

B.A. LL.B.
MOOT PROBLEM

“News First” is a very well known private news channel in India and is associated with “First” network, a leading network in India, having its registered office in Pune. The channel “News First” boasts of having the largest viewership in India.

Mr and Mrs Ghora are leading surgeon from Pune and are attached to same hospital.

On 1st of February 2017 from morning at about 6 am, the channel “News First” started to telecast the breaking news, that Doctor Ghora was wanted by Police as he was alleged to be involved in illegal Kidney transplant racket. The channel also boasted that the channel was first to break this news which was obtained from reliable sources. Soon the other news channels started to cover the news.

At about 8 am the wife of Doctor, Mrs Ghora called the office of “News First” and other channels requesting them to stop the telecast of the said news as there is no reality in it. According to Mrs Ghora, her husband was missing from 28th January 2017, and that the missing complaint was filed on 30th January 2017. No channel paid any heed to her contentions, and in fact she was not allowed to interact with any senior officials of any channel she called, including the channel “News First”. The entire news relating to Dr. Ghora was telecasted for entire day, criticising, condemning and demeaning his image

On 3rd February 2017, Police recovered the body of Mr. Ghora from a ‘Vishram’, a 3 star hotel in Pune, which was cut and filled in suitcase. Since then there was a dramatic turn to the case. Many colleagues and patients of Dr. Ghora were interviewed by the police, and the finding was that the doctor was a skilled surgeon and a very good human being. The police also confirmed that there is no FIR against the said doctor at any police station accusing him any crime what so ever nature.

On 5th of March 2017, two suspects on whom the charge of killing Dr. Ghora were arrested and prosecution against the said killers commenced. The police stated that the doctor was called by the killers to hotel ‘Vishram’ under the pretext of discussing about the services to be rendered by the the said doctor, to a hospital which the former planned to open, which was not a reality. Before the arrival of doctor, these two killers posed as cops and asked the people to help to nab the doctor as he was a wanted in connection

with kidney transplant racket. The killers received the help from the staff and other customers to nab the doctor.

Mean while Mrs. Ghora demanded Rs 50 lakhs as compensation from the channel "News First" and to reveal the sources from where they received the information, as she had to face humiliation and also financial problems as she could not discharge her duties as surgeon. The compensation was only asked from the channel "News First" because the said channel was the first to break this incorrect news, which tarnished the reputation of a reputed doctor. Mrs Ghora also demanded to reveal the source of information of the said news channel.

The channel denied to accept any of her contentions, and said that the information was available from reliable sources, It was not the only channel to broadcast the said news and now the matter was subjudice so the channel did not want to comment anything regarding the said matter, as it may cause hindrance in the justice. The channel also stated that it was unjust to hold only "News First" as the said news was also telecasted by other news channels also. Lastly the channel stated that the channel is not under any obligation to disclose its source of information to anyone.

Aggrieved by this on 1st of April 2017 Mrs Ghora filed a defamation suit against the said news channel which is now for final hearing.

CLARIFICATION OF THE MOOT COURT FOR BA.LLB

A letter was written by the by the channel 'News First' inviting Mrs Ghora for discussion, which she did not turn up

The defamation suit filed by Mrs Ghora was dismissed by the lower court. Aggrieved by the decision of the lower court, the appeal has been filed in Bombay High Court, Mumbai, by Mrs Ghora which is for the final hearing.

(The clarification is the integral part of the moot problem)