduct, that no true harm or hardship has been caused to him, he has acquiesced to the reportage in this regard and with regard to his alleged involvement in several high-profile white collar crimes and cannot object to the publication of the Book at this stage.

Consent of the Plaintiff is not required to publish the Book

22. The plaintiff alleges that no prior consent was obtained by the defendant in the publication of the book. It is submitted that as laid down by Hon'ble Supreme Court in the case of **R. Rajagopal v. State of Tamil Nadu, 1994 (6) SCC 632**, the defendant has a right to publish without the prior consent of the plaintiff. The defendant had no obligation to approach the plaintiff, as has been contended by the plaintiff. Without prejudice to the foregoing, the plaintiff was contacted before the publication of the Book.

Plaintiff's claim of personality rights has no basis

23. While the Plaintiff's claim to personality rights was not argued during oral arguments, it has been pleaded in passing. However, personality rights claims arise from the use of a personality as a trademark on goods or services. It does not have applicability in the case of publication of a book about a person. No such cause of action on how the commercial interest of the Plaintiff's personality are affected has been pleaded. In the absence of any pleading, no case has been made out for the grant of reliefs under such a claim. The first judgment in India to deal with the concept of personality rights was **D.M. Entertainment Pvt. Ltd. v Baby Gift House and Ors.**, 2010 SCC OnLine Del 4790; at Volume 11, in which dolls in the likeness of the famous singer Daler Mehndi were injuncted from being sold. However, even in those facts, the Hon'ble Delhi High Court held as under:

"Para 16. The right of publicity can in a jurisprudential sense be located with the individual's right and autonomy to permit or not permit the commercial exploitation of his likeness of some attributes of his personality. However, a word of caution has to be expressed here. In a free and democratic society, where every individual's right to free speech is assured, the over emphasis on a famous person's publicity rights can tend to chill the exercise of such invaluable democratic right. Thus, for instance, caricature, lampooning, parodies and the like which may tend to highlight some aspects of the individual's personality traits, may not constitute infringement of such individual's right to publicity. If it were held otherwise an entire genre of expression would be unavailable to the general public." (emphasis supplied).

24. Recently, in a case involving personality rights, the Hon'ble High Court of Delhi in the case of **Digital Collectibles Pte Ltd and Ors. v Galactus Funware Technology Private Limited and Anr., 2023 SCC OnLine Del 2306 (at Volume 11)** has held as follows:

"Para 127. The extent of right of publicity also has to be considered in the context of the right to freedom of speech and expression protected under Article 19(1)(a) of the Constitution of India. Even if the right of publicity were to be considered to be an absolute right in India, it still must be subservient to Article 19(1)(a) of the Constitution of India. This is exactly what Bhat, J. sought to explain in paragraph 14 of his judgment in DM.

Entertainment (supra) and carved out exceptions in the form of caricature, lampooning, parodies and the like. Even in the U.S., courts have held the right of publicity to be subservient to the right of free speech under the First Amendment. Some of the defences recognized by the U.S. courts include newsworthiness, cartoons, caricatures, parodies and other information available in public domain.

Para 128. In my opinion, use of celebrity names, images for the purposes of lampooning, satire, parodies, art, scholarship, music, academics, news and other similar uses would be permissible as facets of the right of freedom of speech and expression under Article 19(1)(a)

of the Constitution of India and would not fall foul to the tort of infringement of the right of publicity." (emphasis supplied)

Plaintiff's claim of right to be forgotten / left alone is not based on pleadings and is false

25. The Plaintiff in his arguments has made the claim of 'right to be forgotten/left alone' as a facet of right to privacy and reputation, although no such right is pleaded in the Plaint. The Plaintiff's arguments are completely hypothetical that, if Mr. Kapoor is acquitted, his right to be forgotten would be affected. Such a speculative or hypothetical situation cannot form the basis of a claim, and the Plaintiff may approach the Court if and when he is acquitted.

