

**IN THE COURT OF Dr. KAMINI LAU: ADDL. DISTRICT  
JUDGE-II (CENTRAL): TIS HAZARI COURTS: DELHI**

**CS No. 183/2016**

**New No. 11452/2016**

1. Haryana Chess Association (Regd.)  
Through its Hony. Secretary  
Sh. Pradeep Gupta  
C/o M/s. Bhagirath Mal Pawan Kumar,  
Bichla Bazar, Bhiwani, Haryana
  
2. Sh. Pradeep Gupta  
Honorary Secretary  
Haryana Chess Association  
C/o M/s. Paras International  
M-5/5200, Gawri Building.  
Shardanand Marg, Delhi – 110006

..... Plaintiff

Versus

1. Sh. Kuldeep Sharma  
S/o Sh. Inder Sharma  
R/o House No. 1, Gali No.1,  
Tosham Bye Pass Road,  
PAGSS Colony, Bhiwani,  
Haryana
  
2. Haryana State Chess Association  
Gali No.1, Tosham Bye Pass Road,  
PAGSS Colony, Bhiwani,  
Haryana
  
3. Sh. Raj Chengaapa  
The Chief Editor,  
The Dainik Tribune, Plot No. 123,  
Sector 37, Pace City-1, Gurgaon,  
Haryana

Also at:  
The Tribune House,  
Sector 29-C,  
Chandigarh, India - 160030

4. Sh. Naresh Kaushal  
Editor, Printer and Publisher  
The Dainik Tribune, Plot No. 123,  
Sector-37, Place City-1, Gurgaon,  
Haryana

Also at:  
The Tribune House,  
Sector 29-C,  
Chandigarh, India – 160030

5. The Dainik Tribune,  
Plot No. 123, Sector-37,  
Place City-1, Gurgaon,  
Haryana

Also at:  
The Tribune House,  
Sector 29-C,  
Chandigarh, India – 160030

.....Defendants

Date of Institution: 11.11.2010  
Judgment Reserved on: 30.09.2016  
Judgment Pronounced on: **30.09.2016**

### **JUDGMENT:**

(1) This suit has been filed by the plaintiffs against the defendants seeking Recovery of **Rs.21,00,000/- (Rupees Twenty One Lacs only)** as compensation for Libel and Injunction against

defendants from further Publishing and Circulating the Defamatory Statements.

(2) I may observe that initially the suit was filed before the Delhi High Court. However, pursuant to the enhancement of pecuniary jurisdiction of the District Courts, the present suit was transferred to the District Courts and then marked to this Court.

(3) Pursuant to the filing of the suit, summons were issued to the defendants who were duly served and filed their written statements. On the basis of the pleadings of the parties, vide order dated 23.07.2014 the Hon'ble Mr. Justice G.P. Mittal framed the issues and the case was listed for plaintiffs evidence. Thereafter the plaintiff no.2 Pradeep Kumar (the Ex-Secretary of the plaintiff no.1) has examined himself as PW1 and also examined Sh. Naresh Sharma the present Secretary of the plaintiff no.1 Association as PW2. When the witness PW2 Naresh Sharma was under examination, a settlement was arrived at between the parties. The defendant no.1 Kuldeep Sharma (also on behalf of the defendant no.2) has specifically stated that the statement made in the publication **Ex.PW1/10** from **point A to A** which has been attributed to him, was not made by him at any point of time. His statement to this effect has been recorded separately.

(4) Sh. Kunal Anand Ld. Counsel for the defendants no.3 to 5 has stated that he has instructions from the defendants no. 3 to 5 to state that there is an inadvertent mistake in the publication dated 19.05.2010 which is **Ex.PW1/10** duly published against the plaintiff i.e. The Haryana Chess Association which thereby changed the entire

sense of the news-report. He has further stated that the defendants no. 3 to 5 greatly regret/ apologize for the said mistake and has undertaken to publish the said regret as jointly agreed between them and the plaintiff and is **Ex.C-1** within two weeks from today which regret shall be published at a prominent place in the same newspaper. His statement has also been recorded separately.

