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

+ **CS(OS) 114/2024 and I.A. 3349/2024-3352/2024**

**DR DANISH A HASHIM** ..... Plaintiff  
Through: Mr. Jayant Bhatt, Ms. Mekhala Bhatt,  
Ms. Gargie Boss, Ms. Sadiya Ali and  
Mr. Vipul Pathak, Advs. (M:  
8447185912).

versus

**ANI MEDIA PVT LTD & ORS.** ..... Defendants  
Through: None.

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**ORDER**  
% **13.02.2024**

1. This hearing has been done through hybrid mode.

**I.A. 3352/2024 (for exemption)**

2. This is an application filed by the Plaintiffs seeking exemption from filing originals/certified/cleared/typed or translated copies of documents, proper margins, electronic documents, etc. Original documents shall be produced/filed at the time of Admission/Denial, if sought, strictly as per the provisions of the Commercial Courts Act and the DHC (Original Side) Rules, 2018.

3. Exemption is allowed, subject to all just exceptions. Accordingly, application is disposed of.

**I.A. 3351/2024 (for delay)**

4. This is an application for condonation of delay of seven days in re-filing. The delay is condoned.

5. Application is disposed of.



**I.A. 3350/2024 (for Court fee)**

6. This is an application by the Plaintiff seeking extension of time in filing the Court fee. Considering that the Plaintiff is a salaried person, extension of time to file the Court fee is granted till 31st March, 2024.

7. Application is disposed of.

**CS(OS) 114/2024**

8. Let the plaint be registered as a suit.

9. Issue summons to the Defendants through all modes upon filing of the Process Fee.

10. The summons to the Defendants shall indicate that the written statement to the plaint shall be positively filed within 30 days from date of receipt of summons. Along with the written statement, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiffs, without which the written statement shall not be taken on record.

11. Liberty is given to the Plaintiffs to file the replication within 15 days of the receipt of the written statement. Along with the replication, if any, filed by the Plaintiffs, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiffs, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

12. List before the Joint Registrar for marking of exhibits on 29th April, 2024. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. List before Court on 20th March, 2024.



**I.A. 3349/2024 (u/O XXXIX Rules 1 & 2 CPC)**

14. Issue notice. Let reply be filed within two weeks. Rejoinder, if any, be filed within two weeks.

15. The present suit has been filed by the Plaintiff - Dr. Danish A. Hashim, who is seeking a permanent injunction and damages in relation to defamatory posts. The Plaintiff avers that he holds a Ph.D. in economics and has worked with various international organizations, including IMF and the Commonwealth Secretariat in London. He also claims to have authored a significant number of articles published by both governmental and non-governmental authorities. Currently, he serves as the Chief of the Department of Ease of Doing Business ('EoDB') for Multi-National Companies ('MNCs') and Global Value Chains ('GVCs') at the Confederation of Indian Industry ('CII') in New Delhi.

16. As per the plaint, the Plaintiff is married to Defendant No. 5-Ms. Huma Hashim (*hereinafter referred to as 'the wife'*). The Plaintiff alleges matrimonial discord between him and his wife. He avers that he belongs to the Shia Sect of the Muslim religion, and their marriage ceremony took place on 24th December 1997. He has two daughters. It is stated that the Plaintiff has been physically separated from his wife since 2020.

17. The Plaintiff is aggrieved by an interview allegedly given by his wife, published across various news and social media platforms,



including YouTube and ANI Media, claiming that he had given Triple Talaq to his wife.

18. It is his case that Triple Talaq is not applicable and is not valid under the Shia sect of Muslims and thus, even the criminal complaints lodged by the wife before the Id. Saket District Courts, New Delhi are not tenable.

19. In any event, in the present suit, an injunction is sought against the interview published by Defendant No. 1-ANI Media Private Limited. The Plaintiff contends that the continued existence of the interview on the online platform is causing him grave and irreparable prejudice, affecting both his professional and personal life. He submits that although he and his wife are physically separated, no legal divorce has been finalised in accordance with the Shia Sect of the Muslim religion. Thus, it is alleged that the allegation in the said interview, that he pronounced Triple Talaq to his wife is not borne out, and is far from the truth.

20. Ld. Counsel for the Plaintiff submits that the Plaintiff had previously filed a writ petition bearing no. *W.P.(C) 4451/2021* titled '*Dr. Danish A. Hashim v. Union of India & Ors.*' in which notice was issued on 9th April, 2021. However, the same now stands disposed of on 2nd August, 2023, giving Plaintiff the liberty to avail of its remedies.

21. Considering that the above writ petition itself was pending since 2021, and a large number of media houses and the wife were impleaded



in the said writ petition, it is deemed appropriate to issue notice and summons to the Defendants.

22. Considering the fact that ANI Media Private Limited has already been impleaded as Defendant No. 1, Mr. Sanjiv Prakash Sabharwal (CEO), Mr. Prem Prakash (Chairman) and Ms. Smita Prakash (Editor), who have been personally impleaded in the present suit, are accordingly, deleted from array of parties.

23. Let an amended memo of parties be filed before the next date of hearing, displaying the following parties as impleaded:-

- Defendant No. 1-ANI Media Private Limited
- Defendant No. 2-Huma Hashim and,
- the daughter i.e. Kashish Hashim as Defendant No. 3.

24. Accordingly, let summons be served and notice be issued to the above Defendants. The Registry shall also issue summons on the email addresses mentioned in the amended memo of parties.

25. List before the Court on 20th March, 2024.

**PRATHIBA M. SINGH, J.**

**FEBRUARY 13, 2024**

*mr/dn*