26. Further, the Supreme Court of India in the case of **R. Rajagopal v State of Tamil Nadu**, 1994 (6) SCC 632 at Paragraphs 26 (1) and (2) (at Volume 6) has held that right to privacy/right to be forgotten is subject to the exception that any publication becomes unobjectionable if such publication is based on public records including court records. Therefore, the right of the Plaintiff to be forgotten/left alone does not in any manner restrict the Defendant No. 1's freedom of speech and expression under Article 19 of the Indian Constitution as the Book is based on publicly available material and also judicial records, forming an unobjectionable part of public record.

27. Ld. Counsel for the defendant no.1 argued that the Plaintiff has failed to make out a prima facie case as the orders sought by the Plaintiff are impermissible in law as held by above cited authorities. Further, on account of acquiescence to prior publication and the delay in approaching the Hon'ble Court, the balance of convenience lies in favor of declining injunction as also because the Plaintiff has not made any pleading on loss of reputation. A grant of injunction will cause irreparable loss to the valuable right of the public to know the subject matter and the right of the publisher i.e. Defendant No. 1 to publish material on the subject matter.

28. Currently, the Plaintiff stands accused of serious financial impropriety in his role at Yes Bank. However, even before such allegations were leveled and the Plaintiff was arrested by the concerned authorities in the year 2020, the High Court of Bombay in the case titled Madhu Ashok Kapur & Ors. v. Rana Kapoor & Ors. dated June 4, 2014 made the following observations:

"Paragraph 13.4. Mr. Khambata says that Rana Kapoor runs Yes Bank like his personal fiefdom. His word is law. He bends the company to his will. This seems to me to be excessive. It calls into question the bona fides and credentials of every single member of Yes Bank's Board, and it does not sit well with the undoubted progress that the company has made in the short years since its inception. Perhaps it is true that Rana Kapoor has not been opposed, or, at any rate, there is nothing on record to indicate any opposition. What of it? Possibly he is so consummate in his work that no opposition is necessary. That is not unknown in vibrant organisations often identified with a single individual. Rana Kapoor's pre-eminence or dominance in the affairs of Yes Bank does not per se show illegality or unlawfulness.

Paragraph 13.5. The problem is deeper. Both Rana Kapoor and Yes Bank have, vis-à-vis the Plaintiffs, chosen to adopt a course that is unsupported by the Articles or any fair reading of the relevant statutes. If that be so, neither can invoke any equity to continue acting in that vein. The result is an inevitability, and the chips must fall where they may. There is sufficient space and room for Yes Bank to correct its course in the time ahead.

29. Pertinently, these observations were never challenged or removed from public consumption by the Petitioner and the same form part of the public record till date. Some of the publications have made the following comments:

“News article titled, "Greed and Fraud carrying the picture of the Plaintiff dated March 23, 2020 (At Page 156 of Defendant No. 1's documents along with Written Statement):

News article titled, "Yes Bank founder Rana Kapoor hid 832 cr in wife's company without her knowledge: ED" dated April 23, 2022 which also states that: "The supplementary charge sheet, filed earlier this month, also revealed that RAB Enterprises, fully owned by Rana Kapoor's wife Bindu, had received funds to the tune of 832 crore" (At Page 168 of Defendant No. 1's documents along with Written Statement);

News article titled, "Former CEO Ranveet Gill puts the blame on Rana Kapoor for Yes Bank collapse" dated May 06, 2020 (At Page 173 of Defendant No. 1's documents along with Written Statement); (emphasis supplied)

News article titled, "Yes Bank Saga: How did it become a house of bad loans and what's the way ahead" dated July 31, 2020 which states that: "...the addition of non-performing assets (NPAs) was largely the making of Rana Kapoor's mismanagement and greed for big money. Kapoor destroyed the institution he built to please the unholy corporate nexus. At the end of it, everything collapsed like a pack of cards. Kapoor's Worli residence, Samudra Mahal, took up the role of Yes Bank's high value credit operations centre at one point. Those who were given bagful of money by Kapoor included DHFL, Anil Ambani Group, Essel, Vodafone and IL&FS. These firms topped the chart of

stressed borrowers of Yes. In some cases, Kapoor gave loans to shady promoters merrily in return of favours. One big example is Yes Bank loans to Wadhawans..." (At Pages 177 and 178 of Defendant No. 1's documents along with Written Statement); (emphasis supplied)