(5) The plaintiff no.2 Pradeep Gupta (Ex-Secretary of the plaintiff no.1 Association) as well as Sh. Naresh Sharma (present Secretary of the plaintiff no.1 Association) have submitted that subject to the publication of the regret by the defendants no.3 to 5 as **Ex.C-1** in the same News Paper (either in Hindi or English) within two weeks from today, they have no objection to the disposal of the present suit on such terms as this Court may deem fit. Their statements have also been recorded in this regard in the presence of their counsel.

(6) I have considered the statements made before me in the presence of their respective counsels with which the parties shall remain bound. Subject to the publication of the regret by the defendants no.3 to 5 which is **Ex.C-1** (as jointly prepared and agreed to by the plaintiffs and defendants no. 3 to 5) in the same News Paper (either in Hindi or English) within two weeks from today, the present suit is hereby disposed off as '**Compromised**'. I may clarify that this is towards full and final settlement of all the disputes between the parties before this Court and no further litigation in this regard shall be entertained.

(7) Court fees is directed to be returned to the plaintiff as per **Section 16 of the Court Fees Act**. Decree sheet be prepared in terms of the above settlement. No orders as to costs.

(8) Parties to inform the Court regarding compliance of the settlement i.e. publication of regret by the defendants no.3 to 5 by **21.10.2016**, copy of which publication be also placed on record.

(9) File be consigned to Record Room.

Announced in the open Court  
Dated 30.09.2016

(**Dr. KAMINI LAU**)  
ADJ-II (CENTRAL)/D ELHI

30.09.2016

Present: Sh. Dinkar Kumar Advocate for the plaintiff along with  
the plaintiff no.2 in person.

Sh. Ajay Atri Advocate for the defendants no.1 and 2  
along with the defendant no.1 Kuldeep Sharma in person.

Sh. Kunal Anand Advocate for the defendants no. 3 to 5.

PW1 Pradeep Kumar is present, examined and discharged.

While the witness PW2 Naresh Sharma is under examination, a settlement is arrived at between the parties. The defendant no.1 Kuldeep Sharma (also on behalf of the defendant no.2) has specifically stated that the statement made in the publication **Ex.PW1/10** from **point A to A** which has been attributed to him, was not made by him at any point of time. His statement to this effect is recorded separately.

Sh. Kunal Anand Ld. Counsel for the defendants no.3 to 5 submits that he has instructions from the defendants no. 3 to 5 to state that there is an inadvertent mistake in the publication dated 19.05.2010 which is **Ex.PW1/10** duly published against the plaintiff i.e. The Haryana Chess Association which thereby changed the entire sense of the news-report. He further submits that the defendants no. 3 to 5 greatly regret/ apologize for the said mistake and has undertaken to publish the said regret as jointly agreed between them and the plaintiff and is **Ex.C-1** within two weeks from today which regret shall be published at a prominent place in the same newspaper. His statement

is also recorded separately.

The plaintiff no.2 Pradeep Gupta (Ex-Secretary of the plaintiff no.1 Association) as well as Sh. Naresh Sharma (present Secretary of the plaintiff no.1 Association) have submitted that subject to the publication of the regret by the defendants no.3 to 5 as **Ex.C-1** in the same News Paper (either in Hindi or English) within two weeks from today, they have no objection to the disposal of the present suit on such terms as this Court may deem fit. Their statements are also recorded in this regard in the presence of their counsel.

Vide my separate detail order dictated and announced in the open court, subject to the publication of the regret by the defendants no.3 to 5 which is **Ex.C-1** (as jointly prepared and agreed to by the plaintiffs and defendants no. 3 to 5) in the same News Paper (either in Hindi or English) within two weeks from today, the present suit is disposed off as '**Compromised**'.

Court fees is directed to be returned to the plaintiff as per **Section 16 of the Court Fees Act**. Decree sheet be prepared in terms of the above settlement. No orders as to costs.

Parties to inform the Court regarding compliance of the settlement i.e. publication of regret by the defendants no.3 to 5 by **21.10.2016**, copy of which publication be also placed on record.

File be consigned to Record Room.

(Dr. Kamini Lau)  
ADJ-II(Central)/ 30.09.2016