

डॉ. पंकज शर्मा
Dr. PANKAJ SHARMA
जुज
Judge Small Causes Court
अतिरिक्त सिरिस्टी वीकली न्यायाधीश
Additional Senior Civil Judge
सहायक न्यायाधीश, नई दिल्ली
Guardian Judge, New Delhi District
कमरा नं. 21, मुजब नबल
Room No. 21, Muzb Nabal
पटियाला हाउस कोर्ट, नई दिल्ली
Patiala House Court, New Delhi

IN THE COURT OF DR. PANKAJ SHARMA, ADDITIONAL SENIOR
CIVIL JUDGE, NEW DELHI DISTRICT, PATIALA HOUSE COURT,
NEW DELHI

CS No.10/2020

Aparna Bhat Vs. Meghna Gulzar & Ors.

09.01.2020

Fresh suit is received by way of assignment. It be checked and registered, as per rules.

Present: Sh. Sanjay Parikh, Id. Senior Advocate along with Sh. Pukhrambam Ramesh Kumar, Ms. Sanjana Srikumar, Ms. Karishma Maria, Ms. Shivangi Singh, Ms. Madhulika Mohta and Ms. Raj Kumari Banju, Id. counsels for plaintiff along with plaintiff.

It is submitted by Id. Senior counsel that plaintiff is an advocate practicing in Hon'ble Supreme Court of India since 1992 and she takes up cases of the poor and the vulnerable. Between 2005 and 2015 she represented one Lakshmi in her case who was brutally attacked with acid and plaintiff was her lawyer in criminal trial represented her in the Hon'ble High Court and also filed PIL on her behalf in Hon'ble Supreme Court of India. It is further submitted that in 2016, defendant no.1 approached the plaintiff for making a film which is titled as "Chhapak" on the acid attack case of Ms. Lakshmi since the plaintiff had been her lawyer and had access to all the documents with regard to the case. In the rough draft of the film script the following was included at the end credit of the film "*Aparna Bhat continues to fight cases of sexual and physical violence against women*". Plaintiff gave consultation to defendant no.1 extensively between 2016 to 2019 for the purpose of her script of the film and taken inputs from her. Multiple draft portion of the script were sent to plaintiff by defendant no.1 for revision and for feed back. It was conveyed to the plaintiff by defendant that acknowledgment of the plaintiff's role as an advocate in Ms.

CS No.10/2020

Aparna Bhat Vs. Meghna Gulzar & Ors.

Page No.1 of 4



Lakshmi case would be known to everyone once the film is released.

It is submitted by Id. Senior Counsel that plaintiff has contributed through her legal skills and knowledge in making of film, namely Chhapak which is going to be released by tomorrow and the maker of the film i.e. the defendant no.1 despite acknowledging her contribution in writing assuring her that her name would be reflected in writing while screening of the film has skipped the said agreement, which has come to the knowledge of the plaintiff on the day of premier of the film on 07.01.2020 and thereafter, plaintiff communicated to her through email which was duly replied by the defendant and despite that the said promise has not been fulfilled as agreed with the plaintiff. It is submitted that ad interim injunction may be granted directing defendant to fulfill her promise by acknowledging the contribution of the plaintiff in the format which is with the plaint as after release of the film the contents and the information would be in public domain thereby prejudicing the rights of the plaintiff severely. It is also submitted that the plaintiff has rendered *pro bono* work for the film in question and she does not stand to be benefited financially and her only contention is that defendant should fulfill the promise which was made to her throughout the making of the film and in writing by acknowledging the same in writing during the screening of the film.

Heard. Perused.

The relief of interlocutory injunction are granted generally to preserve or restore the status quo of the last non contested status which preceded the pending controversy. In the present matter, the necessity for granting ad interim injunction has been established as after screening of the film when the contents of the film would come in public domain, thereafter, the redressal of the plaintiff's claim would be



rendered meaningless to a greater extent.

The facts disclosed that plaintiff has rendered her contribution in the form of consultation, necessary inputs, documents for the making of the aforesaid film to defendant no.1. As per the documents relating to "Actual Footage & Images, the contribution of the plaintiff was to be acknowledged through words "*Aparna Bhat continues to fight cases of sexual and physical violence against women*". It is a matter of fact that the aforesaid film depicts legal nuances and as such, the contribution of the plaintiff should necessarily be acknowledged in the background of the fact that she provided necessary legal support in the form of consultation, inputs and documents. Further, it is also necessary from the perspective of the viewers as they deserve to know the source of the legal inputs, guidance provided by the plaintiff. Plaintiff is in her legitimate right to compel the defendant to show her contribution during the screening of the film as such right is embedded in the agreement which is evident from the template acknowledging her contribution and communication effected between the parties.

If ad interim injunction directing the defendant to show on actual footage and images the line "*Aparna Bhat continues to fight cases of sexual and physical violence against women*" is not granted, then grave prejudice, injustice would be caused to her as the screening of the film without it would prevent the general public from knowing the said contribution of the plaintiff in the film. The plaintiff has thus *prima facie* able to show an infraction of her legal right emanating from the agreement and the facts presented. The balance of convenience also lies in her favour as it is the plaintiff who would be subjected to grave hardship, inconvenience, prejudice and injustice by not granting the

CS No.10/2020
Aparna Bhat Vs. Meghna Gulzar & Ors.

Page No.3 of 4



injunction. Although, the said agreement do not have any financial implication but non-inclusion of the plaintiff's contribution during the screening of film would cause irreparable damage to her in other terms.

Accordingly, this court is of the considered view that facts are indicative that the plea of the plaintiff for ad interim injunction is well founded and it is necessary that her contribution be acknowledged by providing on the slide of actual footage and images, the line "Aparna Bhat continues to fight cases of sexual and physical violence against women" during the screening of the film. The said line of screen may be with a rider that same is through court orders.

Copy of the order be given dasti to the plaintiff to be provided to the defendant through all electronic mediums for compliance of the order forthwith till further orders.

Issue summons to the defendants for settlement of issues and notice of the accompanying application on filing of PF/RC/Speed Post/Courier. Plaintiff is directed to comply provision of Order 39 Rule 3 CPC.

Be listed for hearing on 14.02.2020.

sd

Announced in the open Court on 09.01.2020



Judge, Small Cause Court,
(Dr. Ranika Sharma) ~~Additional Senior Civil Judge,~~
Patiala House Courts, New Delhi, 09.01.2020
Patiala House Courts, New Delhi

*Attested
True COPY
09/1/20*