News article titled, "Crisis-Hit Yes Bank's Founder Rana Kapoor Arrested For Alleged Fraud dated March 08, 2020 which carries a picture of the effect the crisis in Yes Bank had on the public at large. (At Pages 191 and 192 of Defendant No. 1's documents along with Written Statement);

News article titled, "Rana Kapoor, now in custody for a money laundering case, was once the toast of the country's high society and banking circles" dated March 15, 2020 which says "Arrogant and ambitious, is how many people describe Kapoor. He would stop at nothing and have no qualms about stabbing you in the back if he needed to. He's done that with many, many people." Says a longtime associate. "He refuses to acknowledge that it was irresponsible leading and unethical practices during his tenure that has brought Yes Bank to the brink. He blames the current management. It's a testament to Kapoor's influence that despite his fall from grace, people Mirror reached out to for comment, declined to do so on record. (At Pages 194 and 195 of Defendant No. 1's documents along with Written Statement); (emphasis supplied)

News article titled, "The rise and mighty fall of Rana Kapoor" dated April 06, 2006 which says the following: "These put Kapoor - a man with a hugely inflated sense of self-worth with a buccaneer's attitude to banking at centre stage with no strategy to take care of ground realities. It only fed his considerable ego and, as was his wont, saw him resort to managing affairs creatively on the run. The many questionable transactions that have come to light involving Kapoor, his wife Bindu, and their three daughters Radha, Roshni and Rakhee show up a desperate individual who tried to game the system, only to get gamed by wilder beings"; "He started small: The first banker to hire a PR agent to build up his profile while still at his BankAm desk; A control-freak, Kapoor would involve himself in the minutiae of every small credit decision; This obsession with the media sometimes reached ridiculous levels. Like when he issued this press release on Republic Day in 2016: "I would like to extend a warm welcome to French President Francois Hollande. I am greatly encouraged by the agreements signed by our two leaders... the landmark deal for procuring 36 Rafale Jets will greatly benefit India's armed forces" (At Pages 201, 202 and 203 of

Defendant No. 1's documents along with Written Statement); (emphasis supplied)

News article titled, "Inside the house that Rana Kapoor built dated March 09, 2020 which says: "A familiar Page-3 fixture in mainline dailies, Kapoor used to reward his bank's top performers with so-called "Golden Pin Awards" and host parties for them at home;" and "Kapoor's flamboyance and penchant for publicity are not the only reasons behind Yes Bank's flame out. His story reveals many systemic warning bells were ignored and papered over. Right from the beginning, the man and the bank were one. All business decisions at Yes Bank, even where the bank's board was involved, ultimately hinged on Kapoor's whims and fancies." (At Pages 209, 210 and 211 of Defendant No. 1's documents along with Written Statement); (emphasis supplied)

News article titled, "Yes Bank CEO Rana Kapoor: The fall of a high-flier" dated March 18, 2020 (At Page 218 of Defendant No. 1's documents along with Written Statement);

News article titled, "Rana Kapoor: No Banker" dated March 13, 2020 which says: "Kapoor is anything but a staid banker. He is another flamboyant Delhite clad in bespoke suits and speaking with more authority than credibility... A series of loans issued by Yes Bank under his watch turned to NPAs as borrowers claimed inability to repay the money and Kapoor allegedly resorted to money laundering. In the process, he belied public trust by flouting norms and stuffing cash into his family businesses through a clutch of companies where his wife Bindu Kapoor, or his three daughters. Radha Kapoor Khanna, Rakhee Kapoor Tandon and Roshini Kapoor, were directors"; "For most of the 16 years that Rana Kapoor was at the helm of Yes Bank (2003-2019), he reportedly ruled with an iron fist and used it as his fiefdom, lending recklessly and, in large part, succeeding in cooking books"; "Rana Kapoor became the face of the bank as its MD and CEO and remained so until irregularities surfaced and the RBI forced him out on January 31, 2019;" and "A hands-on banker, Kapoor spent time with the borrower, however small. It was also normal for Kapoor to fire his relationship managers over a text message" (At Pages 224, 225, 226, 227 and 228 of Defendant No. 1's documents along with Written Statement; (emphasis supplied) and News article titled, "The life and times of YES Bank's flamboyant and self-absorbed Rana Kapoor" dated March 17, 2020 (At Page 236 of Defendant No. 1's Written Statement). (emphasis supplied)"

