IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 35310 OF 2026
IN
SUIT (L) NO. 35286 OF 2026

The Indian Express Pvt. Ltd. ...Applicant/Plaintiff

Versus

Mahesh Ram Jethmalani & Ors. ...Respondents/Defendants

Mr. Dinyar D. Madon, Senior Advocate a/w. Mr. Ziyad Madon, Mr. Pranit Kulkarni, Ms. Tejasvi Ghag i/b. Ms. Poorvi Kamani for the Plaintiff.

Mr. Zal Andhyarujina, Senior Advocate a/w. Ms. Revati Desai, Mr. Karan, Ms. Shambhavi Singh, Ms. Nimisha Shukla i/b. Desai & Diwanji for Defendant No.1.

Mr. Akash Menon a/w. Ms. Harshita Gupta for Defendant No.3.

CORAM : ARIF S. DOCTOR, J.
DATE : 2nd NOVEMBER, 2026

P.C.

1. Having heard Mr. Madon, learned Senior Counsel appearing on behalf of the Plaintiff, at some length on ad interim relief, and having noted that the tweets in question were dated 23rd and 24th September 2026, I enquired of Senior Counsel for the Parties whether Defendant No. 1 had posted any other tweets to which the Plaintiff took exception. I was informed by Mr.

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Madon that apart from the tweets dated 23rd and 24th September 2026, there were no other tweets posted by Defendant No. 1 about the Plaintiff.

2. Mr. Andhyarujina, learned Senior Counsel, appearing on behalf of Defendant No. 1, then submitted that his client had, in fact, posted as many as forty-five tweets since, and that the tweets which the Plaintiff has taken exception to were not even immediately visible on accessing Defendant No. 1's X account. He submitted that to access these tweets, one would have to scroll down substantially on Defendant No. 1's X account. Mr Madon, however, pointed out that Defendant No. 1 could, very well, retweet the offending tweets and thus submitted that it was imperative that this Court grant ad-interim relief restraining Defendant No. 1 from doing so.

3. I asked Mr. Andhyarujina as to whether Defendant No. 1 would or was likely to republish the said tweets. Mr Andhyarujina, on instructions, stated Defendant No. 1 would not be doing so. His statement is accordingly accepted. This, in my view, would afford sufficient protection to the Plaintiff at this ad interim stage.

4. Mr. Madon, however, also pressed for deletion of the certain identified portions of the said tweets. Mr. Andhyarujina submitted that Defendant No.

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1 would like to place on record material to justify what had been tweeted and would place the same on an Affidavit. Since this would require a detailed hearing, including consideration of, *inter alia*, the pleas of justification and maintainability of the Suit itself, it would be appropriate to now finally hear and dispose of the Interim Application after completion of pleadings.

5. Liberty is granted to the Defendants to file and serve a detailed Affidavit in Reply to the Interim Application on or before 20th November 2026. Rejoinder, if any, by 25th November 2026.

6. Stand over to **27th November 2026**.

[ARIF S. DOCTOR, J.]

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