30. It is contended by Ld. Counsel for the defendant no.1 that a reading of the above extracts and the news articles show that the Plaintiff, i.e. Mr. Rana Kapoor, was synonymous, indistinguishable and inseparable with Yes Bank Limited. In fact, it is still not possible to speak about Yes Bank without referring to the Plaintiff. These news articles also show that the Plaintiff was someone who enjoyed publicity and being present prominently in the public domain. The collapse and crisis of Yes Bank Limited are significant as the matter was not just about a singular institution and/or regulation, but rather, the matter has had a significant impact on the banking system of the country and, therefore, it is the right of the public to be informed about it, to comment on it, and to engage in public debates about the matter. It is trite that the money available with Yes Bank were public funds and, as such, the hardships faced by ordinary people are a matter of public interest, and such debate cannot be stifled by the whims of an individual.

31. The contents of the Book are already in the public domain and truthful, therefore the publication and circulation of the Book is neither defamatory nor violative of the right to privacy of the Plaintiff. In this regard, the following cases are relied upon:

“Khushwant Singh v. Menaka Gandhi, 2001 SCC Online Del 1030, Paragraphs 20, 21, 22, 63, 67, 68, 69, 70, 71 and 75:

(Public gaze cannot be avoided when holding public office. Where prior publications exist, interlocutory injunction cannot be granted. For

the purpose of publication, if it is to the interest to the public, it would suffice);

R. Rajagopal v State of Tamil Nadu, 1994 (6) SCC 632,

(In case of public officials, it is obvious, right to privacy, or for that matter, the remedy of action for damages is simply not available with respect to their acts and conduct relevant to the discharge of their official duties. This is so even where the publication is based upon facts and statements which are not true, unless the official establishes that the publication was made (by the defendant) with reckless disregard for truth. It has to be shown by the Plaintiff that the publication is proved to be false and actuated by malice or out of personal animosity. The Defendant No. 1 has a right to publish its story as it appears from public records, even without consent or authorization); and

Pushp Sharma v D. B. Corp. Ltd. & Ors., 2018 SCC Online Del 11537, Paragraphs 22 and 23:

(Electronic media and internet per se ought not to dilute valuable right of freedom of speech, even in a case of defamation the ordinary principles of governing interim injunctive reliefs apply. It has to be demonstrated at the threshold that the offending content is malicious or palpably false for grant of an interim injunction)."

32. The Plaintiff has failed to establish that the Book published by Defendant No. 1 or the contents of it are, "false and actuated by malice or out of personal animosity or that the content alleged to be defamatory is malicious or palpably false," which is the standard set by various judgments. It is respectfully submitted that the Plaintiff has failed to demonstrate the same in its pleadings. In light of the facts enumerated above, it is submitted that the Plaintiff by way of clever drafting has concocted a cause of action only to file the case belatedly after obtaining an ex-parte interim order in the proceedings before the Karkardooma Court in the Karkardooma Suit. A delayed and fraudulent approach to the

court is no ground for grant of any interim relief, reliance in this regard has been placed on the following judgments:

Sushil Ansal v. Endemol India Pvt. Ltd., 2023 SCC OnLine Del 121. Paragraphs 18, 20 and 21:

(It is of great significance that in a case of injunction against a publication, the time when the Plaintiff first derived knowledge of the offending material and whether the Plaintiff has approached the court in good faith is examined. If the Court finds that the Plaintiff has either failed to initiate action with promptitude or approached the court at the first available opportunity, that would be a circumstance which would weigh heavily against the grant of an ad interim injunction. Further, if the Court were to find that the material which is likely to be broadcast or published already exists in the public domain and has existed as such for a considerable period of time without an objection having been raised, that too would detract from the right of the Plaintiff to seek ad interim injunctive relief); and S.P. Chengalvaraya Naidu v Jaganath (dead) by Lrs, & Ors., 1994 (1) SCC 1, Paragraphs 5 and 6:

Reasons for decision

33. After considering the submission of both sides and the going through the guiding factors as laid down in the several precedents/case-laws which are relied by both sides, this court is of the view that before analysing the factual matrix of the case, we should understand as to what is the connotation and meaning of the word ‘defamation’. In the book of **Law of Torts**, Salmond & Heuston, 20th Edition, the word ‘**defamation**’ has been defined as “**A defamatory statement is one which has a tendency to injure the reputation of the person to whom it refers; which tends, that is to say, to lower him in the estimation of right-thinking members of society**

generally¹ and in particular to cause him to be regarded with feelings of hatred, contempt, ridicule, fear, dislike, or disesteem.” The statement is judged by the standard of an ordinary, right-thinking member of society. Hence the test is an objective one, and it is no defence to say that the statement was not intended to be defamatory, or uttered by way of a joke.

² However, no action will lie for the publication of a defamatory statement, if the defendant pleads and proves that it is true.

34. Ld. counsel for the plaintiff has pointed out the specific paragraphs/sentences of the book in question to claim that they are grossly libelous and tarnish the goodwill and reputation of the Plaintiff and that the Defendant No. 2 has knowingly made baseless and false allegations against Plaintiff to sensationalize and monetize the Book.

35. This court gave a careful reading not only to the said extracted contents but to the entire book to understand and appreciate the said allegations and their impact on the plaintiff. This court also kept in mind the established position of law as brought on record by both parties by referring to various precedents on the subject.

36. One thing is clear that a publisher or reporter is within its/his right to print anything whether defamatory or not, provided same is based on truth or fair comment or fair criticism. But at the same time, even if a person is a public figure, he cannot be defamed based on untrue facts or

¹ Sim v. Stretch (1936) 52 T.L.R. 669, 671, per Lord Atkin.

² Capital and Counties Bank v. Henty (1882) 7 App. Cas. 741, 772

when the content is palpably false or malicious. The previous news articles, as relied by the Ld. Counsel for the defendant no.1 may be available in the public domain in large number but they are also required to be examined whether they are based on true facts or not or whether they are actuated by malice or out of personal animosity or that the content alleged to be defamatory is malicious or palpably false, which is the standard set by various judgments. When the defamatory statement is put forward by way of rumor or report only, it is not sufficient to prove that the rumor or report really existed but it is necessary to prove that it was true.

37. Secondly, the facts which are mentioned in the book, without any previous news article or other source, are required to be examined on the basis of their face value.

38. Thirdly, based on large number of case-laws cited by both sides, this court is of the opinion that nobody has a right to defame a person even if said person is a public figure unless the allegations are based on true facts or substantial material; consent of the plaintiff is not required for such publication and even such material (of the category which are in question) cannot influence the Judges who decide the cases based on evidence, facts and law and cannot be termed as media trial.

39. Fourthly, the Ld. Counsel for the defendant no. 1 emphasised that there is a difference in the publication of a book and a news article because generally a book does not have wide publication like a newspaper

and same can be read only by the reader who purchases it after spending the amount of the book. Therefore, it will not a defamation in the eyes of general public. On the contrary, Ld. Counsel for the plaintiff argued that the aforesaid argument is not correct because even for buying newspaper, subscription amount is paid. He also strenuously argued that the news articles are short-lived in the memory of reader whereas a book is a permanent record and in case the plaintiff is acquitted at the end of trial of criminal cases, said acquittal order will not come on record in the said book. In the opinion of this court, a defamatory statement not based on truth or substantial supporting material, if accessible to public at large (consisting of a few persons or a huge mass), whether contained in any news article, book, website or any other platform, is a breach of the fundamental right under Article 21 of the Constitution of India and it does not make any difference whether it is published in a news article or a book. Therefore, the argument of the defendant no.1 is found meritless.

40. Now, this court proceeds to appreciate the extracted content after taking into consideration the reply of the defendant no.1 and aforesaid understanding of law as under:

S.L. No.	Extracted content of the book	Court observation
(i)	For what shall it profit a man if he gains the whole world and suffers the loss of his soul? The Bible	This is a general quotation of the holy Bible, reproduced in the book and same does not indicate any reference to the plaintiff. Therefore, same is not defamatory.

(ii)	<p>The image of Kapoor wearing a medical mask and being moved from jail to jail, being heckled by journalists as he was escorted by khaki clad police constables, created an impression that couldn't be further removed from the arrogant, erstwhile tycoon who had built a top ranked bank, brick by brick, before his own actions led it to cave in and come teeteringly close to implosion. It was well known that Kapoor wanted to be featured on Page 3. Little did he know that he would be plastered all over the front page of newspapers, and not for the right reasons.</p>	<p>The defendant no.1 claimed that this is based on a website monecontrol.com.</p> <p>The content of a website if not based on truth, same cannot be taken as an admissible defence of truth.</p> <p>The words 'arrogant', 'erstwhile tycoon' are judgmental without any action or reaction of the plaintiff, which is derogatory.</p>
(iii)	<p>After high school, he joined Shri Ram College of Commerce, where he got his degree in economics. At the time, the top- ranked colleges for studying economics were St Stephen's followed by Hindu College. Shri Ram College was not best known for economics but for commerce subjects, for which the qualifying marks were much higher at around 97 per cent, as compared to 75 per cent needed for economics. Even so, Kapoor's drive for higher education was evident as he proceeded to the United States for an MBA at Rutgers, a state university in New Jersey.</p>	<p>The aforesaid observation of the author with regard to comparison of two colleges is without any basis or any report.</p>
(iv)	<p>The word on the street was that Chopra had made calls to top</p>	<p>Mr. Chopra has been referred in the said book as</p>

	<p>management-not uncommon then for getting friends and family placed at the Bank of America (BankAm), where he and his company had large accounts, to help Kapoor get a job at the Barakhamba Road branch.</p>	<p>the maternal uncle of plaintiff and the allegation of making call by Chopra to help Kapoor get a job is without any basis and directly imputes allegation on the selection process of Kapoor by use of influence. The same is clearly a defamatory statement.</p>
(v)	<p>Even as a young thirty- something banker, he would hire his own public relations team by bringing in an agency to help promote his image and get noticed, those who worked with him say.</p> <p>The banking world then was as it is now, driven by regulations. governance and rules. Kapoor, from the get-go, wasn't someone who worked well within a framework like that, recalls a fellow banker.</p>	<p>The observation of the author that the Kapoor was not someone who work well within a framework is direct imputation on the competency of plaintiff.</p>
(vi)	<p>As the head of the Delhi branch, Kapoor's management style was described by those who worked under him as being unreasonably sensitive to any event that would make him look bad.</p>	<p>The defendant no.1 claimed that this is based on a website nationalheraldindia.com.</p> <p>The content of a website if not based on truth, same cannot be taken as an admissible defence of truth.</p> <p>The words 'unreasonably sensitive' are claimed to be based on hearsay version of other employee, which is not a truth nor had any reference</p>

		of any action or reaction of the plaintiff of any specific instance.
(vii)	The irony of it was this Kapoor, who didn't have an MBA from IIM and which BankAm had almost set in stone as a prerequisite to join, ended up running a branch where at least four of the top five guys who were reporting to him were IIM-ers and could intellectually run circles around him.	<p>The defendant no.1 claimed that this is it is a common knowledge that IIM and IIT are superior colleges and were preferred by BankAM.</p> <p>This may be true that they are the prestigious institutions but it cannot be assumed that students of other colleges or for that matter without any formal education, cannot perform well. Take example of great Mathematician Ramanujan who did not have any formal education but he reached to a highest level of scholarly work.</p> <p>Moreover, the plaintiff also had an MBA from a foreign University, which is indicated in the book.</p> <p>Defendant no.1 also relied on some linkedin websites.</p> <p>The content of a website if not based on truth, same cannot be taken as an admissible defence of truth.</p>

		The content is defamatory by underestimating the qualification and ability of plaintiff.
(viii)	For Kapoor especially, the pressure must have been overwhelming given that he was outclassed in terms of technical qualifications, and possibly, inherent ability.	In reply, it is stated that this is factual and a fair comment but nothing in support has been placed. Therefore, this is apparently a false opinion.
(ix)	Kapoor would usher them to managers who were expected to 'help them out', which was not how the game worked at BankAm.	Defendant no.1 claimed that this is based on feedback from former colleagues and senior bankers. This is hearsay and vague version which is not admissible under law.
(x)	There was the buzz that he was organizing credit approvals for clients without managerial sanction. Documents were being issued without being signed and all the protocols being followed. The expense spending on bank accounts were also usually high. And then came the final straw.	Defendant no.1 claimed that this is based on feedback from former colleagues and senior bankers. This is hearsay and vague version which is not admissible under law. The defendant also claimed that this was buttressed by CBI and ED in court. Therefore, the content is not based on truth but it was only an argument and thus defamatory unless proved in court.
(xi)	He went and issued commitment letters in funding for half a dozen	Defendant no.1 claimed that this is a matter of corporate

	<p>large corporate houses for an aggregate amount of a couple billion dollars. One of them was Reliance Industries (RIL). Not that RIL wasn't able to qualify for the funds but Kapoor, in a rush to impress the promoters and win kudos for himself, would have said that he could do things faster than the bank would have let him.</p>	<p>history and fact as per colleagues.</p> <p>No extract of history has been placed on record. The version of colleague is hearsay and vague which is not admissible under law.</p> <p>Doing of fast work is appreciable but attaching a purpose to win kudos is not a fair comment.</p>
(xii)	<p>The rumour was that Varun Batra, who worked with Kapoor at Grindlays and wanted to leave, was told by Kapoor that he would not be given his regular notice period and exit terms. He would have to leave the very next day.</p>	<p>Defendant no.1 claimed that this is a matter of corporate history and fact as per colleagues.</p> <p>No extract of history has been placed on record. The version of colleague is hearsay and vague which is not admissible under law.</p>
(xiii)	<p>Media reports would later allege that she even negotiated kickbacks for Kapoor.</p>	<p>Defendant no.1 cited some bail order. Therefore, this cannot be said to be defamatory though the truth part is matter of trial.</p>
(xiv)	<p>According to media reports, when the loan was made to Thapar's company, Avantha Group already owed Yes Bank 1,333 crore but had gotten credit of another 2,500 crore. By normal banking standards and credit checks, Avantha should not have been eligible for further loans but that's why the company had to come</p>	<p>Defendant no.1 cited some bail order. Therefore, this cannot be said to be defamatory though the truth part is matter of trial</p>

	to Yes Bank in the first place.	
(xv)	Thapar's house fit the bill, regardless of cost According to those familiar with the real estate business in Delhi, the deal was all but done with Thapar and Bhatia even having shaken hands on the transaction. Then Kapoor got a whiff of the impending deal and decided that he wanted first dibs. According to official documents, a company applied for a no objection certificate (NOC) from Yes Bank to buy the house for ₹375 crore. It was also given on the condition that the full loan would be paid Then, in August of 2017, that offer was withdrawn and a new offer entered the fray Bliss Abode, a Yes Bank - related (and predictably named) company was being used for the purpose of buying fancy homes, in which Kapoor's wife was a director Bliss Abode would put 378 crore on the table to buy Thapar's house. It was swiftly approved by a management credit committee headed by none other than Kapoor himself and was followed by an NOC that was granted as swiftly. Once it bought the house, Bliss Abode entered into a mortgage arrangement with one of Yes Bank's borrowers Indiabulls Housing Finance for a loan worth 685 crore that was realized in two tranches of 285 crore and ₹90 crore and another 310 crore - loan to	Defendant no.1 claimed prior publication of this content on some websites. But there is nothing to support that the said allegations were based on truth or only assumptions. Unless the matter under was investigation and chargesheets were filed against plaintiff and his wife for alleged irregularity, the defendant no.1 was not within its right to publish such allegations.

	companies Imagine Estate and Imagine Home, also companies in which Kapoor's wife was a director. But Kapoor's Roman - style expansion plans of a burgeoning real estate empire across the Indian metros would hit a pothole.	
(xvi)	Kapoor was asking everyone he met for tips and recommendations on where to dine. Seth recommended a Chinese restaurant called Golden Dragon. The next day when he met him at the convention centre, Seth says Kapoor emphatically made it a point to tell him that he had booked the entire restaurant when he went there the day before. It was almost as if he was making a point about how he could afford anything.	The defendant no.1 replied that it was based on a what's app chat with Mr. Suhel Seth. If said witness appears and deposes so, then it may not be defamatory but till the conclusion of trial, it is not sure whether it is a truth or not.

41. From the aforesaid assessment of contents, this court is of the considered opinion that plaintiff established a *prima facie* case in his favour against the defendants for harming his reputation without completely based on true facts. The balance of convenience will also lie in favour of the plaintiff because, the reputation of the plaintiff once defamed in the eyes of reader of the book, it cannot be reversed back, if the plaintiff finally succeeds in the present case whereas the defendant will have only monetary loss only which is not greater than the reputation of the plaintiff because there is a general saying that “It takes long years to build a reputation for a person/institution but it just takes a moment to spoil it”.

42. In view of aforesaid discussion, the application under Order 39 Rule 1 and 2 CPC is allowed with following directions:

A. Defendants and/or their associates, affiliates, servants, agents, directors, partners, employees, representatives, and all other persons acting for and on their behalf are restrained from selling and/or distributing and/or circulating the Book titled as "Yes Man: The Untold Story of Rana Kapoor" authored by the Defendant No. 2, in any manner whatsoever during the pendency of the Suit.

B. The Defendants and/or their associates, affiliates, servants, agents, directors, partners, employees, representatives and all other persons acting for and on their behalf are further restrained from authoring, making, publishing, republishing, circulating and/or communicating to the public in any manner whatsoever any defamatory / libelous statements and/or slanderous statements against the Plaintiff by way of the Interview titled as "Yes Bank co-founder Rana Kapoor was extremely ambitious, didn't hesitate to take shortcuts" during pendency of the present suit.

C. The Defendants and/or their associates, affiliates, servants, agents, directors, partners, employees, representatives and all other persons acting for and on their behalf are restrained from authoring, making, publishing, republishing, circulating and / or communicating to the public in any manner whatsoever any defamatory / libelous statements and / or slanderous statements against the Plaintiff by way of the Article - I titled "No real clue What Rana Kapoor told me when I asked him why Yes Bank failed" dated 12.01.2021 during pendency of the present suit (<https://theprint.in/kapoor-told-me-when-i-asked-him-why->

[yes-bank-fauked/583860/](https://theprint.in/yes-bank-fauked/583860/)) and the Article - II titled "Yes Man-New book maps Yes Bank's rise and fall through the story of Rana Kapoor" dated 26.01.2021 during the pendency of the present Suit (<https://theprint.in/rise-and-fall-through-the-story-of-rana-kapoor/592432/>);

D. The Defendants are directed to remove the Article-I, Article - II, and the Interview during the pendency of the Suit from their website and respective YouTube channels.

43. Put up for further proceeding on **11.09.2024**. Copy of order be given dasti to the defendant no.1 only.

Announced & dictated in
the open court on 10.07.2024

(Naresh Kumar Laka)
District Judge-07,
Central District,
Tis Hazari Courts, New Delhi,